

Richmond
Valley
Council



ATTACHMENTS

Tuesday, 19 April 2022

UNDER SEPARATE COVER

Ordinary Council Meeting

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Richmond
Valley
Council



MINUTES

**Ordinary Council Meeting
15 March 2022**

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ORDINARY COUNCIL MEETING MINUTES

15 MARCH 2022

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ORDINARY COUNCIL MEETING MINUTES

15 MARCH 2022

**MINUTES OF RICHMOND VALLEY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, 10 GRAHAM PLACE, CASINO
ON TUESDAY, 15 MARCH 2022 AT 6PM**

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

PRESENT: Cr Robert Mustow (Mayor), Cr Stephen Morrissey (Deputy Mayor), Cr Sam Cornish, Cr Robert Hayes, Cr Sandra Humphrys, Cr Patrick Deegan, Cr Debra McGillan (arrived at 6.15pm).

IN ATTENDANCE: Vaughan Macdonald (General Manager), Angela Jones (Director Community Service Delivery), Ryan Gaiter (Director Organisational Services), Ben Zeller (Director Projects & Business Development), Jenna Hazelwood (Leader Strategy), Julie Clark (Personal Assistant to the General Manager and Mayor), Simon Breeze (IT Support Coordinator).

1 ACKNOWLEDGEMENT OF COUNTRY

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

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

2 PRAYER

The meeting opened with a prayer by the General Manager.

3 PUBLIC ACCESS AND QUESTION TIME

Mr Rodney Falconer, Conservation Officer Birdlife Northern Rivers/NSW addressed Council with regard to Item 19.3 Development Applications – February 2022, specifically DA2021/0289 Primitive Camping Ground (14) sites.

Mr Falconer commented that the subject site is a complex wetland that has extremely high nature conservation values with one of the highest biodiversity levels in Australia. He stated there are a number of threatened flora species (including at least 10 nationally endangered species) as well as significant vegetation communities that provide important habitat for fifty threatened fauna species (including nine nationally endangered). The Bungawalbin Wetlands have a high diversity of native fish species including rare and threatened species. Mr Falconer asked Council to reconsider the approval of this development.

A recording of Mr Falconer's address is available at:

<https://richmondvalley.nsw.gov.au/council/council-meetings/council-meeting-videos/>

ORDINARY COUNCIL MEETING MINUTES

15 MARCH 2022

Dr Richard Gates, President Evans Head Memorial Aerodrome Committee Inc. addressed Council and expressed his sympathy for residents of Richmond Valley and those of neighbouring local government areas who have been affected by the current flood.

The following items were discussed;

- Item 14.2 Richmond Valley Flood Recovery Planning – Dr Gates expressed concerns regarding drainage at the southern end of the Aerodrome site and the significant water issues being observed during the recent rain event. He also believed the adjoining housing development had contributed to water issues to the aerodrome.
- Item 19.3 Development Applications – February 2022 – Dr Gates expressed concern in relation to the approval for DA2021/0289 Primitive Camping Ground (14) sites. He noted that Bungawalbin Creek flooding was experienced early in the recent flood event. He also expressed concerns regarding flood risk on the site proposed for the “Iron Gates” development and noted that the results of the recent floods identify climate changes is in effect.
- Item 15.1 Financial Analysis Report – February 2022 – Dr Gates expressed the view that the recent flooding event was a result of climate change and that Council should not be investing in fossil fuels. He asked Council to consider taking investments away from the fossil fuel industry.

A recording of Dr Gates' address is available at:

<https://richmondvalley.nsw.gov.au/council/council-meetings/council-meeting-videos/>

4 APOLOGIES

Nil

5 MAYORAL MINUTES

5.1 MAYORAL MINUTE - NORTHERN RIVERS FLOOD EVENT

RESOLUTION 150322/1

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council notes the political attention our Valley is receiving following the flood event, and supports continued efforts to advocate for financial and other support, both short and long term, to assist our Valley and the Northern Rivers region to recover.

.CARRIED

6 CONFIRMATION OF MINUTES

6.1 MINUTES ORDINARY MEETING HELD ON 15 FEBRUARY 2022

RESOLUTION 150322/2

Moved: Cr Robert Hayes

Seconded: Cr Sam Cornish

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ORDINARY COUNCIL MEETING MINUTES

15 MARCH 2022

That Council confirms the Minutes of the Ordinary Meeting held on 15 February 2022.

CARRIED

7 MATTERS ARISING OUT OF THE MINUTES

Nil

8 DECLARATION OF INTERESTS

Nil

9 PETITIONS

Nil

10 NOTICE OF MOTION

Nil

11 MAYOR'S REPORT

11.1 MAYORAL ATTENDANCES 7 FEBRUARY - 10 MARCH 2022

RESOLUTION 150322/3

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council receives and notes the Mayor's attendance report from 7 February –10 March 2022.

CARRIED

12 DELEGATES' REPORTS

12.1 DELEGATES' REPORT MARCH 2022

RESOLUTION 150322/4

Moved: Cr Robert Hayes

Seconded: Cr Sandra Humphrys

That Council receives and notes the Delegates' Report for the month of March 2022.

CARRIED

13 MATTERS DETERMINED WITHOUT DEBATE**13.1 MATTERS TO BE DETERMINED WITHOUT DEBATE****RESOLUTION 150322/5**

Moved: Cr Sandra Humphrys

Seconded: Cr Sam Cornish

That item 13.1 identified be determined without debate.

CARRIED

14 GENERAL MANAGER**14.1 RICHMOND VALLEY FLOOD EVENT - STATUS REPORT****EXECUTIVE SUMMARY**

The Richmond Valley has experienced one of the most significant flood events in its history, and every community within the local government area has been directly impacted. Some 2800 homes have been affected by flood waters, with approximately 1600 experiencing significant flooding.

As the waters continue to recede, Council is gaining a clearer picture of the extent of the damage and the magnitude of the task ahead to rebuild the Richmond Valley and help our communities recover. Early estimates of the damage bill for critical infrastructure exceed \$150 million. It is expected that the recovery process will take at least three years.

The initial focus during the event was on providing direct support to Emergency Services, restoring critical services such as drinking water, sewerage and waste collection, and repairing major roads so that supplies of food and fuel could reach isolated communities.

All services have now been restored to a basic level and key transport links have been reopened, pending further repairs.

This report provides an outline of progress so far.

RESOLUTION 150322/6

Moved: Cr Robert Mustow

Seconded: Cr Robert Hayes

That Council:

1. Receives and notes the report.
2. Continues to explore all avenues for assistance and to advocate strongly for the Richmond Valley community to support recovery from the 2022 flood event.

CARRIED

14.2 RICHMOND VALLEY FLOOD RECOVERY PLANNING**EXECUTIVE SUMMARY**

The February-March flood event saw unprecedented flood levels and damage to homes, businesses and public infrastructure in the Richmond Valley. As the flood waters recede, the full extent of the challenge of recovery is becoming clearer. We have not just lost homes and businesses – we have lost the key elements of whole communities.

Although it is still difficult to assess the full extent of loss and damage, Council believes the repair and replacement costs for roads, bridges, water & sewerage and other key infrastructure and assets will exceed \$150 million and that the recovery process will take at least three years. This report proposes a way forward to plan for an extended recovery period and provide early support to our community. Further proposals for community assistance will be presented to future Council meetings.

RESOLUTION 150322/7

Moved: Cr Robert Mustow

Seconded: Cr Sam Cornish

That Council:

1. Notes the early estimate of \$150 million to repair and replace community infrastructure damaged by the 2022 flood.
2. Notes the extended recovery period that will be required for the Richmond Valley to rebuild its communities and revitalise the economy after this unprecedented event.
3. Writes to the NSW Premier seeking support to:
 - a) Implement a revised Integrated Planning and Reporting schedule, as outlined in this report
 - b) Provide additional rating relief to flood affected communities, on a similar basis to the bushfire relief arrangements introduced in 2020
 - c) Provide a temporary increase of the tendering threshold to \$500,000 for councils undertaking flood-related repair works.
4. As an early measure, introduces rating relief as per Option One in this report, with further options for Community Support to be considered at the April Ordinary Meeting of Council.

CARRIED

15 ORGANISATIONAL SERVICES**15.1 FINANCIAL ANALYSIS REPORT - FEBRUARY 2022****EXECUTIVE SUMMARY**

The purpose of this report is to inform Council of the status and performance of its cash and investment portfolio in accordance with the *Local Government Act 1993* s.625, Local Government (General) Regulation 2021 cl.212, Australian Accounting Standard (AASB 9) and Council's Investment Policy.

The value of Council's cash and investments at 28 February 2022 is shown below:

Bank Accounts	Term Deposits	Floating Rate Notes	Fixed Rate Bonds	TCorp IM Funds	Total
\$17,225,029	\$29,000,000	\$4,750,390	\$2,000,000	\$15,280,000	\$68,255,420

The weighted average rate of return on Council's cash and investments for February 2022 was negative (4.91%) which was below the Bloomberg AusBond Bank Bill Index for February of 0.01%, which is Council's benchmark.

RESOLUTION 150322/8

Moved: Cr Sandra Humphrys

Seconded: Cr Sam Cornish

That Council adopts the Financial Analysis Report detailing the performance of its cash and investments for the month of February 2022.

.CARRIED

16 COMMUNITY SERVICE DELIVERY

Nil

17 PROJECTS & BUSINESS DEVELOPMENT

Nil

18 GENERAL BUSINESS

Nil

19 MATTERS FOR INFORMATION**RESOLUTION 150322/9**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

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

CARRIED

19.1 DISCLOSURE OF INTEREST RETURNS - MAYOR & COUNCILLORS**RESOLUTION 150322/10**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council receives and notes the disclosure of interest returns completed by the Mayor and Councillors, tabled for the information of Council.

CARRIED

19.2 GRANT APPLICATION INFORMATION REPORT - FEBRUARY 2022**RESOLUTION 150322/11**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council receives and notes the Grant Application Information Report for the month of February 2022.

CARRIED

19.3 DEVELOPMENT APPLICATIONS - FEBRUARY 2022**RESOLUTION 150322/12**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council receives and notes the Development Application report for the period 1 February 2022 to 28 February 2022.

CARRIED

20 QUESTIONS ON NOTICE

Nil

21 QUESTIONS FOR NEXT MEETING (IN WRITING)**21.1 CR ROBERT HAYES QUESTION - FLOOD REVIEW**

Can the General Manager advocate for any future review or inquiry into the recent floods to include representation of people on the ground of our Richmond Valley, including agricultural, business and community organisations?

The General Manager advised a response would be provided at the April meeting.

22 MATTERS REFERRED TO CLOSED COUNCIL

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:

22.1 Tender - Supply and Delivery of Stationery T522122OROC

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.

CARRIED

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

The Chair called for verbal representations from the gallery.

There were no representations from the gallery.

The Chair advised that under section 10A *Local Government Act 1993*, the media and public are to be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10(2) as outlined above.

RESOLUTION 150322/13

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That:

1. Council resolves to enter Closed Council to consider the business identified in Item 20.1, together with any late reports tabled at the meeting.
2. Pursuant to section 10A(2) – (c) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
3. The correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993*.

CARRIED

Council closed its meeting at 7.17 pm.

The Open Council meeting resumed at 7.19 pm.

The resolutions of Closed Council were read by the Director Organisational Services.

23 RESOLUTIONS OF CLOSED COUNCIL

22.1 Tender - Supply and Delivery of Stationery T522122OROC

That:

1. For the Supply and Delivery of Stationery, Council appoints the following tenderers to a panel of suppliers for the period 1 April 2022 to 31 March 2024
 - a. Dolphin Stationery Pty Ltd t/a Dolphin Office Choice
 - b. Winc Australia Pty Ltd
2. A provision is allowed for a further 12 months extension to the contract based on satisfactory supplier performance, which may take the contract through to 31 March 2025.
3. The General Manager be authorised to negotiate and finalise the terms and conditions of any contract or agreement, in line with the content of this report and the available budget and affixing the seal of Council where necessary.

The Meeting closed at 7.20 pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 19 April 2022.

.....
CHAIRPERSON



Richmond Valley Flood 2022



RESPONSE

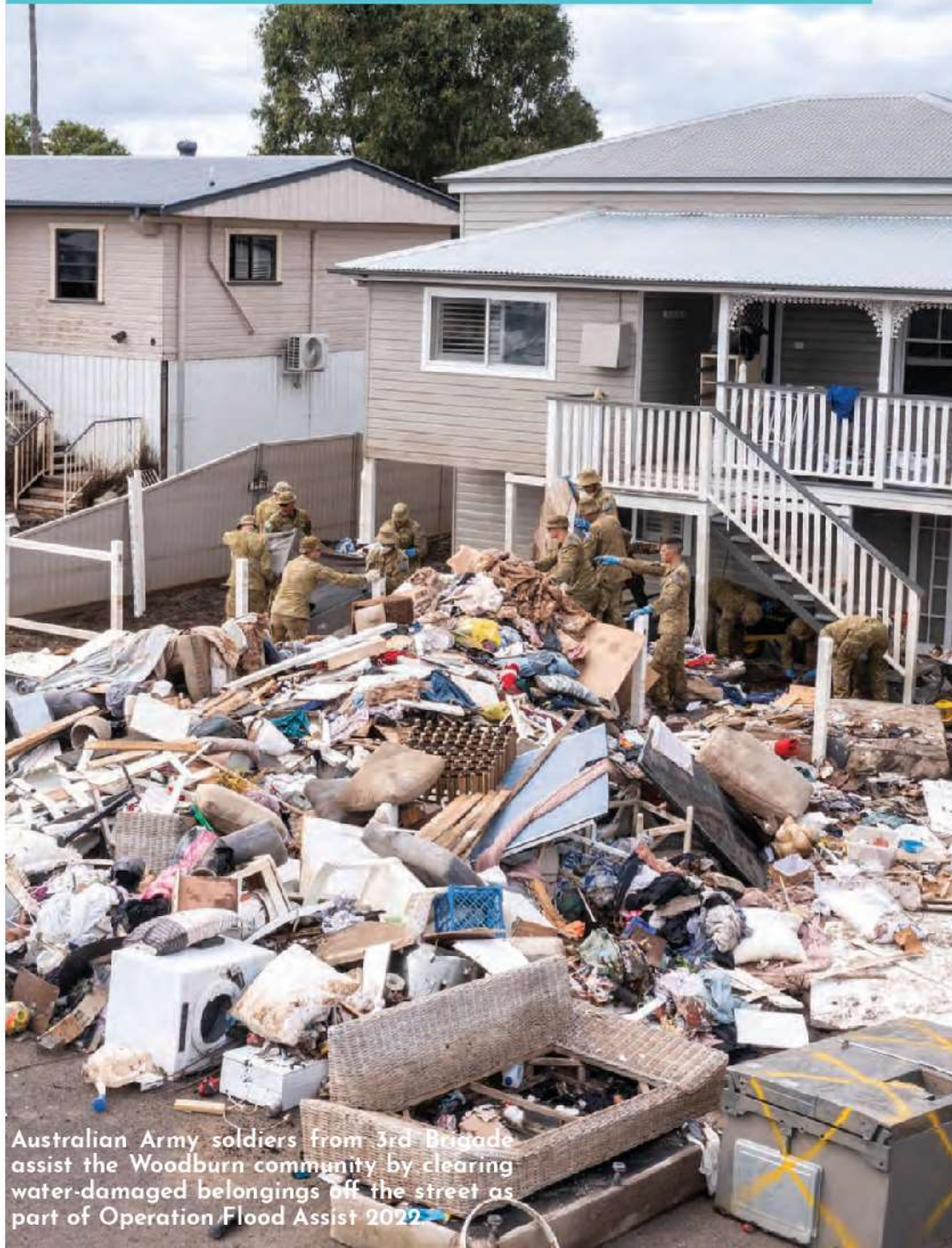
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Richmond Valley Council recognises the people of the Bundjalung nation as custodians and traditional owners of this land and we value and appreciate the continuing cultural connection to lands, their living culture and their unique role in the life of this region in the past, present and future.

\$150 million+ to rebuild our communities



Australian Army soldiers from 3rd Brigade assist the Woodburn community by clearing water-damaged belongings off the street as part of Operation Flood Assist 2022.

EXECUTIVE SUMMARY



Rebuilding from this catastrophic event will require a supreme effort and support from all levels of government

The Northern Rivers flood disaster of March 2022 has devastated the Richmond Valley, with catastrophic damage to homes, businesses and public infrastructure.

The Mid Richmond villages of Coraki, Woodburn and Broadwater experienced the highest flood levels in recorded history, with two major floods in quick succession. Our community is still reeling from the sheer scale and devastation of this event.

As the flood waters recede, the full extent of the recovery challenge is becoming clear. We have not just lost homes and businesses, we have lost the infrastructure which holds communities together.

The social and economic fabric of the Northern Rivers region is slowly being unravelled as the days and weeks go by.

With more than 10,000 people homeless, essential business and construction firms decimated, and key infrastructure failing, all levels of government need to act now to rebuild from this catastrophic event. It will require a supreme effort.

Richmond Valley Council has played a strong role in the initial disaster response - working to restore essential services, re-open roads and support emergency services.

Our community acknowledges the tremendous support we have received from emergency response agencies, the Australian Defence Force and the many volunteers who stepped forward to help in the most challenging of times.

We now begin the long and difficult journey of rebuild and recover.

Although it is still difficult to assess the full extent of loss and damage Council

believes the repair and replacement costs for essential infrastructure, such as roads, bridges and sewerage systems, will exceed \$150 million.

The cost to local homes, businesses, the natural environment and the wellbeing of our communities will be much greater. We expect the recovery process will take at least three years.

After seven Natural Disaster Declarations in just three years, as well as a global pandemic, Council believes this latest crisis will stretch our Northern Rivers communities to their very limits.

There are strong connections across this region for employment, services and supplies and we are only just beginning to understand the potential flow-on effects of losing key industries, facilities and workers.

In a region already challenged with severe housing shortages, rising unemployment, and limited access to essential building materials and services, providing short-term assistance will not fix the scale of devastation the Northern Rivers faces.

It will take an enormous amount of effort and support for those affected to rebuild their lives.

Richmond Valley Council and the wider community will be there every step of the way to support the individuals, families, businesses and farmers impacted by this disaster.

But we cannot do this alone. Our Council needs strategic investment, open engagement and strong leadership from all levels of government to meet this overwhelming challenge.



“ The February-March floods saw unprecedented damage to homes, businesses and public infrastructure in the Richmond Valley. As the flood waters recede, the full extent of the recovery challenge is becoming clear. We have not just lost homes – we have lost the infrastructure which holds communities together

What have we achieved so far?

- Majority of flood waste removed from Casino, Coraki, Woodburn and Broadwater
- Established usage agreement and EPA licensing for temporary waste transfer point to service the entire regions flood clean-up effort
- Emergency repairs to 40 flood damaged roads to improve safety and access
- Assessed more than 60 percent of our 1064km road network for flood damage
- Restored water and sewerage services to basic operations
- Restored kerbside waste collection services
- Reviewed initial damage assessments on 2333 structures
- Carried out detailed building inspections on 150 properties
- Supported the operation of evacuation and recovery centres
- Identified suitable sites for temporary accommodation and supported State agencies to source and supply emergency housing.
- Provide rate relief to flood victims and free access to building records to help with insurance and repair work.
- Completed an economic impact assessment on local business

Next steps

- Finalise flood waste collections in villages and rural areas
- Remediate temporary waste transfer points at Coraki, Broadwater and Casino
- Collaborate with PWA to transport waste away from Coraki transfer point to interstate landfill
- Complete assessment of the road network and 129 bridges
- Work with TfNSW to design solutions for major landslips on Naughtons Gap and Bentley roads
- Apply for Disaster Recovery funding to repair our roads - up to \$100m damage
- Complete repairs to the Broadwater sewerage system, Woodburn sewage pump stations and Rileys Hill sewage treatment plant
- Complete repairs to the Casino raw water pump station
- Complete building inspections of up to 400 homes
- Repair community buildings and facilities
- Advocate for more assistance for local businesses

We need help with . . .

- Disaster Recovery Funding for road repairs and landslip remediation - \$114m+
- Disaster funding for water and sewerage repairs - up to \$50m
- Temporary housing for flood victims - up to 1000 people homeless
- Targeted support for major industries, small-to-medium business and agricultural industries
- Wage support for flood-affected local workers.
- Funding for important flood response planning, including place plans to revitalise villages - \$300,000
- Continued funding for a local recovery team (two years) \$300,000
- Support to undertake a major review of urban drainage systems in Casino and Evans Head - \$1m+
- Support for mid-to-long term growth in permanent housing options





A Coraki resident takes time to thank the many volunteers who showed up to help flood victims.

RICHMOND VALLEY BRIEF STATISTICS



for 2020/2021

CATEGORY	2020/2021
TOTAL POPULATION	23,490
FAMILY HOUSEHOLDS	5262
MEDIAN WEEKLY HOUSEHOLD INCOME (2016 Census)	1191
COUNCIL AREA (KM ²)	3051 km²
GRP (GROSS REGIONAL PRODUCT)	\$900 million
VISITORS TO RICHMOND VALLEY	302,000
DOMESTIC VISITOR NIGHTS STAYED	119,000
VISITOR SPEND IN LOCAL ECONOMY	\$76 million
LOCAL JOBS	7923
TOP INDUSTRY OUTPUT - MANUFACTURING	\$xx million
INDUSTRY OUTPUT - AGRICULTURE, FORESTRY AND FISHING	\$xx million

Data sources: Jd Economy - National Economics (NIEIR) - Modelled series & Australian Bureau of Statistics and Tourism Research Australia Local Government Area profiles.



Drone footage of flood-affected Broadwater and surrounds.

COUNTING THE COST

Property damage - homes and businesses



- Total properties in the Richmond Valley: **10,800**
- Number expected to be impacted by flooding (based on modelling): **Up to 3000**
- Structures inspected/assessed so far: **2333**

Total assessment results

- Destroyed: **30**
- Damaged*: **1142**
- Undamaged: **1161**

Varying degrees of damage; numerous properties awaiting structural assessment

Residential assessment

- 26 destroyed
 - 812 damaged
- *There were 198 assessed as damaged but not classified by building type

Business structures assessed

Commercial:

- Total assessed: **85**
- Destroyed: **1**
- Damaged: **34**

Industrial:

- Total assessed: **23**
- Damaged: **9**

Estimated production loss for the Richmond Valley (mainly agriculture and manufacturing):

\$250m

over two years
(2021-23)

Areas with the greatest damage:

- **Coraki** - three structures destroyed, 297 damaged
- **Casino** - 270 structures damaged
- **Woodburn** - one structure destroyed, 152 damaged
- **Broadwater** - seven structures destroyed, 68 damaged
- **Swan Bay** - seven structures destroyed, 59 damaged

Flood waste removal

- 13,000 cubic tonnes of waste per day transported to Mid Richmond holding site (Coraki Quarry)
- 700 truck movements per day to collect waste from affected communities
- \$6 million to be funded in advance by Richmond Valley Council to expedite the clean-up.



ESSENTIAL INFRASTRUCTURE

Water and Sewerage Services

Estimate to repair, replace and improve flood resilience of infrastructure

\$50m

Urgent repair work to restore reliable service

\$8m

See detailed information on page 10

Roads and bridges

Estimate to repair, reconstruct and replace critical infrastructure

\$100m

Estimated cost of landslip remediation

\$14.1m

See detailed information on page 16





COMMUNITY BUILDINGS

Council is yet to complete costings for damage to community buildings. Early estimate is \$2 million. Affected facilities include:

- **Council depots:** Inundation of Coraki depot and fabrication shop, including fleet, plant and equipment
- **Community halls:** Four - Coraki, Woodburn, Colley Park and Leeville
- **Emergency services buildings:** Six
- **Cultural/early education/tourism facilities:** Six - including inundation of Woodburn Visitor Information Centre
- **Sports facilities:** Nine - including major damage to Casino Indoor Sports Stadium and Woodburn Pool plant room, damage to amenities at various facilities
- **Public toilet blocks:** Five

COUNCIL FLEET

10 vehicles submerged. Including:

- Three utilities
- Two trucks (one valued at \$130,000)
- Garbage truck (\$500,000)
- Forklift
- Three commercial grade ride on mowers.

Total insured value: \$700,000

Total replacement value: \$970,000

Sourcing replacement vehicles will be a challenge, due to the ongoing supply impacts of COVID. Council was facing delays of up to 12 months for new fleet prior to the flood. Council has traditionally sourced its plant and equipment from local or regional suppliers wherever possible.

These suppliers have now suffered extensive flood damage and stock that was on order has been lost.





Richmond Valley Council's Woodburn community building, which houses the Visitor Information Centre, suffered severe damage from the 2022 flood event.

MAJOR PROJECT DELAYS

Richmond Valley Council has received funding under the **Bushfire Local Economic Recovery Fund** in 2020-21 for three major community projects.

These projects have now been significantly delayed due to direct impacts of the February-March flood event.

Council will be seeking an extension of time for these projects from the funding administrator:

It is expected that overall project costs may increase by 15-30 percent due to rescoping/redesign in response to flood impacts and rising costs of labour and materials

Casino Showgrounds and Racecourse upgrade	Rappville Sewerage System	Casino Industry Activation Project
<p>This site was used as a base camp for Australian Defence Force personnel and BlazeAid volunteers during the disaster recovery period.</p>	<p>Rappville and surrounding areas experienced moderate flooding during the February-March event. A review of the scope and design of this project may be required following assessment of flood impacts.</p>	<p>This site experienced flood impacts and further investigation/redesign may be required.</p>
<ul style="list-style-type: none"> • Project Value: \$9,000,000 • Grant Amount: \$8,200,000 • Council and other Grant contributions: \$800,000 • Extension required: 12 months 	<ul style="list-style-type: none"> • Project Value: \$3,500,000 • Grant Amount: \$3,000,000 • Council contribution: \$500,000 • Extension required: 12 months 	<ul style="list-style-type: none"> • Project Value: \$13,333,000 • Grant Amount: \$9,969,000 • Council contribution: \$3,364,000 • Extension required: 12 months

PROJECTS WHICH CAN PROCEED

Evans Head Sewage Treatment Plant Augmentation

This project was being funded through the Safe and Secure program, administered by Water Infrastructure NSW. The project includes completion of stage two of the original STP design. Although the STP is functional, it experienced high inundation of salt water during the flood event and there are concerns this will result in asset damage in the short-to-medium term. Completing the stage two augmentation would allow stage one to be taken off line for comprehensive maintenance/repair.

Northern Rivers Rail Trail Casino/Bentley section

- **Project value: \$7,500,000. Grant Amount: \$7,500,000.** Pre-construction works may proceed as planned (subject to availability of contractors and equipment).
- Some rescoping/redesign may be required due to flood impacts on the rail trail corridor.

RESTORING ESSENTIAL SERVICES

Water Supply and Sewerage

The Northern Rivers flood impacted water and sewerage services throughout the Richmond Valley, with some communities losing access to potable water and sewerage services during the event.

Early estimates of the cost to repair, replace and improve flood resilience of our community's water and sewer infrastructure is \$50m.

Our communities need urgent government assistance to rebuild, replace and improve resilience of this critical infrastructure - and clarity on the terms and requirements of any disaster funding available.

Urgent Repairs

All water supply and sewerage services within the Richmond Valley have now been restored to a basic level, with a number of facilities operating on emergency mode. The cost of urgent repairs to ensure these services remain operational in the immediate future is **\$8m+**.

This includes:

Safe drinking water - \$1.5m

- Replacing the damaged carbon dosing system at the Casino raw water pump station, to ensure the drinking water supplied to Casino township and major food processing facilities continues to meet the Australian Drinking Water Quality Guidelines

Essential sewerage services - \$1.5m

- Replacing/refurbishing most of the components in the Broadwater pressure sewerage system. Control panels to 200 homes, as well as pods and pumps were severely damaged or destroyed. Sewerage is only available to a limited number of properties at present and the system is operating manually.

Sewage transfer systems - \$1m+

- Repairing sewage pump stations inundated by water at Woodburn, Broadwater, Coraki, Rileys Hill and Casino. At least seven switchboards (average cost \$150,000 each) will need to be replaced.
- Pumps and other components from transfer systems have been sent to a specialist facility in Queensland to be oven dried, in the hope they may be returned to service.
- It is unknown if these components can be saved



South Casino transfer - \$1m+

- The main sewage transfer system between South Casino and the Casino STP has suffered significant flood damage. More than 650 homes in South Casino rely on this system to transport sewerage.
- The transfer system uses last-century technology to macerate raw sewage and transfer it under the Richmond River via a syphon system.
- All surface components, including the macerator, were severely flood damaged. Council was able to clean out the syphon system to the point where it is achieving basic function, but it will require constant monitoring and cleaning to ensure it continues to operate in emergency mode.
- Council needs an urgent solution to ensure the long-term operation of this system. Options assessment and replacement with contemporary technology will be required.



Primary pump station - Casino - \$1m

- Pump station one is the primary sewage transfer point for the Casino network.
- This station suffered extensive damage to the switch room, which will require urgent repair.
- To avoid future inundation, it will be necessary to raise the height of the switch room.



Urgent repairs to sewage treatment plants - \$1.5+

- All four of Council's sewage treatment plants have been flood impacted, with the Casino, Coraki and Rileys Hills sites suffering inundation.
- There are a number of urgent structural and electrical repairs to all three sites, including repairing switch rooms and carrying out emergency stabilization of the Casino trickle filters.
- These works will need to be completed as a priority to ensure the plants continue to operate.





BUILDING FLOOD RESILIENCE IN OUR CRITICAL INFRASTRUCTURE

“ This unprecedented flood event has highlighted vulnerabilities in the Richmond Valley’s water and sewerage networks and provided Council with a clearer understanding of the network’s risk profile.

Issues we encountered during the flood event include:

Loss of visibility of system performance

- Council’s sewerage systems have limited capability for automated monitoring and operation.
- Most plants require a level of manual operation and physical attendance at the site. With the level of inundation experienced, all sewage treatment plants, most major pump stations and drinking water transfer systems in the Mid Richmond became inaccessible.
- Communications and SCADA systems were lost within the early days of the disaster, as power failed, battery back-up systems depleted and key communications facilities were isolated by flood water.

SOLUTION:

This problem could be addressed by:

- Investing in higher levels of automation to ensure remote operation and monitoring.
- Investing in solar-powered communications systems to ensure we maintain visibility of system performance during power failure/flood isolation - **estimated cost \$650,000**

Lack of back-up power supply

- The flood event saw widespread power outages which continued over many days.
- Although the main water supply at Casino had a back-up generator for the raw water pump station, this required manual operation, which meant staff had to navigate dangerous floodwaters to access and activate the generator.
- The Mid Richmond water supply relies on small, elevated reservoirs, which are replenished by pumps.
- When the power failed, the water supply was quickly depleted and Council had to urgently source generators and attempt to access flooded sites to ensure potable water could continue to be supplied.

SOLUTION:

This problem could be addressed by:

- Investing in additional automatically operated generators for key water-sewer pumping stations - **estimated cost \$500,000**

Water quality challenges

- During a major flood event, the community’s health and safety depends on maintaining a safe water supply for drinking, washing and cleaning.
- Casino’s water supply is sourced from the Richmond River, which saw extreme levels of turbidity (suspended particles) throughout the flood event. As an example, the Australian Drinking Water Guidelines establish a maximum level of 0.5 NTU for turbidity. The source water entering the Casino water treatment system at the height of the flood was 1200 NTU.
- In a sustained flood event, it is not possible to simply shut down the treatment plant and rely on the limited amount of water stored in the system. Casino’s water treatment plant has limited levels of automation to detect and respond to water quality risks.
- As a result of turbidity challenges, Casino’s drinking water supply was subject to a Boil Water Alert from 24 February to 9 March. This resulted in the loss of all stored water, as the system was flushed to remove potential contaminants.
- The 2022 flood event has highlighted the need to make urgent improvements to the Casino Water Treatment Plant. Richmond Valley Council was already investigating this issue, in consultation with NSW Health.

SOLUTION:

This problem could be addressed by:

- Investing in additional automation and monitoring equipment at the water treatment plant
- Introducing additional storage for treated water to allow the plant to be shut down in high turbidity events
- Providing additional water treatment processes, such as addition of a clarifier and UV disinfection system.
- **Estimated cost \$10m+**





Council's raw water pump station in Casino was inundated with flood water, requiring urgent structural and electrical repairs. The pump station services the Casino Water Treatment Plant.

A NEW SEWAGE TREATMENT PLANT FOR CASINO

Like many areas in regional NSW, the Richmond Valley relies on water and sewerage systems which were largely designed and constructed by previous generations.

The facilities are nearing the end of their asset life. They have weakened structures, are difficult to retrofit with current technologies and do not achieve the treatment standards required in the 21st Century.

Casino Sewage Treatment Plant's components date back to the 1930s. The plant's inlet works, trickle filters and tertiary ponds had reached the end of their asset life and the inundation of the site in the 2022 flood event has accelerated their demise, with structural failure in the trickle filters.

Richmond Valley Council had already identified the replacement of this plant as a top priority to support the NSW Government's Regional Job Precinct project and the urgent need for additional housing in the Casino urban growth areas.

This is a catalyst project to open the way for economic growth and support our community's recovery from this catastrophic flood event.

Richmond Valley Council does not have sufficient funds to complete this project. While Council is in a position to part-fund the redevelopment, it will require assistance from other levels of government to deliver this critical infrastructure.

SOLUTION:

Replacing the Casino Sewage Treatment Plant (estimated cost \$25 million+) will help to secure some 600 additional local jobs through the Regional Job Precinct development and open the way for an additional 1000+ new homes on flood-safe land near the Casino township.



RESTORING KEY REGIONAL ROADS

“ Approximately 60 percent of our road network has been assessed and the majority of roads are showing significant damage.

The 2022 flood event, followed by the impacts of increased traffic for highway bypass and bulk waste clean-ups, has taken a huge toll on the Richmond Valley's road network.

Council maintains 1064km of roads - both sealed and unsealed - and all have suffered extensive damage, with an estimate of **\$100 million** to repair and rebuild this critical infrastructure.

Council expects it will need at least 150,000 tonnes of gravel for its rural roads alone.

Emergency repairs on 40 roads have already been carried out to support access and safety for residents.

Several major landslips have occurred in North Casino on key link roads. The early estimate for repairing this damage is **\$14.1 million**, however, further geotechnical assessment will be required before final costs are known.

Assessment so far:

- 100% of 'A' Class Unsealed Road (163km)
- 99% of 'B' Class Unsealed Roads (208Km)
- 89% of 'C' Class Unsealed Roads (145km)
- 10% of rural sealed roads
- Urban road networks still to be assessed
- 130 bridges still to inspect
- 1000 culverts to be cleaned & assessed

Securing jobs

The Richmond Valley's road network is critical to restoring the regional economy and rebuilding flood-damaged communities.

Our region relies heavily on agriculture and food processing, with major facilities including the Casino Food Co-op (meat processing) and Northern Rivers Livestock Exchange supporting the beef industry, and the Sunshine Sugar Mill at Broadwater sustaining cane farmers in the Mid Richmond.

The Richmond Valley's gross regional product is an estimated \$900 million, with manufacturing being the most productive industry, generating \$xx million.

Agriculture, forestry and fishing contributes \$xx million.

It is essential that we restore key freight routes and transport links serving agricultural industries to secure thousands of jobs within our community and support the recovery process.



Reconnecting communities

Council's road network also provides critical community connections, linking flood devastated villages such as Coraki, Woodburn and Broadwater to employment in nearby towns, regional services, support and education facilities.

The Broadwater Public School was destroyed in the floods, with children now having to make a 30km round trip to the Evans Head School. With the extensive damage to both Broadwater and Woodburn, nearby Evans Head will become a much-needed local hub for key support services.

Restoring the Woodburn-Evans Head Road will be essential in assisting the Mid Richmond villages to recover. Some 70 percent of this road suffered inundation and extensive reconstruction will be required. Estimated cost: \$6m

The critical role of MR145

For several days during the flood, the Mid Richmond communities of Coraki, Woodburn and Broadwater were locked in isolation as rising waters severed ties to much-needed help from major centres such as Casino.

The Casino-Coraki-Woodburn Road (MR145) is a critical link between our Richmond Valley communities and the flood event showed us just how important this road is to the safety of the 2700 residents in these villages.

While it is not practical to redesign MR145 to endure a 1-in-500 year flood event, such as the one just experienced, there is considerable opportunity to improve this road to ensure it gives the earliest possible access to communities in future flood events.

Richmond Valley Council was working on a long-term project to strengthen MR145 as a major link road before this latest flood event. Council had received some \$10m in Federal assistance towards this project and required an additional \$32m to complete the remaining works.

Sadly, the full length of the road has now been devastated by flooding and the subsequent impacts of heavy rescue vehicles and bulk waste removal trucks on the saturated pavement. There have been up to 1400 truck movements a day, in and out of the Coraki Quarry to deliver flood waste to the transfer station.

It is estimated the cost of repairing the road and improving its flood resilience is at least \$42m.



Bridges and culverts

All 129 of Council's bridges will need to be inspected for structural damage over the coming weeks.

So far, damage to four bridges is confirmed, with the repair cost estimated at \$230,000 to replace approaches which have washed away.

Inspection of Casino's most essential structure, Irving Bridge, on the Summerland Way, has not yet been completed as the service road used to access the bridge (Halsteads Drive) was washed away in the flood.

There are also 1000 culverts to be cleaned and inspected, with major damage confirmed on two multi-cell culverts so far on Bentley and Reynolds roads, Casino.

Pavement and potholes

There has also been significant damage to pavement across the road network, with some \$1m worth of stripped seal to be repaired.

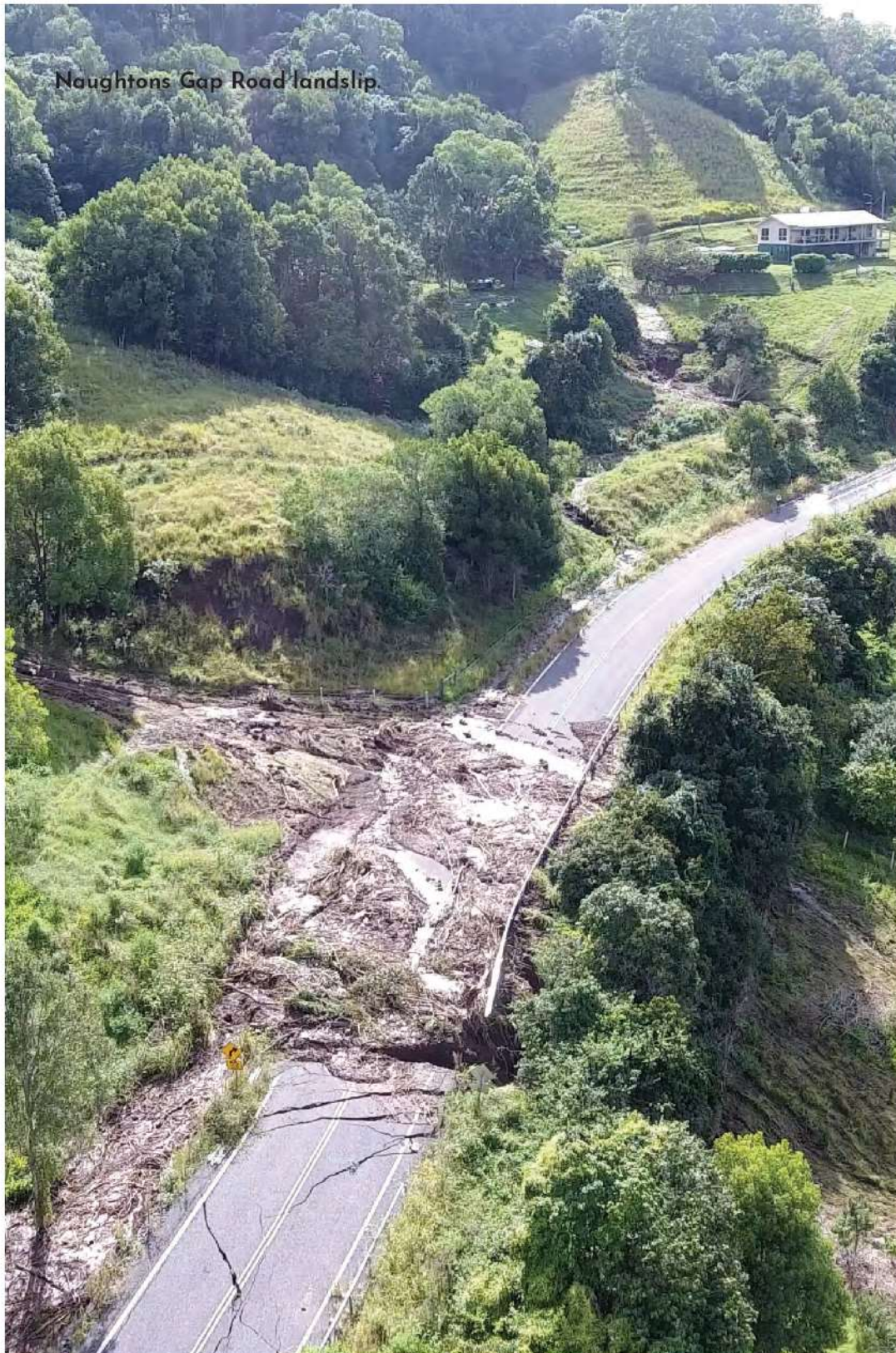
This will take considerable time and materials.

It is expected that further damage will emerge in coming weeks as the impacts of heavy traffic on saturated pavements become apparent.









REBUILDING HOMES

“ More than 400 homes are uninhabitable and 1000 local people are homeless

Assessing the damage

The 2022 floods have devastated local communities and damaged hundreds of homes.

Three weeks beyond the flood, we still do not know how many local families are homeless. But the impacts of displacement and despair are unfolding each day in our Mid Richmond communities

Up to 3000 properties within the Richmond Valley have been affected by the flood to varying degrees, with 2333 initial damage assessments completed so far by emergency response agencies on homes, businesses and other structures.

Areas which recorded the most severely impacted or destroyed structures were Broadwater, Woodburn, Swan Bay, Coraki, Bungawalbin and Casino.

The initial assessment provides a starting point for understanding the scale of the damage and the extent of homelessness due to the disaster. Early estimates are that at least 400 homes may be uninhabitable.

The next stage of the assessment is for Council to follow up with more detailed building inspections to determine whether houses can be repaired or may need to be demolished.

Early indications are that most of the damaged homes can be repaired. However, some have been so extensively damaged that it will take months to bring them back to a habitable standard.

Early estimates

- 1766 damage assessments completed
- 838 structures assessed as having flood damage
- More than 400 homes may be uninhabitable
- 30 building inspections completed on homes assessed as destroyed
- 150 building inspections completed on seriously damaged homes; a further 200+ inspections required.
- Up to 1000 people homeless



Emergency accommodation

Estimates are that some 10,000 people in the Northern Rivers have been rendered homeless by the 2022 flood disaster. This includes up to 1000 residents of the Richmond Valley.

However, it is still difficult to gauge the full extent of the impacts as many flood victims are currently sheltering with friends and family, and have not sought help with emergency housing. There are families still traumatised by the event - living in cars and tents, or camping out in damaged homes.

Our community needs urgent help from all levels of government to provide safe short-term housing for flood victims.

In a region that was already experiencing the worst housing shortage on record (due to COVID impacts), this latest disaster has stretched the Northern Rivers to breaking point.

At present, flood-affected families are being housed in temporary holiday accommodation, motor homes and caravan parks, but there is not enough housing to go around.

Council can help by identifying suitable sites for temporary housing - it has already explored two viable possibilities in the Mid-Richmond.

However, providing the temporary homes to occupy these sites is beyond the resources of local government. Urgent action is required from State and Federal governments to resolve the housing crisis.

Without safe housing, local people will be forced to walk away from the only things they have left - their towns and villages and the social ties that have held them together during this crisis.

Residents who have lost their homes and their jobs will leave the region to seek help from family and friends elsewhere, because they have no choice. Children will leave their schools, local workers will move on, and connections to people, place and country will be broken.

If our region's economy is to recover, we will need to retain every skilled worker in the Northern Rivers - and find many more workers to help in the rebuilding program.

Hundreds of additional trades and contractors will be required to complete the roadworks, rebuilding and construction tasks that lie ahead.

All of these workers will need to be accommodated in temporary housing while they complete these tasks. Solving short-term housing needs will be the main catalyst for our region's recovery.







The impacts of displacement and despair are unfolding each day in our Mid Richmond communities.

Up to 3000 properties within the Richmond Valley have been affected by the flood to varying degrees.





Royal Australian Navy physical training instructor Leading Seaman Dominic Morris, from HMAS Cerberus, helps clean up flood debris at Broadwater as part of Operation Flood Assist 2022.

REBUILDING OUR COMMUNITIES

Helping flood-affected residents back in to their homes as quickly as possible will speed the Richmond Valley's recovery and ease local housing pressures.

Early inspection results suggest that less than 30 homes in the Richmond Valley may require demolition and full rebuild. However, others have been so severely damaged they will require extensive remediation and repair. To achieve this, owners will need:

- Access to streamlined planning requirements which are affordable and easy to understand.
- Options to increase flood resilience of homes, such as house raising.
- Support with re-financing and funds to get the building work underway.
- Support for landlords to undertake urgent repairs in rental properties to get displaced tenants back in their homes.
- Access to essential building materials, such as frames and trusses, wall cladding and lining, plumbing and electrical supplies. Many of the local firms which provided these materials have been devastated by the flood and will need targeted assistance to get them back on their feet to support the regional rebuild.
- Access to essential building services and trades to complete the works. The Northern Rivers was already experiencing a shortage of building supplies and services due to the COVID pandemic Targeted investment and support will be required from State and Federal governments to increase the workforce.

Council can provide support to home owners and businesses seeking to rebuild through fast-track assessment (as implemented following the 2019 bushfires) and help with preparing development applications, via the Development Concierge service.

However, more direct assistance will be required through State regulation and policy amendments to achieve the scale of rebuilding work the Northern Rivers desperately needs.



Long-term housing solutions

Richmond Valley Council has been working on a long-term housing solution for our community for the past six months to help address the housing crisis. This work will also be a critical piece of the recovery process.

In support of the Regional Job Precinct project, Council has prepared an Urban Growth Management Strategy for the Richmond Valley and a more detailed place plan for Casino. These studies have identified suitable flood-safe land which could be released for the extra housing that our community will need - not only to help recover from the flood, but to cater for the additional workers who will move to the region once the Regional Job Precinct is fully established.

Council has a viable option to provide 1600 much-needed homes in the Casino district through private investment. But it needs help with master planning, fast-track approvals and essential infrastructure to make these homes a reality. Estimated cost of the supporting infrastructure is \$20m.

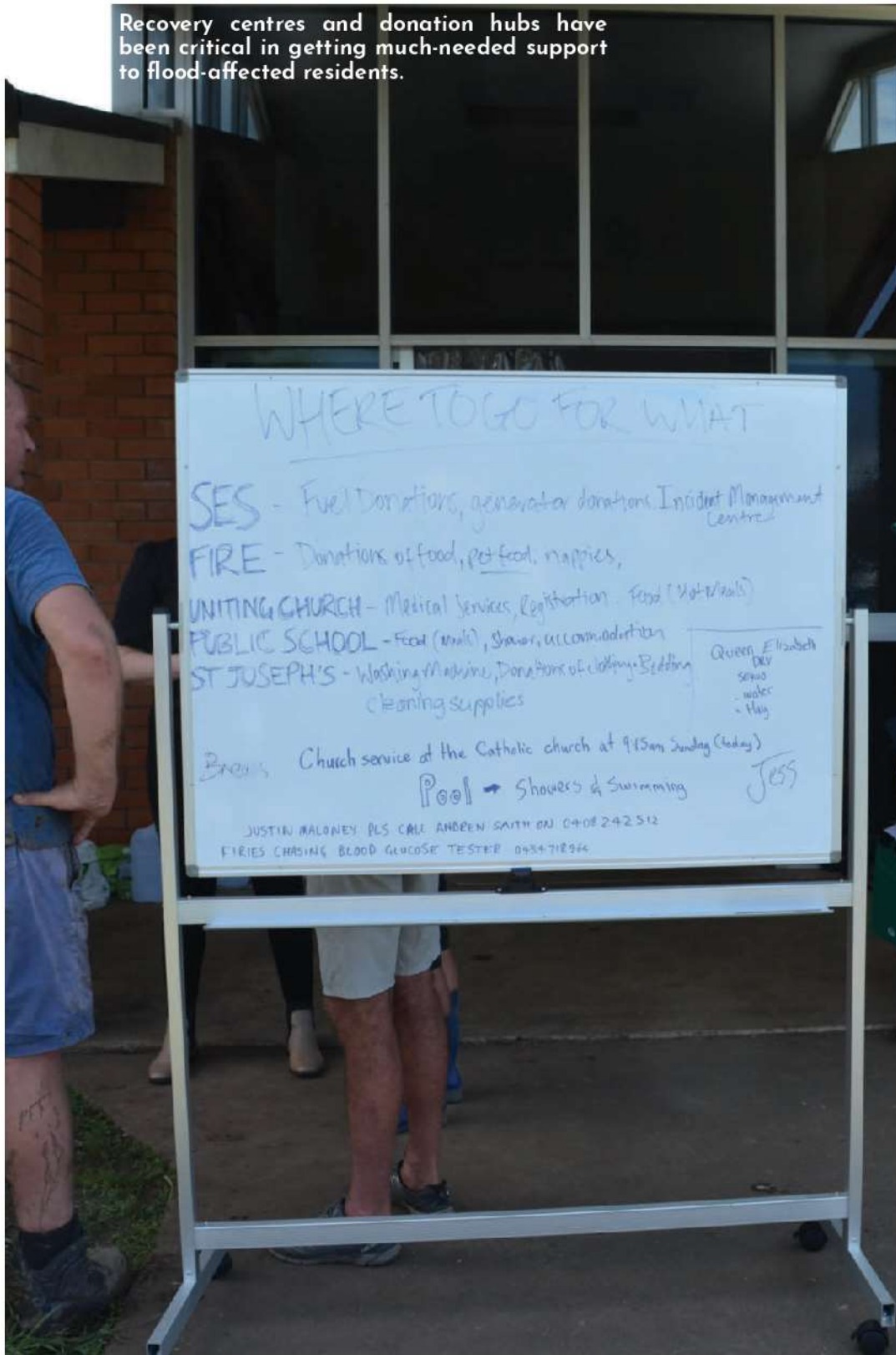
Similarly, there are options to provide up to 300 affordable homes/social housing on Crown lands which are currently zoned residential. However, this can only be achieved through direct investment by the NSW Government.

WHAT DO WE NEED?

- Urgent assistance with safe temporary accommodation that keeps people connected to their own community.
- Fast-track planning solutions that help people rebuild as quickly as possible and improve flood resilience for their homes.
- Targeted assistance for local building supply firms and building trades and services.
- Financial support for those seeking to rebuild - including owner/occupiers and landlords.
- Targeted government support to help fast-track long-term housing solutions in the Richmond Valley.



Recovery centres and donation hubs have been critical in getting much-needed support to flood-affected residents.





SUPPORTING ECONOMIC RECOVERY

The Richmond Valley's economy has been growing steadily over the past two decades, with annual production of more than \$900 million.

Key drivers of the economy are agricultural industries and manufacturing, both of which have been significantly impacted by the 2022 flood - homes, businesses, livestock, grazing land, crops, machinery and infrastructure lost or damaged.

Council's priority is to rapidly rebuild stronger and more resilient communities, focussing on the health and wellbeing of people, repair of property, and restoration of small business, primary producers and the environment.

Already under incredible strain from drought, bushfires and the COVID pandemic, intervention is needed now to ensure our towns, which are inextricably linked to the agricultural industry, are able to recover and prosper again.

To help gain an understanding of the flood's impacts on the local economy, Richmond Valley Council engaged Sea & Star Advisory to undertake a preliminary economic impact statement and advise on measures to support economic recovery.

The study found that, although the Richmond Valley's economy could expect to experience significant loss of production over the next two years - estimated \$250 million, there was strong capacity to recover relatively quickly and support the wider recovery of the Northern Rivers.

Achieving this recovery will depend on the level of support local business receives in the next 12 months to re-activate essential services and sustain local employment.

Economic impacts

- Richmond Valley annual production: \$900m
- Expected production loss 2021/22: \$196m (-21.3%)
- Expected production loss 2022-23: \$69m
- Main production losses in agriculture & manufacturing



Supporting business recovery

To begin the recovery journey local business needs:

- Cash flow to support wages
- Access to replacement assets
- Reliable supply chains to source materials & stock
- Maintenance of skilled labour
- Continued consumer demand
- Access to affordable finance and insurance
- Easy-to-access government assistance

Without intensive support in the first 12 months, there is a risk that the recovery process will be delayed, as key skills and employees are lost and customers move to other suppliers. The Richmond Valley is well placed to support economic recovery in the Northern Rivers, with a sound industrial and agricultural base and flood-safe land for future development. Initiatives such as the Richmond Valley Regional Jobs Precinct will be a catalyst for the recovery process.

Securing jobs

Sustaining local employment is one of the key challenges in the immediate aftermath of the floods. To recover quickly we need to keep local workers in the Richmond Valley - which means securing accommodation for those who have been displaced and securing income for those who work for, or rely upon, flood-impacted businesses.

Impacts on the local workforce extend beyond the Richmond Valley flood event, as some 32 percent of local workers travel outside the local government area each day for employment. More than 1600 of these workers are employed in Lismore, which suffered devastating flood impacts in the central business district. Some 760 workers travel from Lismore each day to work in the Richmond Valley. These workers' homes may have been flood affected.

With a number of key local employers currently unable to trade, there is a risk that skilled workers will be lost unless a targeted assistance package - such as the Job Keeper or Job Saver initiatives - are introduced in the short-to-medium term. This would provide much needed security for both recovering businesses and the local families who depend upon them for their livelihood.



SUPPORTING ECONOMIC DRIVERS AND ENABLING INDUSTRIES

To secure the future of the local workforce and support the recovery process, targeted assistance is required for key industries and major employers within the Valley.

Beef and dairy industry

The local beef industry supports thousands of direct jobs in cattle production, sales and meat processing, as well as indirect employment in transport and agribusiness industries.

The Casino Food Co-op employs some 900 local workers and contributes \$65 million to the local economy each year.

Council's Northern Rivers Livestock Exchange accounts for some \$143.2 million in annual cattle sales.

Dairy production is also strong in Mid Richmond communities such as Coraki, where flood impacts have been the most severe. Recent data shows dairy product manufacturing contributes more than \$21 million of the Richmond Valley's regional exports.

Richmond Dairies produces a range of frozen milk products including creams, cream blends and milk concentrates, as well as milk-based powders which are used by food manufacturers around the world. Its Casino factory employs around 50 people.

The full impacts on local beef and dairy producers in the Richmond Valley are not yet known. As the second wave of flooding begins to recede, assessing how many livestock have been lost, how much fencing and farm equipment destroyed will take more time. With further heavy rains predicted, losses will increase. Local beef and dairy producers have access to the NSW Government's agricultural assistance package, however, the off-farm income restrictions in this package do not reflect the operating environment of most local producers.

Richmond Valley Council was quick to respond to immediate industry needs by re-opening its Northern Rivers Livestock

Exchange within two days of the flood event. However, to support long-term recovery, it will be essential to ensure critical local infrastructure, such as roads and bridges are restored, so beef cattle can be transported for sale and milk from local dairy farms can be collected for processing. Maintaining support for major industry employers, such as Casino Food Co-op and Richmond Dairies, will also be essential throughout the recovery process.

Sugar production

Sugar production also contributes substantially to the Richmond Valley economy through cane production, transport, sugar milling and power generation. The Mid Richmond communities rely heavily on Sunshine Sugar's Broadwater Mill and associated Cape Byron Power facility for direct employment (120+ jobs). Cane growing also provides substantial employment, with the Richmond Valley accounting for some 45 percent of regional cane production. To support the long-term recovery of this industry, on-going assistance for cane producers and targeted assistance for key production facilities, such as the Broadwater Mill, will be required.

Tourism

The Richmond Valley visitor economy has been growing incrementally over the past five years. Tourism is estimated to contribute \$78 million direct visitor expenditure to the Richmond visitor economy per year.

The 2022 flood events have severely impacted Mid Richmond accommodation providers. Eight providers have said extensive repairs were required to re-open, with one Broadwater caravan park owner saying they may not re-open. Two large caravan parks are being used as evacuation centres. Government support will be needed to improve visitor accommodation quality and capacity to attract new and high-yield visitors.

Construction industries

The floods have also impacted key industries in the Mid-Richmond that are essential for rebuilding Northern Rivers homes and community facilities - including major plumbing firms, timber truss manufacturers and engineering firms.

Helping these industries to recover through targeted assistance will ensure that other businesses can recover and that much needed home rebuilding programs can commence.

The Richmond Valley Flooding Economic Impacts Statement includes a recovery action plan for revitalising the local economy.

WHAT DO WE NEED?

- Income support for local workers, such as government-funded JobKeeper or JobSaver programs. We need to keep employees connected to their employers.
- Continued government assistance and access to finance for small-medium businesses
- Targeted support for key industries to secure local jobs and expedite rebuilding and recovery
- Continued assistance for local agricultural industries impacted by the floods

Richmond Valley businesses, like the Coraki Post Office, are in need of targeted assistance to secure the future of the local workforce and support the recovery process.



Supporting local industries will assist in recovery. The Sunshine Sugar Mill at Broadwater contributes substantially to local employment, both directly and via the many local cane farms which rely on the mill for processing.





Council was quick to respond to industry needs by re-opening the Northern Rivers Livestock Exchange within two days of the flood event.

REBUILDING THE MID RICHMOND

The four Mid Richmond communities of Coraki, Woodburn, Broadwater and Evans Head share a strong connection. Residents regularly travel between these villages for shopping, services, sport, education, cultural and social events.

Restoring these traditional ties will help to accelerate the recovery process. With severe flood impacts to regional centres such as Lismore and Ballina, the Mid Richmond communities will rely more heavily on services and support from Evans Head in the coming months.

Restoring critical roads

Council's top priority will be to restore the roads which link these three communities together - the former Pacific Highway between Woodburn and Broadwater and the two connecting roads between Evans Head, Broadwater and Woodburn will all require substantial work. The Evans Head-Woodburn Road suffered extensive damage during the flood, with an estimated \$6m in repairs required.

The link road between Woodburn and Broadwater is still under the management of Transport for NSW and will require extensive repair to support the rebuilding and recovery process.

WHAT DO WE NEED?

- Targeted government support to help key industries in the Mid Richmond recover
- \$6m to reconstruct and repair the Woodburn-Evans Head Road
- \$100,000 to prepare a series of place plans for rebuilding and revitalising Mid Richmond communities
- Funding and support to revitalise the Woodburn CBD and implement other civic improvements identified in the place plans



Revitalising our villages

Each of the four villages has its own unique identity and it will be important to ensure the rebuilding process reflects this local character.

The devastation to Broadwater and Woodburn is profound, with only a handful of buildings unaffected by the flood.

Shopping centres, community halls and the local pool have all been badly damaged. Helping these communities to re-imagine, rebuild and revitalise their villages will be an important part in the healing and recovery process.

In Woodburn, some 35 percent of local jobs are in retail, accommodation and food services, so helping local businesses, such as cafes, the hotel and service station to get back on their feet will be a priority.

Council had already commenced a revitalisation program for Woodburn following the Pacific Highway bypass, with major improvements to the Riverside Park. Although the park and visitors centre was inundated in the flood, the damage was not as bad as expected and this important community space can be restored. Council had also commissioned concept designs to upgrade the Woodburn business district and these plans will form a good starting point to inform the rebuild of the village.

Broadwater will also require revitalisation of the village centre, local facilities and businesses. A key part of the recovery will be supporting local agriculture and industries to get back on their feet - such as cane farmers, the Sunshine Sugar refinery and Cape Byron Power.

Coraki has been hit hard by the flood and will take longer to recover than other communities. An important part of this process will be working with the local community to restore social connections and services and support local industries to recover.

Evans Head is also on the journey to recovery and is expected to play a stronger role in the Mid Richmond as surrounding communities start to rebuild. There is opportunity to revitalise the Evans Head CBD and to build on the unique character of the village.

Council proposes to prepare a series of place plans for the four Mid Richmond communities to help identify the infrastructure and services these communities will need, and where future housing and commercial development may be located. The plans will include specific flood recovery initiatives for each community.



The devastation to Woodburn is profound, with only a handful of buildings unaffected by the flood.



Council had already commenced a revitalisation program for Woodburn following the Pacific Highway bypass, with major improvements to the Riverside Park.



RESTORING OUR ENVIRONMENT

While work continues on counting the human cost of the 2022 Flood Event, the long-term impacts to our unique environment will take much longer to assess.

At least 70 percent of the Richmond River catchment within Council's area has been impacted in some way. Riverbanks have been ripped away, vital habitat decimated and land and waterways polluted. It will take many years to understand the consequences of this event.

Restoring the Richmond River

Stabilising and restoring the Richmond River banks is one of the most urgent issues for our community. The sheer force of flood waters has ripped out trees and vegetation and badly eroded the bank.

Drone inspections of the riverbank surrounding Casino have been carried out, revealing some 80 percent loss of vegetation coverage. There is a risk of further damage to infrastructure and homes through landslips and riverbank collapse as sandy loam soils are destabilised.

Access to specialist expertise and additional funding to stabilise and restore the riverbank over the coming months will be essential.

Restoring the riverbank is also critical for ensuring the survival of already endangered ecological communities. The riparian corridor was the last link for local and migratory native fauna already under pressure from increased development and agricultural activity.

This loss of habitat will impact the remaining ecosystems and may result in extinction, or critically endanger some species of flora and fauna. Loss of nesting hollows, feeding sites and protection from predators will place migratory birds at risk and they may never return to the river.

We have also lost substantial flying-fox roosting habitat along the length of the river. Over the past two years Council has invested some \$100,000 in improving flying-fox habitat on the Queen Elizabeth Park riverbank at Casino for the resident grey-headed flying-fox population and migratory little red flying foxes. All of this work was washed away in the flood.

As a consequence of losing hundreds of roosting trees along a 4km stretch of the Richmond River bank from MacDonald Park to the urban limits of Casino, the flying-fox colony has moved to local parklands, causing significant damage to trees and limiting public access to facilities, due to health and safety issues.



Restoring the health of the river will take many years and a targeted clean-up and restoration program will be required.

Torrential rains have caused flash flooding in the upper catchment towns, over-flowing sewage treatment systems and carrying pollutants into the river from farms, homes and industries.

Erosion to the riverbank has also revealed historic rubbish dumps and building rubble, which contains unknown contaminants. Parts of the catchment, including the lower Richmond River and Bungawalbin Creek, are experiencing anoxic conditions, with resultant fish kills.

Prolonged flood water inundation is also taking its toll on critical habitat, such as the coastal heath systems between Woodburn and Broadwater. These systems provide protection for many marsupials and ground dwelling fauna, which are now at risk as the heath begins to die.

It will take a long-term, multi-agency approach and significant funding commitments to address the environmental impacts of the flood for the Richmond Valley and surrounding communities.

WHAT DO WE NEED?

- Urgent assistance and funding to stabilise and restore eroded riverbanks
- Support to restore riparian corridor habitat and re-establish flying fox roosting sites - Estimate \$200,000 for replanting programs.
- A targeted clean-up and restoration program to restore river health in the Richmond River catchment.







BUILDING RESILIENCE TO NATURAL HAZARDS

The 2022 event saw unprecedented flood levels and will reshape our understanding of the way Northern Rivers communities can survive in a changing climate.

Although it is impossible to design 'flood-proof infrastructure' and mitigation measures to withstand such a major event, there are steps Richmond Valley Council can take to ensure that we are better prepared when the floodwaters rise again.

Revisiting flood modelling

Council was about to finalise its revised Richmond Valley flood study when the February-March event occurred. The revised study consolidated previous studies and developed a new, consistent flood model for the local government area.

With the lower Richmond recording levels well above a one-in-500 years flood, there is an opportunity to review and improve our flood model by undertaking additional calibration to the 2022 event.

Council has already invested some \$180,000 in the revised flood study. Investing an **additional \$50,000** would ensure that our modelling reflects the lessons we have learned from this record event.

Improving flood planning

Once Council has finalised its flood study, the next step is to revisit the Floodplain Risk Management Plans for Casino and the Mid Richmond and reconsider the building and development standards we will apply in flood-affected areas.

This will include updating flood hazard mapping and undertaking extensive consultation with the community on appropriate flood protection measures. The estimated cost of this project is \$150,000.

Improving urban drainage

The town drainage systems in Casino and Evans Head were designed by past generations in pre-climate change conditions.

With changing weather patterns, the Richmond Valley's urban areas are experiencing



increasing storm events, resulting in flash flooding, as well as prolonged rainfall events, resulting in riverine flooding, where water is unable to get away via the drainage network.

Although it is impossible to design urban drainage systems to cope with an event of the scale we have just experienced, Council believes it could improve its drainage network's performance in lesser flood events.

Work on a small scale study had begun prior to the 2022 event, however, we now realise that a full review of our urban drainage networks, with comprehensive engineering solutions to correct storm water issues will be required.

Council estimates the cost of this study would be **\$1m+** and currently does not have the funding to carry out this work.

Assistance from other levels of government to prepare these studies would greatly reduce the risk of flash flooding impacts for our urban communities.

Improving community preparedness

The Richmond Valley has just experienced its eighth natural disaster declaration in three years - including two major bushfires and six significant storm and flooding events.

This latest unprecedented event has brought home the need to ensure our community is disaster-ready and better prepared for the future.

In a changing climate, these events will become a way of life and our community needs to adapt.

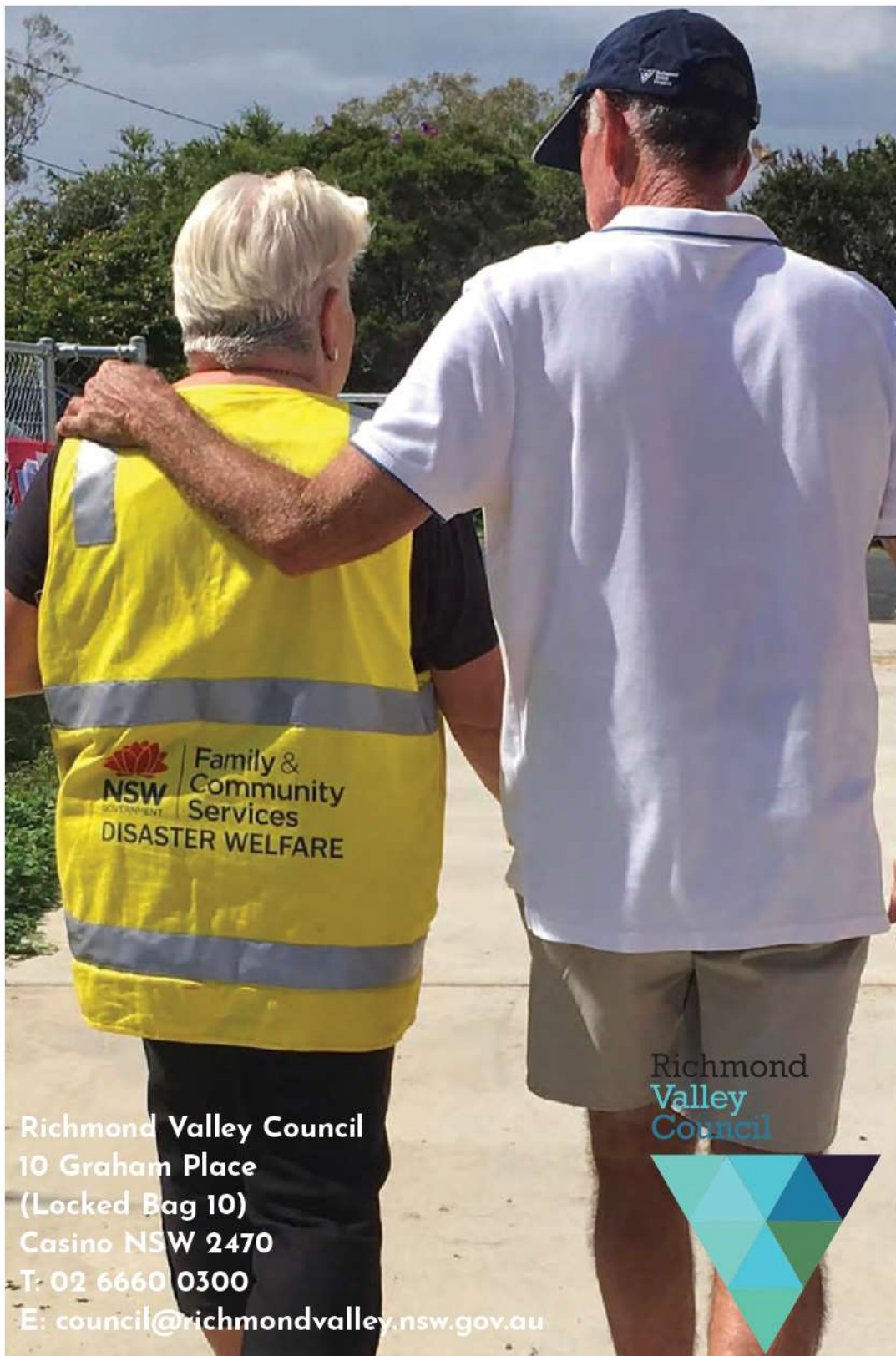
Following the 2019 bushfires, the NSW Government provided funding to employ a community Recovery Officer to support bushfire affected communities and assist in the wider economic recovery of the region.

This funding was due to finish in June 2022. However, given the severity of the flood and the long-term recovery period our community now faces, Council has decided to continue to fund this position from its own limited resources for at least the next two years.

Support from State Government to re-instate funding for recovery officers would greatly assist our community to recover from this devastating event.

WHAT DO WE NEED?

- Support to recalibrate flood modelling - \$50,000
- Funding for improved Floodplain Risk Management Plans - \$150,000
- Assistance with a comprehensive review of urban drainage systems - \$1m+
- Extension of Recovery Officer funding support for an additional two years - \$300,000



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RICHMOND VALLEY FLOOD 2022 - RESPONSE



FINAL REPORT

APRIL 2022

**RICHMOND VALLEY
FLOODING ECONOMIC
IMPACTS STATEMENT**



**Richmond
Valley
Council**

Report Prepared
for Richmond
Valley Council





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In the immediate aftermath of the 2022 floods across the Northern Rivers region, Sea & Star Advisory was commissioned by Richmond Valley Council to prepare this economic impacts statement.

This assessment of impacts has been informed by:

- review of flood & economic data
- interviews with key business & employer stakeholders in the region
- economic modelling of impacts
- evaluation of industry supply chain linkages, with special focus on areas with concentrated risks.

This assessment has been developed in the very early days of flood recovery. Many key considerations are preliminary, unknown or unresolved at the time of writing:

1. asset damage assessments are ongoing
2. lead times for asset replacement are preliminary or unknown
3. further flood events have occurred in late March & early April 2022
4. the extent of stakeholder interviews has needed to respect businesses' natural need to prioritise recovery, so some feedback is subject to final confirmation.

STRATEGIC OVERVIEW

Richmond Valley is an area of the far north coast of NSW of more than 3,000 square kilometres, home to around 23,500 people. It sits within a broader Northern Rivers region of more than 300,000 people.

Richmond Valley's largest centre, Casino, is the region's fifth-largest locality by population. The smaller communities of Coraki, Woodburn, Broadwater & Evans Head are situated downstream of Casino along the Richmond River system.

Richmond Valley's economy typically supports output of more than \$900 million annually. Output for the Northern Rivers economy overall is close to \$14 billion.

Both Richmond Valley & the Northern Rivers have seen population growth play a key role in their economic development over time.

Richmond Valley has particular strengths in agriculture & manufacturing. Beef production, its sugar value chain and forestry & wood are among its most distinctive economic activities.

Consistent with its profile of population & economic strengths, Richmond Valley's key employment centres are:

- **Casino**, with 4,700 jobs in a diversified structure of 1,000 manufacturing jobs & 1,900 jobs in key people-serving activities (health; education; retail; hospitality)
- **Coraki & surrounds**, with 270 jobs focused on construction, agriculture & manufacturing
- **Woodburn**, with 150 jobs across hospitality, construction, logistics, education & agriculture
- **Broadwater**, with 70 per cent of its 260 jobs concentrated in manufacturing, agriculture, energy & logistics
- **Evans Head**, with 690 jobs emphasising people-serving activities (hospitality; retail; education; health).

COMMUNITY IMPACTS OF THE 2022 FLOODS

In February 2022, all of the Northern Rivers saw rainfall very much above average, with the highest levels on record in many areas. The rainfall pattern reflected an intense climatic event concentrated over a few days in late February & early March:

- on Monday 28th February, Casino Airport saw a new all-time daily record rainfall of 240 mm - 50 per cent greater than the monthly average in a single day
- Some parts of the Northern Rivers saw even more intense rainfall than Casino on 28 February, with falls of up to 700mm in 24 hours.

Record rainfalls soon became record flooding events. Flood levels two or more metres beyond the previous flood-level records of 1974 & 1954 were commonplace along the Richmond, Wilson & Tweed river systems.

Flooding unmatched in living memory led to community impacts of a previously unthinkable scale. Across Richmond Valley:

- 1,200 homes were inundated or severely damaged, with 427 uninhabitable, and 1,300 more homes seeing some damage
- water & sewer damages are estimated at \$50 million. Three sewerage treatment plants saw substantial damage, with many assets yet to be fully assessed
- the initial estimate of road damages is \$100 million due to washouts, landslips, lost bridge spans & damaged culverts.

ECONOMIC CONSEQUENCES OF THE FLOODS

There are six broad categories of economic impacts from flooding on Richmond Valley & the Northern Rivers:

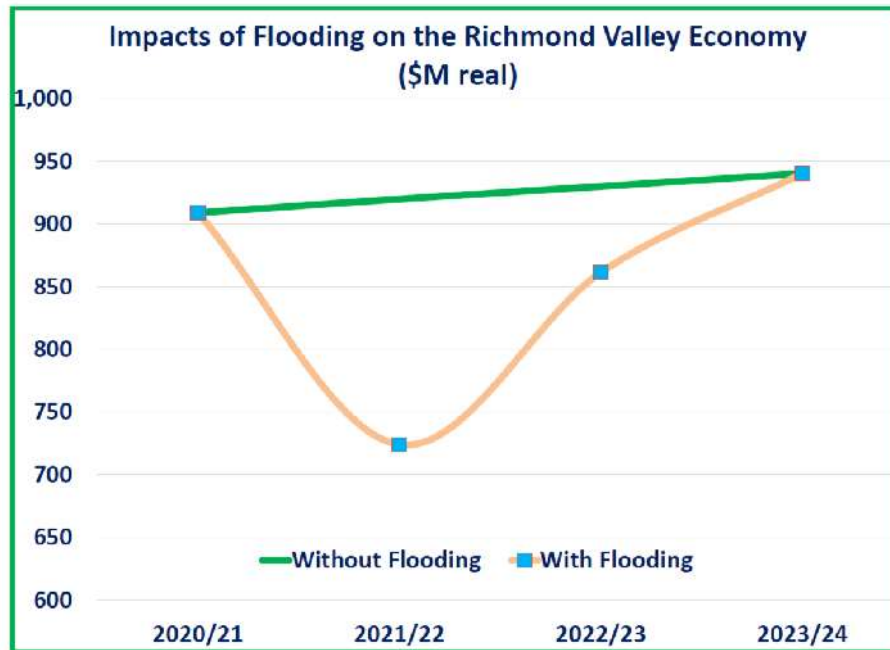
- disrupted production while water subsides and the clean-up takes priority
- asset & inventory damage & losses have cut production
- labour force losses, as people are temporarily or permanently dislocated from the region, reducing labour supply, production & incomes
- reduced consumption, consequent from falls in population, production & income

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- losses of supply chain disrupting production
- deferred or lost development prospects.

ECONOMIC IMPACTS ON PRODUCTION FROM THE FLOODS

Preliminary analysis undertaken by Sea & Star Advisory suggests the economic impact of the floods on Richmond Valley's production may exceed \$250 million across the 2021/22 & 2022/23 financial years.



Sea & Star Advisory's projections suggest that Richmond Valley's production losses will be concentrated in:

- agriculture (about a quarter of lost production)
- manufacturing (about 60 per cent of lost production).

Overall, Sea & Star Advisory's assumptions & projections reflect our view the Richmond Valley & Northern Rivers economies are generally flexible, robust & resilient, with considerable capacity to adjust & recover quite quickly.

However, it is important to remember these assumptions about regional capacity for an orderly recovery have been adopted amid considerable uncertainty. If assumptions do not hold, the rate & level of recovery will be slower & lower, with larger production impacts & risks to the recovery.

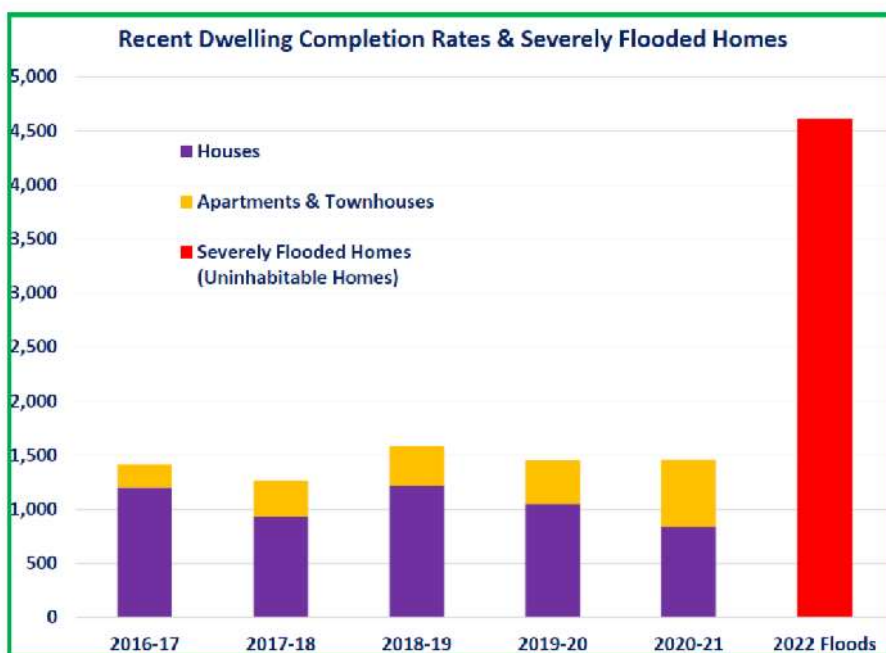
Two sectors with concentrated risks with the potential to jeopardise recovery are the construction sector & sugar value chain. Consultation with industry & our independent evaluation of their particular downside risks bears out these sectors merit special attention to ensure the overall recovery of Richmond Valley & the Northern Rivers is as robust as possible.

CONSTRUCTION RISKS

With so many homes, businesses & critical assets damaged, the Northern Rivers' construction sector & supply chain is critical to rebuilding the region's asset base.

The 4,500 severely flooded dwellings across the Northern Rivers are around three times recent annual dwelling completion rates:

- this implies it would typically take three years to complete a similar number of replacement dwellings
- altogether, the Northern Rivers' rebuild & repair costs across the 10,300 flood damaged dwellings may total around \$1.6 billion.



However, flooding has put the construction industry's own capacity & supply chain in question, jeopardising economic recovery.

Flooding has dislocated some construction workers & businesses, as well caused extensive losses of plant, premises, equipment & inventories. Limiting unnecessary capacity disruptions in the local construction supply chain is critical to:

1. accelerating the local recovery rate
2. boosting housing supply capacity & cap price impacts
3. limiting unwarranted leakages of activity outside the region & re-integrating the regional supply chain.

Unless the recovery in supply capacity is orderly, hundreds of millions of dollars of production is at risk from people & capacity being permanently dislocated from the Northern Rivers. If supply chain disruption became permanent, this would have implications for the Region's ability to integrate new arrivals into its economy.

RISKS ALONG THE SUGAR VALUE CHAIN

The Northern Rivers' community centres have been the immediate focus of attention for flood recovery. However, inundation out in the paddocks has created consequences & risks that are no less real, even if more removed from view.

Even passers through the region could hardly fail to see the significant acreages committed to cane growing. However, these cane fields are just the beginning of a value chain more extensive, intricate & sophisticated than generally understood.



While production is substantially lower than in the mid to late 2000s, production levels have been relatively stable for more than a decade. Cane production in the Northern Rivers can be viewed as three distinct catchments:

1. Clarence Valley - 524,000 tonnes in 2020-21 - 30 per cent of production, with a mill and refinery at Harwood
2. Tweed Valley - 439,000 tonnes - 25 per cent of production, with a Condong mill
3. Richmond Valley - 776,000 tonnes - 45 per cent of regional production, with a mill at Broadwater.

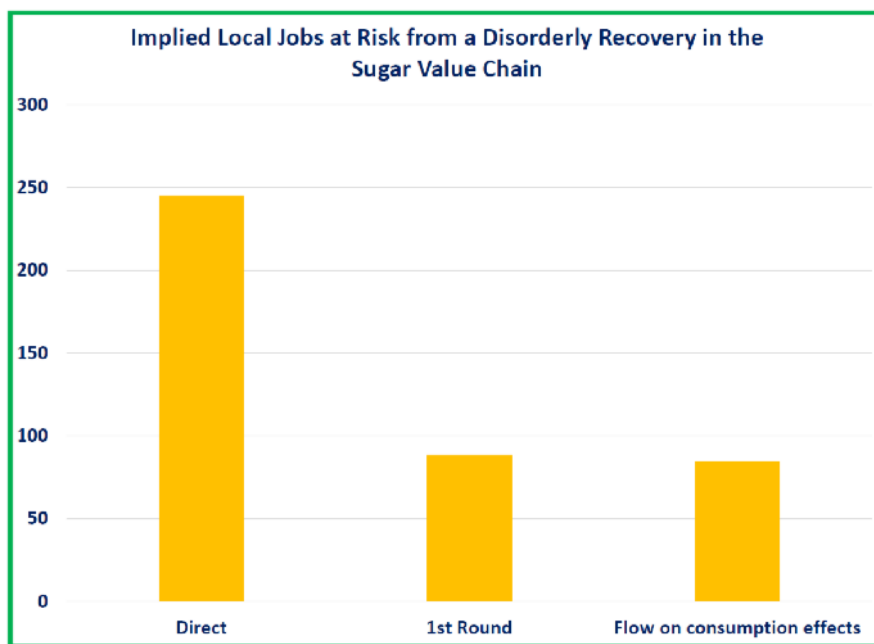
Sea & Star Advisory estimates the Northern Rivers' sugar chain provides about 1,800 local direct jobs annually. Asset impacts from flooding have been very considerable along the chain - in the hundreds of millions of dollars. Insurance coverage will also be difficult to sustain.

The close, intricate integration of the Northern Rivers' sugar value chain, normally a central feature of its economic success, is now creating material uncertainty in recovery. Each of the chain's components is reliant on the actions of others to make their own recovery possible.

Heavy geographic concentration of these activities means some communities face particularly sharp risks to orderly recovery.

For example, Broadwater's concentration of jobs in agriculture, manufacturing, logistics & energy means it is significantly exposed to negative social & economic 'ripple effects' if a lack of recovery in one sector drags on the others. In a severe case, this risk could stall its recovery altogether.

To demonstrate the extent of risks, we evaluated a downside scenario where cane crop losses due to the floods combined with other flooding impacts to reduce throughput along the sugar value chain by 30 per cent.



Sea & Star Advisory estimates this scenario could entail an adverse impact on production of around \$90 million and put a quarter of the Northern Rivers sugar chain jobs in question. If recovery were further prolonged, the household income & consumption impacts could put jobs in the region's broader economy at risk.

PRIORITY COMMUNITY & ECONOMIC NEEDS FOR EFFECTIVE RECOVERY

Common themes have emerged from consultation about the region's leading priorities to ensure recovery:

1. restoring the sense of economic & social stability
2. restoring households to residences
3. rebuilding the economic base, paying particular attention to needs for cash flow, labour supply, lead times for asset replacement, supply chain restoration and availability of finance & commercially realistic insurance coverage.

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PRIORITY ECONOMIC POLICY ACTIONS FOR AN ORDERLY FLOOD RECOVERY

Our review of needs & risks suggests a number of measures are likely to be necessary to ensure widespread confidence & capacity for an orderly regional recovery by:

- 1.ensuring employers have both sufficient cash flow & confidence in recovery. In limited circumstances, risks to recovery are grave enough that highly targeted JobKeeper or JobSaver style alternatives should be considered to employment is sustained. High level costings suggest this could be done at a fraction of the cost of the State & Federal assistance package announced on 18 March 2022.
- 2.closely reviewing asset replacement needs, lead times & financing options.
While some heavily flood affected businesses have sourced replacement assets relatively quickly, others appear likely to face substantial delays.
- 3.encouraging orderly re-planting of cane crops where damaged.
- 4.ensuring re-pricing of insurance premiums does not jeopardise operational viability
- 5.creating new options for housing & industrial lands with reduced flood risks.



PART A: STRATEGIC CONTEXT

Part A (chapters 1, 2 & 3) of this Report:

- introduces the scope, context, methodology & qualifications relevant to this assignment
- introduces both Richmond Valley and the broader Northern Rivers region
- provides an overview of the local & regional economies affected by flooding.

RICHMOND VALLEY FLOODING
ECONOMIC IMPACTS STATEMENT

 **seastar**
ADVISORY



1.1 ABOUT THIS REPORT

In the immediate aftermath of the 2022 floods across the Northern Rivers region, Sea & Star Advisory was commissioned by Richmond Valley Council to prepare this economic impact statement.

The broad objectives of this Report are to introduce & evaluate:

- the broader Northern Rivers region subjected to large-scale flooding
- Richmond Valley's major communities
- the structure & key features of both the local & regional economies
- the community impacts of the floods, with special attention on impacts within Richmond Valley communities
- the economic impacts & implications of the floods on the local economy
- the pressing flood recovery needs & challenges facing Richmond Valley's communities & economy
- priority actions to underpin an effective recovery.

1.2 METHODOLOGY

The methodology informing this Report's assessment of impacts reflects a six-step approach:

- review of the key structural characteristics of Richmond Valley's communities and economy
- evaluation of the likely impacts of flooding on the communities & economy





RICHMOND VALLEY FLOODING
ECONOMIC IMPACTS STATEMENT

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- review of available data on asset losses & impacts from flooding
- interviews with key stakeholders across the region, including major employers in Casino, Coraki, Woodburn & Broadwater
- modelling of economic impacts
- assessment of critical needs for effective recovery and development of priority actions to respond to these needs.

1.3 STRUCTURE OF THIS REPORT

The rest of the Report is structured as follows:

- the rest of Part A (chapters 2 & 3) outlines Richmond Valley, the Northern Rivers region and the local & regional economies
- Part B (chapters 4 & 5) describes the extreme rainfall patterns that led to the flood impacts, as well as localised flooding impacts across Richmond Valley and elsewhere in the Northern Rivers
- Part C (chapters 6 & 7) evaluates the different sources of flood impacts across the economy, and provides a preliminary projection of impacts on Richmond Valley's economy, including localised impacts across its communities
- Part D (chapters 8 & 9) identifies key community & economic needs and formulates some initial priority actions to ensure a successful recovery.

1.4 QUALIFICATIONS

This assessment has been developed in the very early days of flood recovery. Many key considerations are preliminary, unknown or unresolved at the time of writing:

1. asset damage assessments are ongoing
2. lead times for asset replacement are preliminary or unknown
3. most key stakeholder consultation was undertaken ahead of state & federal assistance announced on 18 March 2022.

2: Richmond Valley & the Northern Rivers

2.1 THE RICHMOND VALLEY

Richmond Valley is an area of the far north coast of NSW of more than 3,000 square kilometres, home to around 23,500 people. Richmond Valley's immediate neighbours are Lismore (north), Ballina (north east), Clarence Valley (south) & Kyogle (north west).

The major population centres of Richmond Valley are set along the Richmond River and adjoining Evans River system:

- Casino, Richmond Valley's primary services hub, is home to about 10,000 people
- coastal Evans Head is home to more than 2,800 people
- Coraki, about 30km downstream of Casino, at the confluence of the Richmond & Wilson rivers, is home to more than 1,100 people
- Woodburn, about 25 km downstream of Coraki, is home to around 500 people
- Broadwater, just under 15km downstream of Woodburn, is home to a little under 500 people, with 120 people living in nearby Riley's Hill.

Agriculture plays a central role in Richmond Valley's social & economic character, with many more people living on the land, or in smaller villages like Rappville & Whiporie.

Richmond Valley's localities are depicted in Figure 2.1 on the next page.



FIGURE 2.1: RICHMOND VALLEY LOCALITIES



Source: NSW Government
(2036 North Coast Regional Plan)

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2.2 THE NORTHERN RIVERS

Richmond Valley is situated within a broader region known as the Northern Rivers.

While use of the label varies, the Northern Rivers is best thought of as localities spanning three major river catchments on the far north coast of NSW, namely:

- the Tweed River
- the Richmond / Wilsons River
- the Clarence River.

Seven local government areas make up the region, spanning Tweed Shire at the Queensland border in the north, to Clarence Valley in the south, with a total area of more than 20,700 square kilometres.

The Northern Rivers is home to more than 307,000 people. Its leading urban centres by population are:

- Tweed Heads (60,000 people)
- Lismore (28,000 people)
- Grafton (17,000 people)
- Ballina (16,500 people)
- Casino (10,000 people)
- Byron Bay (9,000 people)
- Murwillumbah (9,000 people).

The region reflects extensive social & economic integration across localities, typical of a metro area. For example, Lismore's higher education & health services draw in a labour pool featuring many Ballina, Byron, Richmond Valley & Kyogle residents.

The Northern Rivers is distinguished from the rest of NSW's North Coast by its greater proximity & integration with south east Queensland's large markets. Figure 2.2 on the next page places the Northern Rivers in the context of the state border & the rest of the North Coast.



FIGURE 2.2: THE BROADER NORTHERN RIVERS REGION



Source: NSW Government
 (Images adapted by Sea & Star
 Advisory from the 2036 North Coast
 Regional Plan)

3: The Local & Regional Economies

3.1 THE RICHMOND VALLEY ECONOMY

Richmond Valley's economy supports output of more than \$900 million annually.

Production in 2021 was more than \$175 million above 2001 output levels. Average annual compound growth over the two decades was about 1.1 per cent per year.

Employment has increased steadily in Richmond Valley over time. Based on the most recent available Census data for 2016, employment in Richmond Valley is about 6,900 jobs.

The increase in employment over the prior decade was about 10.6 per cent. Average annual compound growth over the decade was about 1 per cent a year.

Figure 3.1 on the next page reflects the changing profile of production levels in Richmond Valley over the past two decades.

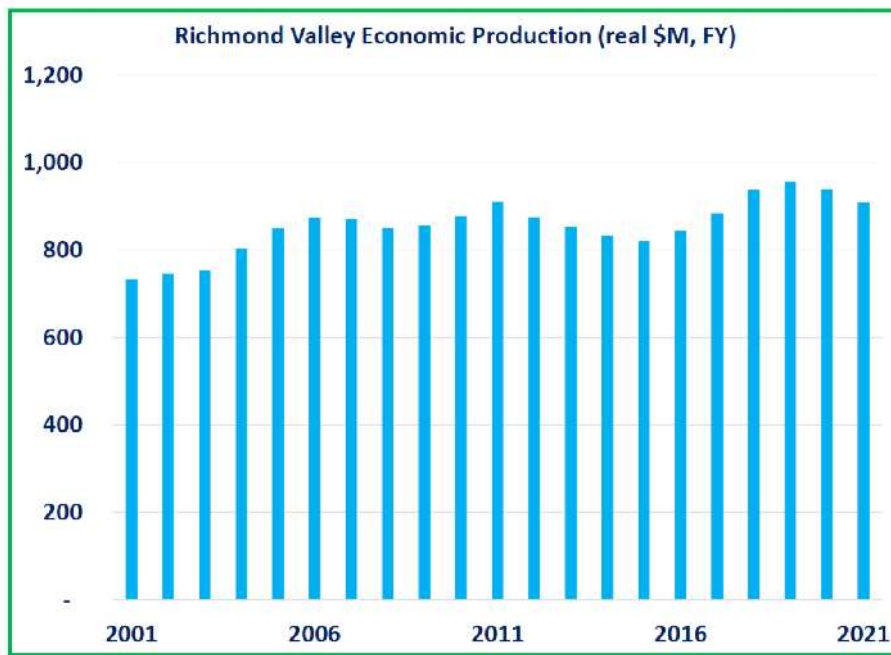
Figure 3.2 on the next page reflects some of Richmond Valley's key distinguishing specialised industries. Geographic aspects of Richmond Valley's specialisations are explored further in section 3.3.

3.2 THE NORTHERN RIVERS ECONOMY

The Northern Rivers economy supports output of \$13.9 billion annually.



FIGURE 3.1: RICHMOND VALLEY ECONOMIC OUTPUT, 2001 TO 2021 (FY)



Source: Sea & Star Advisory analysis of National Institute for Economic & Industry Research data

FIGURE 3.2: SELECT SPECIALISATIONS OF RICHMOND VALLEY



Source: Sea & Star Advisory Analysis of 2016 Census data

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Production in 2021 was about \$3.6 billion above 2001 output levels. The average annual compound growth over the two decades was about 1.5 per cent per year.

By locality, contributions towards the Northern Rivers' economic growth were:

- Tweed (36 per cent contribution)
- Ballina (19 per cent contribution)
- Byron (14 per cent contribution)
- Lismore & Clarence Valley (12 per cent contribution each)
- Richmond Valley (5 per cent contribution)
- Kyogle (2 per cent contribution).

This pattern of growth reflects the significant role population growth plays in the region's ongoing economic development.

Employment has increased steadily across the Northern Rivers over time. 2016 Census data suggests Northern Rivers employment provides about 102,000 jobs.

The increase in employment over the prior decade was about 15 per cent. Average annual compound growth in jobs over the decade was about 1.4 per cent a year.

While Tweed, Byron & Ballina provided the Northern Rivers' fastest rates of jobs growth, Richmond Valley's rate of jobs growth was significantly higher than the rates enjoyed in Lismore, Clarence Valley & Kyogle.

3.3 ECONOMIC CHARACTERISTICS ACROSS RICHMOND VALLEY

Deeper characteristics & specialisations across Richmond Valley are seen in job profiles for its centres, discussed below.





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Casino supports 4,700 jobs in a diversified economic structure. Manufacturing is the leading industry, with more than 1,000 jobs.

However, Casino also provides extensive 'population serving' job opportunities. For example, taken together, the health & social services, education, hospitality & retail sectors provide 1,900 jobs in Casino.

Other significant industry sectors for jobs in Casino include agriculture, construction, transport & logistics, professional services & public administration.

In the surrounding **Casino region**, job numbers are around 550. Agriculture provides close to 300 jobs, with a further 100 in manufacturing & logistics.

Coraki & surrounds support 270 jobs. Construction is its leading employment sector, providing more than 50 jobs. Taken together, agriculture & manufacturing provide a similar number of jobs.

However, there is greater diversity in Coraki's economy than it might first appear. It has close to 50 jobs in health & social assistance, 30 jobs in education, and about 40 jobs across hospitality, retail & public services.

Woodburn supports close to 150 jobs. Hospitality is the leading employer among industries, with 35 jobs.

Together, construction, manufacturing, agriculture, wholesale, logistics & technical services provide about 50 jobs. Similar numbers of jobs are found across 'people services' like education, retail, health & social assistance, retail & public service.

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Broadwater & surrounds support 260 jobs, which are heavily concentrated in an integrated sugar & energy supply chain.

Manufacturing is Broadwater's leading employer with 110 jobs - 40 per cent of the total.

Together, manufacturing, agriculture, energy & utilities and logistics provide 180 Broadwater jobs - or 70 per cent of the total.

Evans Head supports 690 jobs. People services dominate its economy, with hospitality, retail, education and health & social assistance its leading industries.

Evans Head's economic structure includes a heavy emphasis on tourism & hospitality.





PART B: THE 2022 NORTHERN RIVERS FLOODS

Part B (chapters 4 & 5) of this Report:

- describes the extreme rainfall patterns that led to the flood impacts
- outlines the impacts on communities across the Richmond Valley and elsewhere in the Northern Rivers.



4.1 A HISTORICALLY WET LEAD-IN

In the lead up to the floods themselves, the Northern Rivers saw a historically wet period, leaving soils moist and water tables high.

In the 12 months to the end of January 2022, the catchments of the Northern Rivers reflected rainfalls ranging from above average, to well above average.

More specifically, Figure 4.1 on the next page reflects the majority of the region was best characterised as seeing rainfall very much above average for the 12 month period.

4.2 THE WETTEST OF FEBRUARYS

In February 2022, all of the Northern Rivers saw rainfall very much above average, with the highest levels on record in many areas.

All Northern Rivers catchments February rainfalls were upwards of 300 mm. Most of the Lismore, Richmond Valley, Kyogle, Ballina, Byron & Tweed areas saw rainfall of more than 600 mm, and upwards of 800 mm for large parts of the Richmond, Wilson & Tweed River catchments. These rainfalls ranged from two times to more than four times average monthly levels.

Figure 4.2 on the next page reflects the actual rainfalls in February 2022 across the Northern Rivers. Figure 4.3 on the next page reflects the relative rainfalls in February 2022 against average across the Northern Rivers.



FIGURE 4.1: 12 MONTH RAINFALLS TO THE END OF JANUARY 2022

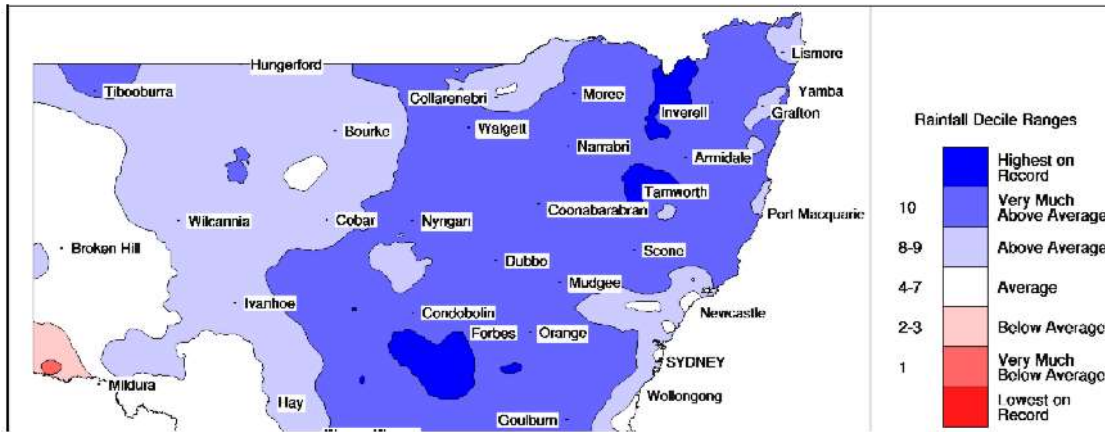


FIGURE 4.2: FEBRUARY 2022 RAINFALLS IN MILLIMETRES

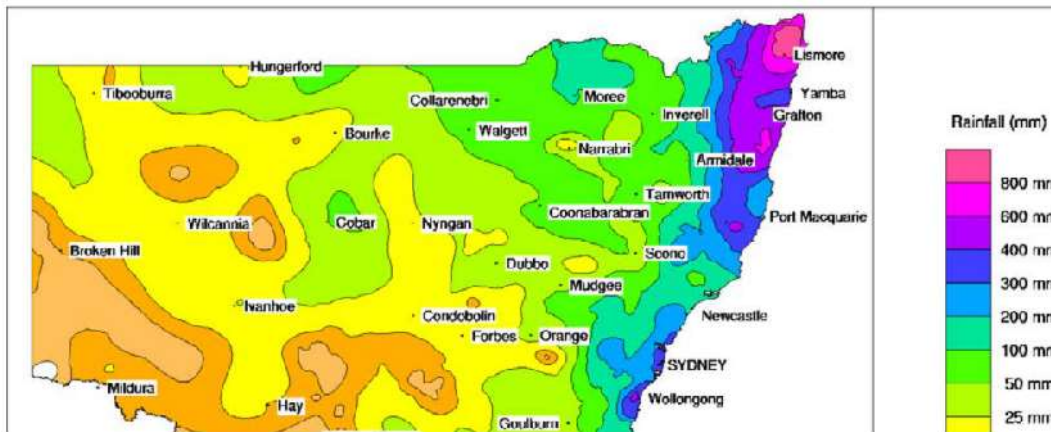
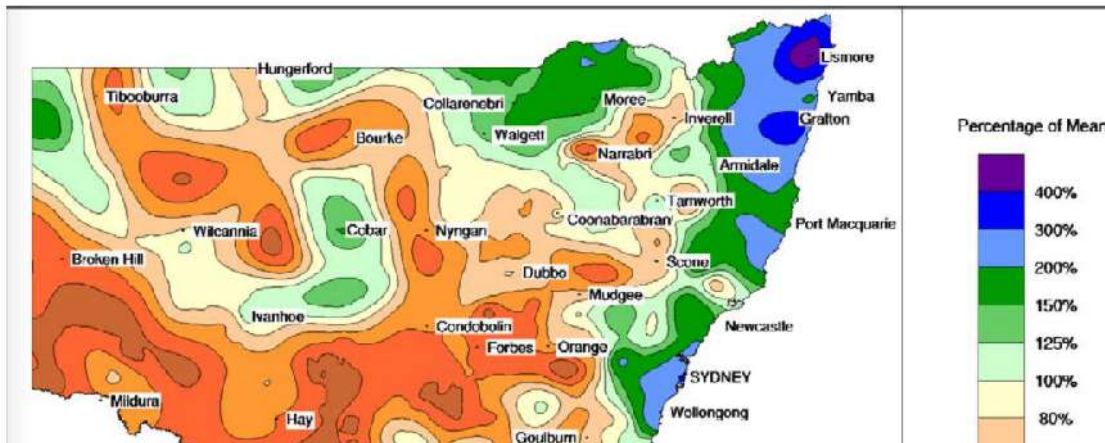


FIGURE 4.3: FEBRUARY 2022 RAINFALLS RELATIVE TO AVERAGE



Source: Commonwealth Government
(Bureau of Meteorology)

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4.3 A HEAVY CONCENTRATION OF INTENSE RAINFALL

The rainfall pattern not only reflected a high level of monthly rainfall, but also an intense climatic event concentrated across a few days in late February and early March.

The intensity of rainfalls is reflected in figures recorded at Casino Airport. This weather station opened in 1994.

Observations reflect that February is typically the wettest month, followed by March. Average rainfall for February is 162 mm.

On Thursday 24th February, daily rainfall was 123 mm - or more than three-quarters of the monthly average in a single day. While this rainfall was significant in itself, it pales against what followed.

On Monday 28th February, Casino Airport saw a new all-time daily record rainfall of 240 mm - or roughly 50 per cent greater than the monthly average for February in a single day. A further 88 mm was recorded the next day, Tuesday 1st of March.

Across a six day period, total rainfall for Casino Airport was more than three times the monthly average for the whole of February, the wettest month of the year.

Figures 4.2 and 4.3 reflect that heavy rainfall was widespread across the region. Some areas of the Northern Rivers saw even more intense rainfall than Casino, with the Bureau of Meteorology indicating some locations saw up to 700mm in the 24 hour period on 28 February. Lismore Airport's weather station set a daily rainfall record on 24 February prior to being rendered inoperable by floodwaters on 28 February.





**RICHMOND VALLEY FLOODING
ECONOMIC IMPACTS STATEMENT**





The record rainfalls reflected in Chapter 4 translated into record flooding events. Flood levels beyond the previous records of 1974 and 1954 were commonplace along the Richmond, Wilson & Tweed river systems. Flooding unmatched in living memory led to impacts on communities of a previously unthinkable scale. Across Richmond Valley:

- 1,200 homes were inundated or severely damaged, with 427 uninhabitable, and 1,300 more homes seeing some damage
- water & sewer damages are estimated as \$50 million. Three sewerage treatment plants saw substantial damage, with many assets yet to be fully assessed
- the initial estimate of road damages is \$100 million due to washouts, landslips, lost bridge spans & damaged culverts.

5.1 CASINO

In Casino, record flooding breached the high banks of the Richmond River, with flood waters reaching the main street properties. 269 properties (27 per cent) were either destroyed or damaged. 15 properties were assessed as having severe damage or worse.

Operational assets of major businesses were unaffected, but production has been lost while staff focus on clean-up & recovery with impacts from stock losses to follow.

5.2 CORAKI

Coraki's flooding topped 1974 & 2017 levels.



300 properties (69 per cent) were either destroyed or damaged. 94 properties were assessed as having severe damage or worse.

Major employers saw damages approaching \$1 million as the flood waters rendered their premises inoperable and stock and operational assets were lost. For some, the scale of damage meant temporary relocations to other premises was the only practical solution to sustain operations for a business critical to the region's recovery.

5.3 WOODBURN

In Woodburn, flooding exceeded the record levels of 1954 by around two metres. 154 properties (84 per cent) were either destroyed or damaged. 118 properties were assessed as having severe damage or worse.

Despite design that placed assets above the record levels of 1954, major businesses saw huge asset & inventory losses in the many millions of dollars, with much of it simply washed down the river. The businesses face uncertain paths to recovery, despite products & services essential to rebuilding & restoring the region.

5.4 BROADWATER

In Broadwater, flooding exceeded the record levels of 1954 by close to two metres. 77 properties (100 per cent) were either destroyed or damaged. 42 properties were assessed as having severe damage or worse.

Major businesses saw tens of millions of dollars of asset losses, despite positioning those assets above 1954 levels. Cane crop losses will have implications for throughput along the sugar value chain.





**RICHMOND VALLEY FLOODING
ECONOMIC IMPACTS STATEMENT**





PART C: FLOOD IMPACTS ON THE ECONOMY

Part C (chapters 6 & 7) of this Report:

- evaluates the different sources of flood impacts across the economy
- provides a preliminary projection of impacts on Richmond Valley's economy, including an evaluation of localised impacts across its communities.



6: Classifying the Flood Impacts

The impacts of flooding can be considered from a number of perspectives. Six broad classifications of impacts across Richmond Valley & the Northern Rivers are discussed below.

6.1 CLEAN UP DISRUPTION

In the early days of recovery, for many residents, matters of house & home have taken priority over business operations.

With labour diverted from production to unpaid clean up, repair & relocation tasks, output & incomes will be lower than they would otherwise have been.

6.2 ASSET DAMAGE IMPACTS

As we saw in Chapter 5, flooding has led to significant asset damage, including write-offs requiring replacement.

Additionally, inventory losses, both of inputs to and outputs from production processes, will further impair the productive potential of the region until replenished.

6.3 LABOUR FORCE LOSS IMPACTS

The extensive property losses catalogued in Chapter 5 will not only lead to short term diversion of workers from paid tasks, but also dislocate some workers from the region altogether, potentially in the medium or even long term.

Dislocated labour will reduce labour supply and output and incomes across the region.



6.4 REDUCED CONSUMPTION IMPACTS

Over time, the direct impacts on production, will lead to lower income levels. Lower incomes will lead to reduced consumption & activity in population-serving industries. This impact may be offset in part by:

- increases in essential expenditures & investments to repair or replace assets
- households drawing on their savings or other financial assets to fund consumption in the short term. However, asset damage to property is likely to see residents reduce non-essential consumption in a bid to conserve wealth.

6.5 SUPPLY CHAIN LOSS IMPACTS

Previous chapters have reflected that Richmond Valley & the Northern Rivers features considerable integration of its supply chain within the region.

Disruption of the supply chain poses the risk that production will be displaced, with more inputs sourced from outside the region. This disruption will tend to reduce regional output and incomes, even as it increases input costs and reduces the efficiency of supply arrangements.

6.6 DEFERRED OR LOST DEVELOPMENT PROSPECTS

Due to the crisis conditions of the floods, the attention of both private businesses and government organisations will be focused on recovery.

Focus on recovery is entirely appropriate. However, as a region with a strong track record of sustained growth, recovery focus will likely come at the cost of diverted attention from expansion or development projects across the region.





7.1 SUMMARY ECONOMIC IMPACTS

Preliminary analysis undertaken by Sea & Star Advisory suggests the economic impact of the floods on Richmond Valley's production may exceed \$250 million across the 2021/22 & 2022/23 financial years.

Figure 7.1 on the next page reflects the projected profile of reductions in production.

In percentage terms, the projections suggest Richmond Valley's production will:

- contract by \$196 million (-21.3%) in 2021/22
- contract by \$69 million (-7.4%) in 2022/23.

Sea & Star Advisory's projections suggest that Richmond Valley's production losses will be concentrated in:

- agriculture (about a quarter of lost production)
- manufacturing (about 60 per cent of lost production).

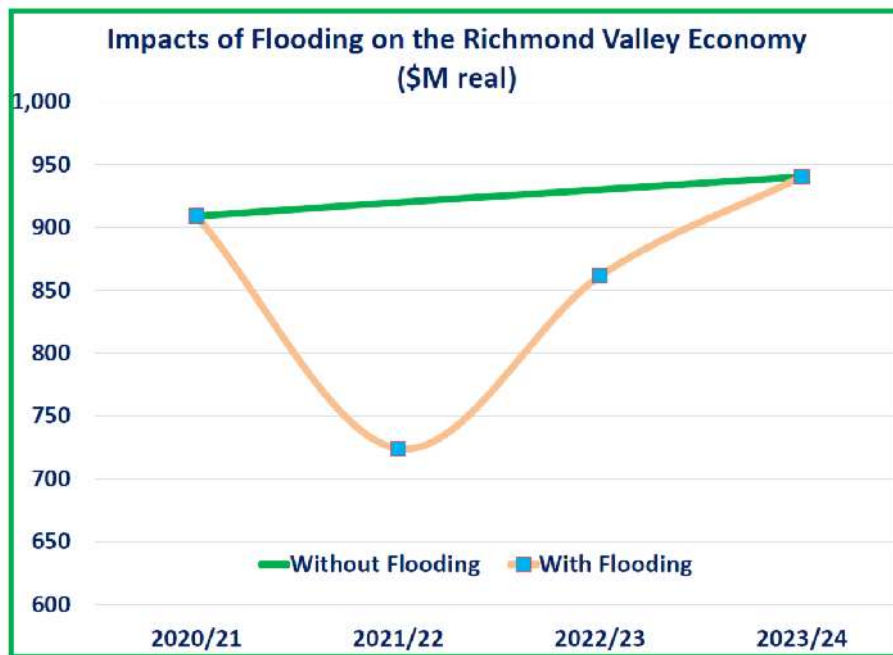
Other sectors realising significant losses from disrupted production include construction, logistics and utilities.

Industry sectors with the potential to realise minor offsetting gains in production are:

- accommodation (reflecting the acute shortage of dwellings)
- retail (reflecting consumption diverted to Casino by the extreme flood impacts in Lismore CBD).

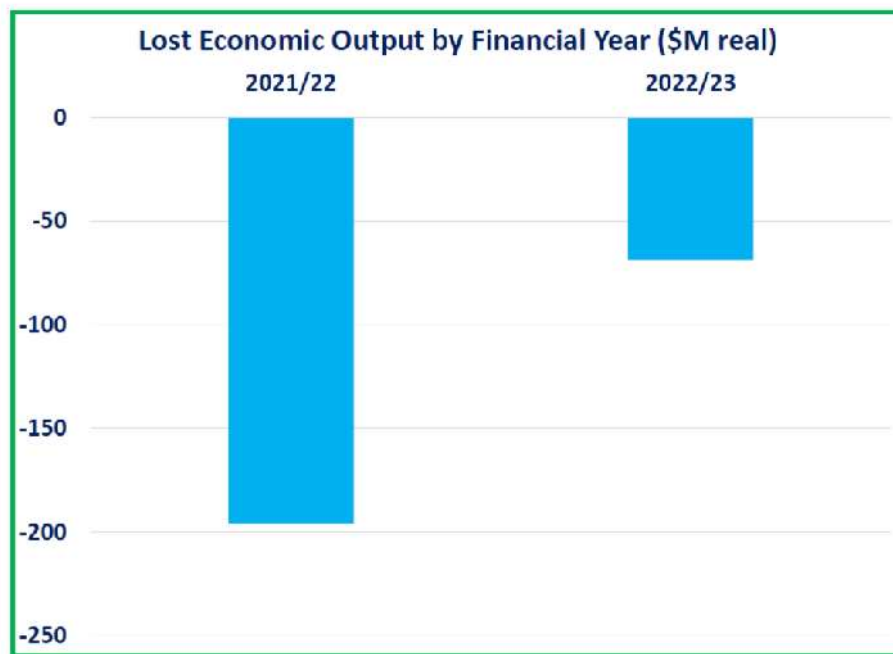


FIGURE 7.1: FLOOD IMPACTS ON RICHMOND VALLEY PRODUCTION



Source: Sea & Star Advisory projections

FIGURE 7.2: RICHMOND VALLEY PRODUCTION LOSSES BY YEAR



Source: Sea & Star Advisory projections

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7.2 KEY UNCERTAINTIES & LONGER TERM ASSUMPTIONS

Sea & Star Advisory's preliminary analysis projects economic impacts for Richmond Valley in light of considerable current uncertainties about how flood recovery & general economic conditions will unfold.

Overall, Sea & Star Advisory's assumptions reflect our view the Richmond Valley & Northern Rivers economies are generally flexible, robust & resilient, with considerable capacity to adjust & recover quite quickly.

Some of the most critical assumptions adopted for this preliminary analysis are:

- households, businesses & landlords repair or replace damaged assets by the end of 2022/23, despite current long lead times
- "balance sheet" losses for households, businesses & landlords from flood asset damage will not delay timely financing of asset repair & replacement
- full recovery in production is achieved in the 2023/24 financial year, consistent with asset replacement within 12 months
- despite the many dwellings damaged or lost across the region, population, jobs and labour supply will not permanently be dislocated from the Northern Rivers (even if re-distributed within the region)
- as construction sector utilisation was high before the floods, demand from reconstruction will likely increase prices, with modest impacts on real production.

However, it is important to remember these assumptions have been adopted amid considerable uncertainty. To the extent assumptions do not hold, the rate & level of recovery will be slower & lower, with larger production impacts & risks to the recovery.



BOX 7.1 - KEY REGIONAL RECOVERY DOWNSIDE RISK: CONSTRUCTION SECTOR CAPACITY & LOCAL SUPPLY CHAIN

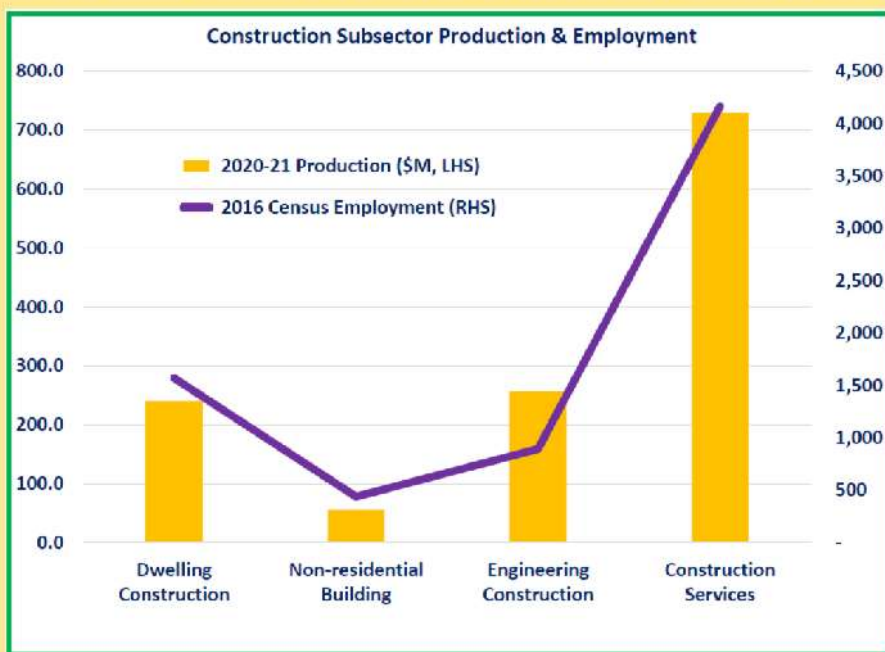
With so many homes, businesses & critical assets damaged, the Northern Rivers' construction sector & related supply chain is critical in rebuilding the region's economy. However, flooding has put the construction industry's own capacity & supply chain in question, jeopardising economic recovery.

Scale of the Northern Rivers Construction Industry

Consistent with the region's strong population growth, construction activity in the Northern Rivers is substantial - \$1.3 billion in production, employing more than 7,000 people across the region. The industry spans four broad groupings:

1. Dwelling construction – roofed structures built for long-term residential use, including apartments, townhouses & free-standing houses.
2. Non-residential building – roofed structures that are not dwellings, but that house people, plant & machinery, vehicles, goods or livestock.
3. Engineering construction – any construction that does not have a roof. Examples include roads, bridges, water assets, towers, railways, pipelines & subdivisions.
4. Construction services – services supporting dwelling, engineering & non-residential construction activity like concreting, plumbing, carpentry or electrical.

FIGURE 7.3: NORTHERN RIVERS' CONSTRUCTION BY SUBSECTOR



Source: Sea & Star Advisory analysis of Australian Bureau of Statistics & National Institute of Economic & Industry Research data

With just under 60 per cent of total industry production & jobs, Figure 7.3 reflects the critical role of construction services, typically provided by local subcontracting businesses, in the construction sector's internal supply chain.

Construction's internal supply chain is complemented by broader supply chain inputs from other industry sectors, such as wood products, metal products and mineral aggregates.

Impacts of Flooding on Construction Demand

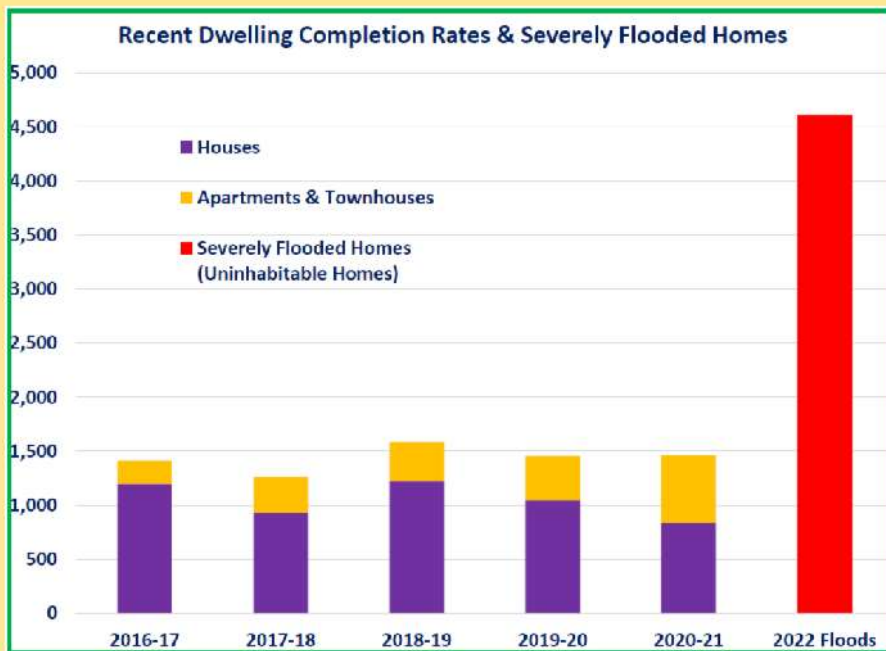
The need to repair & replace dwellings, productive buildings & critical infrastructure damaged by flooding will create construction demands across all four subsectors.

For example, we saw in chapter 5 that in Richmond Valley alone:

- repairing or replacing Council's engineering assets will cost \$100 million
- both housing & private business assets were extensively damaged.

In some respects, housing construction can be viewed as the most critical construction need of the region, given the large-scale dislocation of residents caused by the flood. State Emergency Service figures cited in the media suggest 4,600 homes across the region are uninhabitable, with 10,300 dwellings with impacts across the region. Figure 7.4 places the required number of complete or substantial rebuilds in the context of the recent dwelling completion rates.

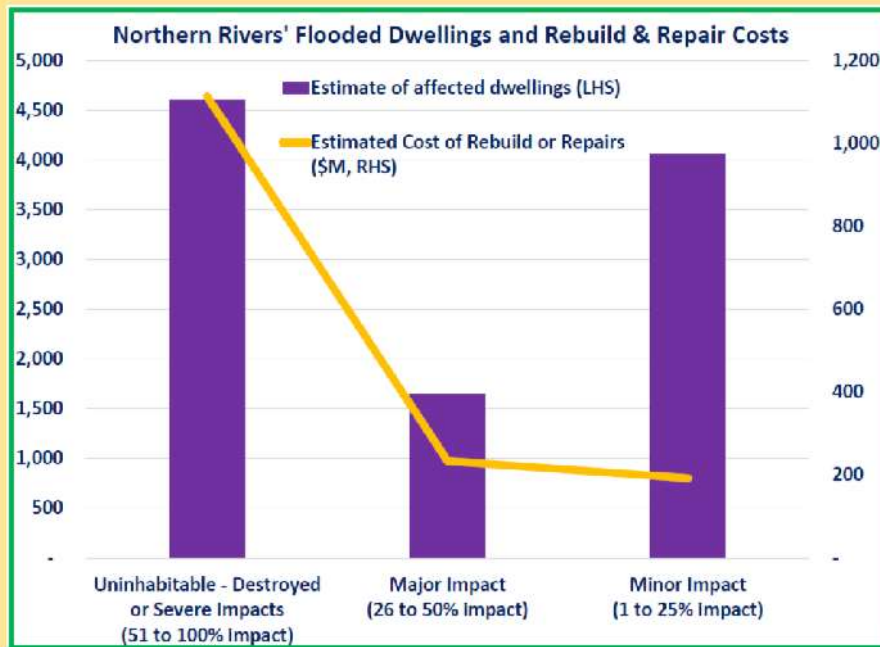
FIGURE 7.4: REGIONAL HOUSING COMPLETIONS & FLOOD IMPACTS



Source: Sea & Star Advisory analysis of Australian Bureau of Statistics & NSW Government data

In summary, Figure 7.4 shows the number of severely flooded dwellings is around three times recent completion rates. This implies it would typically take three years to complete a similar number of replacement dwellings.

FIGURE 7.5: NORTHERN RIVERS DWELLING REBUILD REQUIREMENTS



Source: Sea & Star Advisory analysis of Australian Bureau of Statistics & NSW Government data

Based on conservative costing assumptions, the profile of flood impacts suggests the Northern Rivers' rebuild & repair costs across the 10,300 dwellings may total around \$1.6 billion, reflected in Figure 7.5 below.

Large scale dwelling rebuilding reflects activity that would not otherwise occur, or would normally occur later. In-principle, this may mean reconstruction could add to regional production in the years after the initial losses. However, flood adjustment in the Northern Rivers' economy involves complicated impacts, including:

- focus on the rebuilding effort is likely to dislocate or defer other construction activities & development activities. For example, over the previous five financial years, the Lismore, Richmond Valley & Kyogle local government areas accounted for just 14 per cent of the Northern Rivers' dwelling completions. However, this will increase substantially with the flood rebuilding effort and is likely to attract construction resources away from the region's coastal & other areas

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- the region's construction industry may become less locally integrated, with greater 'leakages' of activity reducing the Northern Rivers' overall income & activity. For example, more construction services or other building & construction inputs may be provided by businesses outside the region
- greater scarcity of resources will increase prices, and the higher costs may encourage some residents to re-locate to lower-cost localities. This would see a reduction in the productive capacity of the region over the longer term.

Adjustment processes are both complex and highly uncertain, and could leave the region substantially worse off over time. Flooding dislocated some construction workers & businesses, as well caused extensive losses of plant, premises, equipment & inventories.

Limiting unnecessary capacity disruptions in the local construction supply chain is critical to:

- accelerating the local recovery rate
- boosting housing supply capacity & cap price impacts
- limiting unwarranted leakages of activity outside the region & re-integrating the regional supply chain.

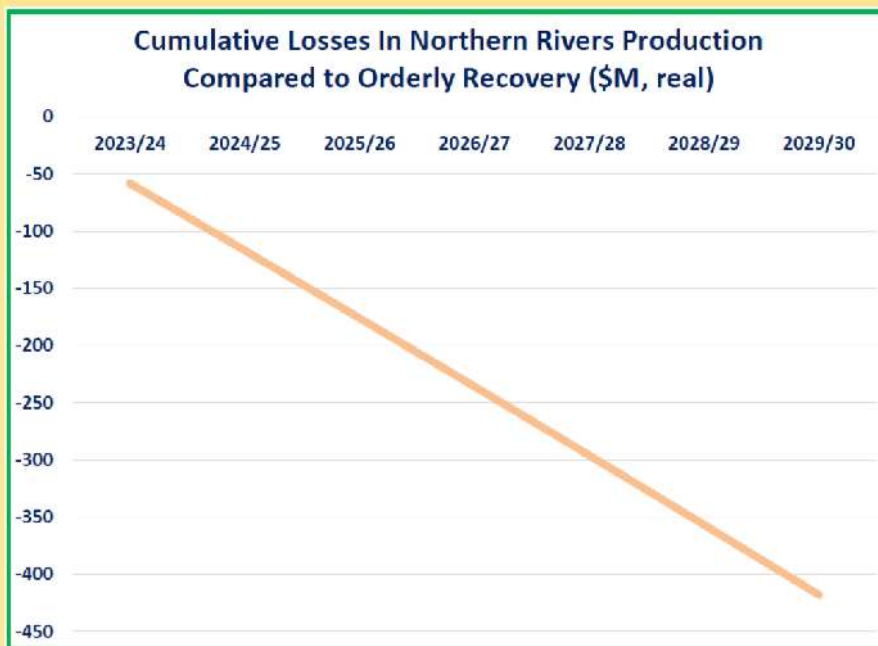
This will also avoid local supply chain replacement & consequent job losses and permanent resident relocations to localities with lower costs of living.

Without targeted support for key construction supply chain businesses, constraints could risk significant disruptions. The faster local supply chain capacity is restored, the smaller price impacts & risks to the extent of recovery will be.

Figure 7.6 below reflects a scenario where local supply chain disruption reduces dwelling production capacity. In turn, the disruption leads to:

- displacement of the local supply chain, reducing local job opportunities
- construction supply chain disruption & an excess increase in housing costs
 - permanently reduces construction activity by 1 per cent
 - permanently reduces the Northern Rivers population by close to 0.9 per cent
 - permanently reduces broader labour & productive capacity by 0.3 per cent.

FIGURE 7.6: SCENARIO ANALYSIS: PRODUCTION AT RISK FROM EXCESS LOCAL SUPPLY CHAIN ADJUSTMENTS & PERMANENT DISLOCATIONS



Source: Sea & Star Advisory projections

The scenario suggests the Northern Rivers' economic losses at risk from unnecessary supply chain disruptions could exceed \$400 million in the period to 2029/30.

While construction & its related supply chain is normally a core economic strength of the Northern Rivers, flooding impacts have crippled the near-term capacity of many local businesses and also put the longer-term recovery in jeopardy.

Cash flow is a critical problem. With no revenue incoming, management face difficult choices about how, or if, staff can be retained and operations continued. With operations washed out in the near term, staff are at risk of moving on while assets and input inventories are replaced. With critical operators in key markets in jeopardy, the risks of large disruptions to the recovery effort & broader economy are very real.

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7.3 LOCALISED IMPACTS ACROSS THE RICHMOND VALLEY ECONOMY

Impacts across Richmond Valley will vary according to differences in economic structure & localised impacts of flooding.

In **Casino**, the direct impacts of flooding are more limited than for centres further down the Richmond River. With a more diverse economic base than other Richmond Valley centres, overall activity levels in Casino will also likely benefit from having sectors with short lead times for recovery. Diversion of retail activity from Lismore or elsewhere to Casino may provide some offsetting activity.

However, disrupted agricultural production and temporary dislocation of workers will have implications for major employers hoping to expand payroll over the next few years to accommodate production increases. Additionally, in Casino's broader surrounds, losses of soy beans and tea tree plantations have been extensive.

In **Coraki**, record flooding led to extensive impacts for households & businesses. With more than 37 per cent of jobs in agriculture, manufacturing & engineering, Coraki will be hit especially hard by losses in sectors likely to take longer to recover than others.

Even leading, regionally-significant local businesses in sectors well-placed for rapid recovery, face considerable difficulties in sourcing & financing new premises and operational assets.

Woodburn is home to a number of regionally significant businesses critical to the flood recovery effort.





RICHMOND VALLEY FLOODING
ECONOMIC IMPACTS STATEMENT

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More than 25 per cent of Woodburn's jobs are in agriculture, manufacturing or construction, which face long lead times for asset replacement & significant asset financing requirements. Replenishing input inventories & replacement assets as quickly as possible will reduce economic impacts.

A further 35 per cent of Woodburn jobs are in retail, accommodation & food services. Viability of these businesses is dependent on both local population & tourist patronage. Dislocation of Woodburn residents is undermining recovery & operational viability for these key local employment activities.

The **Broadwater** region features a closely integrated sugar value chain. Altogether, agriculture, manufacturing, utilities and transport & logistics account for 70 per cent of Broadwater's jobs.

While close integration is a hallmark of local efficiency & productivity, flood recovery for these activities is co-dependent, requiring supply chain partners to resume operations.

Asset losses here have been very significant. Broadwater's activities are capital intensive, with businesses facing critical needs to replace flood-damaged assets. Rapid financing solutions will keep long lead times for asset replacement to a minimum.

By comparison to Richmond Valley's other centres, impacts for **Evans Head** are modest:

- 35 per cent of jobs are in sectors that may see gains (retail & accommodation)
- 41 per cent are in 'rapid recovery' sectors.

**BOX 7.1 - KEY REGIONAL RECOVERY DOWNSIDE RISK:
THE NORTHERN RIVERS' SUGAR VALUE CHAIN**

In reviewing the impacts of the floods, the Northern Rivers' community centres, where the scale of human costs is most glaring, have been the immediate focus of attention. However, the inundation out in the paddocks has created consequences & risks that are no less real, even if more removed from view.

Even passers through the region could hardly fail to see the significant acreages committed to cane growing. However, these paddocks are just the beginning of a value chain more extensive, intricate, sophisticated & valuable than generally understood.

The elements of the Northern Rivers' Sugar Value Chain

The sugar value chain can broadly be understood to consist of eight elements as reflected in Figure 7.7 below.

FIGURE 7.7: 'TREACLE DOWN' EFFECTS: THE SUGAR VALUE CHAIN

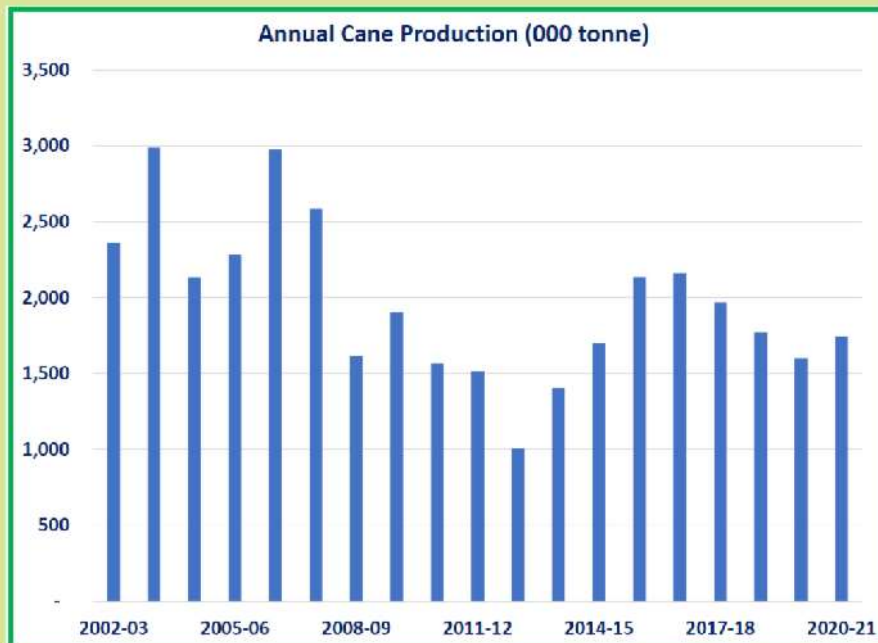


Each of the six activities, products & services and their linkages are detailed below.

Sugar Cane Growing

Cane growing is one of the long-standing staples of Northern Rivers agriculture. Figure 7.8 on the next page depicts the profile of Northern Rivers' production levels. Cane production levels have fallen over time, as a broader variety of crops have been introduced to the region. While production is substantially lower than in the mid to late 2000s, production levels have been relatively stable for more than a decade.

FIGURE 7.8: NORTHERN RIVERS' CANE PRODUCTION, 2002-03 TO 2020-21



Source: Sea & Star Advisory analysis of Australian Bureau of Statistics data

Geographically, the distribution of cane production within the Northern Rivers can be viewed across three distinct catchments:

1. **Clarence Valley** - the surrounds of Grafton & the Yamba - Illuka - Maclean areas produced 524,000 tonnes in 2020-21 - or 30 per cent of regional production
2. **Tweed Valley** - Murwillumbah & surrounds and Pottsville make up the vast majority of Tweed Valley cane production. Altogether, Tweed Valley's 2020-21 production came to 439,000 tonnes - or 25 per cent of regional production
3. **Richmond Valley** - the surrounds of Lismore, Ballina, Broadwater - Woodburn - Evans Head and Casino dominate Richmond Valley's production. Altogether, Richmond Valley production (together with modest output from Byron Shire) came to 776,000 tonnes - or 45 per cent of regional production.

The Northern Rivers' cane croppers realise considerable farm gate revenues off their production. Australian Bureau of Statistics' estimates put the region's 2019-20 gross farm gate revenues from cane cut for crushing at \$65.3 million - equivalent to an average revenue yield of about \$41 a tonne.

Australian Bureau of Statistics' figures for 2020-21 reflect a count of close to 500 cane growers across the Northern Rivers. Census data from 2016 reflected about 300 employees across the region. Activity & employment is highly seasonal, with cropping running from mid-June through to December.

Milling & Crushing

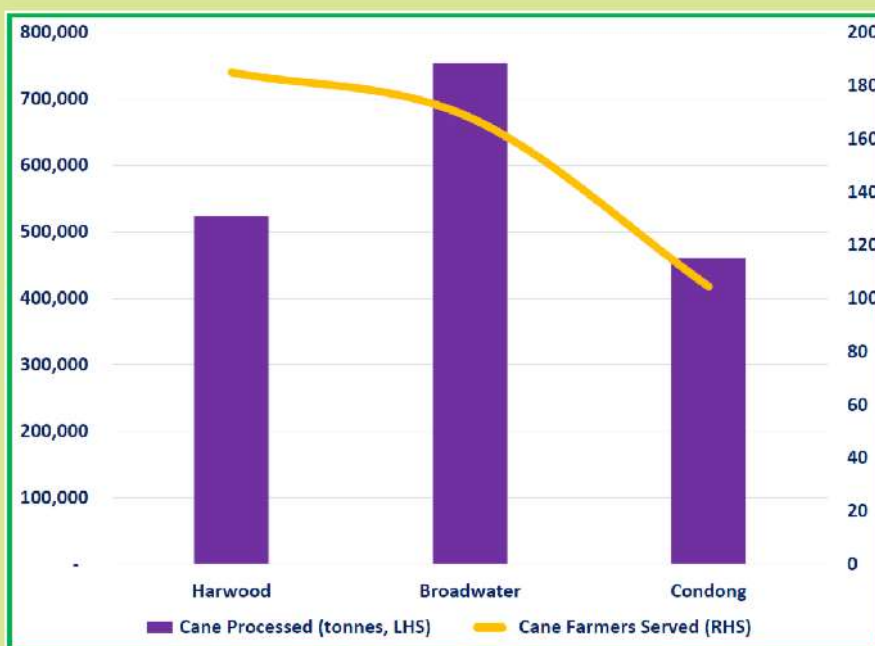
Once harvested, the cut cane begins its value added journey along the supply chain. The first processing activity is milling & crushing of the cane. While there are many aspects to the multi-stage milling process, the essentials are:

- initial shredding of the cane
- milling of the shredded cane, yielding cane juice (ultimately for molasses and sugar) & bagasse (the residual cane pulp, used in energy production)
- clarifying the cane juice, separating edible products from the 'mill mud' (used to re-fertilise the cane fields)
- separating the cane juice into molasses & raw sugar crystals
- washing & drying of the raw sugar crystals.

The Northern Rivers features three mills, situated to serve the Northern Rivers' three cane-grower catchments identified previously:

1. the Harwood mill processes the cane produced in the Clarence River catchment
2. the Condong mill processes the cane produced in the Tweed catchment, as well as some small scale production around Mullumbimby & Ocean Shores
3. the Broadwater mill processes the cane grown in the surrounds of Lismore, Ballina, Woodburn - Broadwater - Evans Head & Casino.

FIGURE 7.9: NORTHERN RIVERS CANE PROCESSING BY MILL, 2020-21



Source: Sea & Star Advisory analysis of Australian Bureau of Statistics data

Figure 7.9 on the previous page reflects mill throughput is typically greatest at Broadwater, followed by Harwood, then Condong.

Sugar Refining

Once milled, the raw sugar is ready to undergo further transformation. All of the Northern Rivers' raw sugar is refined at Harwood. In contrast to cane growing, which runs from June to December, the refinery runs as a year-round operation.

In a similar way to milling, the refinery process involves a series of elaborate processes. The essentials of these processes are:

- liquifying the raw sugar crystals
- clarifying & filtering the liquid
- removing the colour from the liquid through ionisation treatment
- separating the now-white sugar from the molasses
- drying & packaging the refined white sugar.

Milling & refinery activities support hundreds of jobs and supply of retail & industrial sugar products to markets across Australia. While the cutting & crushing season means some of these roles are for only part of the year, they also allow for workers to participate in other activities along the value chain (like truck driving or logistics).

Freight & Logistics

Whether as an industrial commodity or consumer product, freight movements are a critical element of sugar's value chain. Together with the markedly greater scale of Queensland operations, the logistics task is a clear point of difference between the sugar industries of the Northern Rivers & Queensland:

- more than 80 per cent of Queensland bulk raw sugar is exported, meaning the logistics chain focuses on getting product to port
- the Northern Rivers' chain focuses on domestic retail & industrial markets
- consistent with its long distances to market, need for connections to port gateways & product profile, rail freight plays a large role in Queensland's network
- the Northern Rivers' sugar logistics chain is exclusively made up of road freight.

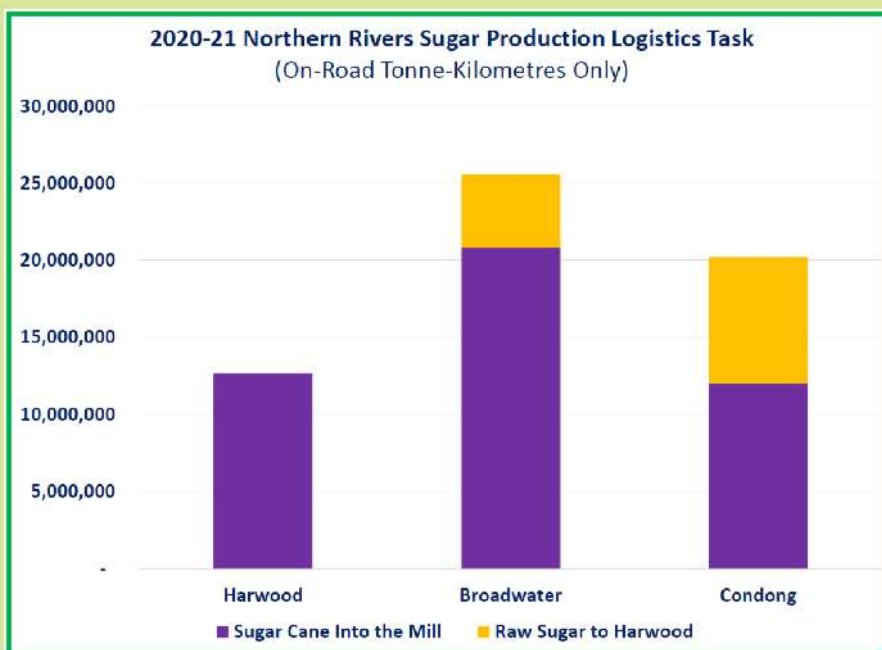
The road freight task for the Northern Rivers' sugar chain can be broken down into a number of subtasks, as follows:

1. transporting sugar cane from farms to mills
2. moving the milled raw sugar to refineries
3. moving sugar & molasses products to market
4. moving by-products into energy production, or returning it to fertilise cane crops.

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Cane catchment analysis suggests that the average on-road trip length from cane field to mill is just 26 kilometres. Figure 7.10 below reflects the Northern Rivers' cane haulage is the bulk of a 58 million tonne-kilometre on-road freight task across the sugar chain's production phase. Industry assessments have suggested off-road haulage (through the cane fields) is as much distance again. As the highest production mill, Broadwater also sees the greatest freight movements.

FIGURE 7.10: ROAD FREIGHT TASK FOR SUGAR PRODUCTION



Source: Sea & Star Advisory estimates using ABS data

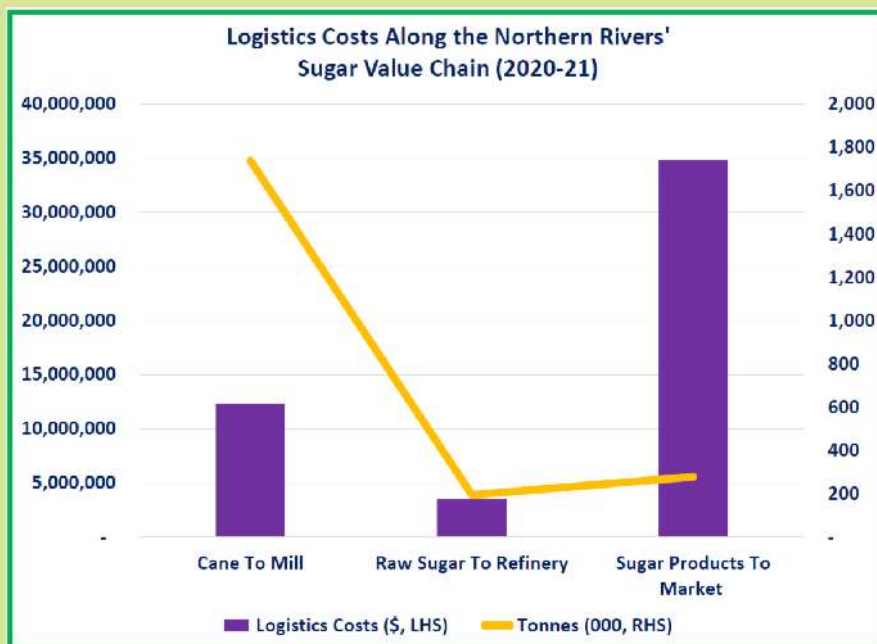
But while production phase logistics emphasises getting cane to the mill, getting finished products to market is more significant again. Figure 7.11 on the next page reflects the dominant role of post-production freight in the logistics cost structure.

While the freight volumes taken to market are much lower than cane volumes, trip lengths are much longer, with Sydney & Melbourne predominant in demand.

The Northern Rivers' profile of activity & employment in sugar chain logistics is best understood in two parts:

- seasonal transporting of cane to mill mid-June to December. These activities are both highly intensive & sophisticated. A fleet of 32 purpose-designed trucks, staffed by teams of three drivers among a driver headcount of 100 each season. Cane juice spoils within 16 hours once cut, so trucks run round the clock, other than when being serviced. Highly scheduled logistics are needed to balance milling efficiency with avoiding spoilage, through careful integration & optimisation of cane-cutting, truck movement and milling activity.

FIGURE 7.11: LOGISTICS COSTS ALONG THE SUGAR VALUE CHAIN



Source: Sea & Star Advisory estimates using ABS data

- year-round road freight getting product to market. More than 30 transport companies across the country help to sustain supply to more than 300 retailers, wholesalers and food & beverage manufacturers. The sugar chain freight cost structure in Figure 7.11 suggests these movements directly support about 120 full time equivalent jobs in the road transport sector alone.

Power Generation

Crop harvesting & processing activities typically yield not only a primary product, but also biomass - the residual plant-based wastes & residues capable of being used as a fuel for producing heat or electricity.

Figure 7.7 reflected that in addition to sugar products, processing also realises a number of by-products of economic value. In the sugar industry, the biomass residues left from crushing are known bagasse (cane-pulp).

Using bagasse as an energy source is a long-established Northern Rivers practice. By co-locating a power plant on-site alongside the mill, heat, steam & electricity can be applied in crushing & milling processes. Milling operations integrate two power stations integrated at Broadwater and Condong. Other biomass is used for fuel outside of the crushing season.

Integrating power generation with milling means what is otherwise a waste product is instead applied as a resource. This increases efficiency, avoiding double-handling & freight movements, as well as environmental outcomes by harnessing bagasse.

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If left to rot, bagasse's decomposition leads to methane emissions. By harnessing bagasse's potential, community demands for energy can be met from a renewable resource, fuelling baseload electricity supply, with no net impact on greenhouse emissions.

Transforming bagasse that might otherwise be a waste product into a resource also has a revenue implication for canegrowers & their crops. **Revenues booked from bagasse sales also amount to millions of dollars annually.**

Power Transmission

As the energy demands of Broadwater & Condong mills are well below the energy potential of the power stations & biomass produced, the excess electricity is exported onto the grid for use across the Northern Rivers.

Unlike some other sources of renewable energy, biomass fuels can support baseload power across peak demand periods, as biomass fuels can be used around the clock as required. This typically serves a significant share of the Northern Rivers' energy needs, as well as providing significant employment.

Flooding's Impacts Along the Sugar Value Chain

The floods created widespread, significant impacts along the sugar value chain.

Operating asset damages exceed \$100 million with loss of cane crops & throughput along the chain likely to create further impacts. Insurance should cover some of the losses, but re-pricing of premiums looks set to render future coverage of milling & refining assets uncommercial:

- **cane farmers** lost both operational assets & the crops themselves. First-year plants will generally prove unviable given the extent of flooding. Older crops should generally prove resilient, although their yields will be impacted. In many cases, the extent of crop & yield losses remains unknown, as not all floodwater has receded, or has returned, or crops otherwise remain difficult to assess.
- **cane mills** suffered significant inundation: Harwood had a metre of water through the mill; Condong had a metre of water throughout its site; Broadwater was worst affected, with more than two metres, which only receded slowly.
- **Harwood refinery** and related assets were also impacted, with around three weeks' production lost. Thankfully, floodwaters did not reach the sugar shed, packing floor or warehouses and the site should be fully operational for the crush.
- **logistics operators** have suffered from disrupted production at Harwood, as well as loss of fleet, amid a strong spike in fuel costs. Vehicles are now in short supply across the Northern Rivers, with long lead times for replacement
- **damage to power generation, transmission and related assets** was also extensive.

Key Downside Risks to Flood Recovery Along Sugar Value Chain

The close, intricate integration of the Northern Rivers' sugar value chain, normally a central feature of its economic success, is now creating material uncertainty about the rate and extent of its recovery.

Uncertainty stems from interdependence of supply & demand along the chain, with each requiring other firms or industries to resume production as quickly as possible:

- milling & refining activity depends on the crop damage, crop yields and re-planting decisions of cane farmers
- recovery in demand for logistics will reflect crop damage, crop yields, plantings and production at the mills & the refinery
- energy production & transmission potential depends not only their own asset replacement, but also the availability of bagasse, making them dependent on crop damages, yields & re-planting decisions.

Sea & Star Advisory estimates the Northern Rivers' sugar value chain provides around 1,800 local direct jobs annually. The heavy concentration of these activities means that some communities face particular risks to their recovery.

For example, 70 per cent of Broadwater's jobs are in agriculture, manufacturing, logistics & energy. This creates a concentrated economic risk of negative social & economic 'ripple effects' if a lack of recovery in one sector drags on the others. In a severe case, this risk could prevent recovery altogether.

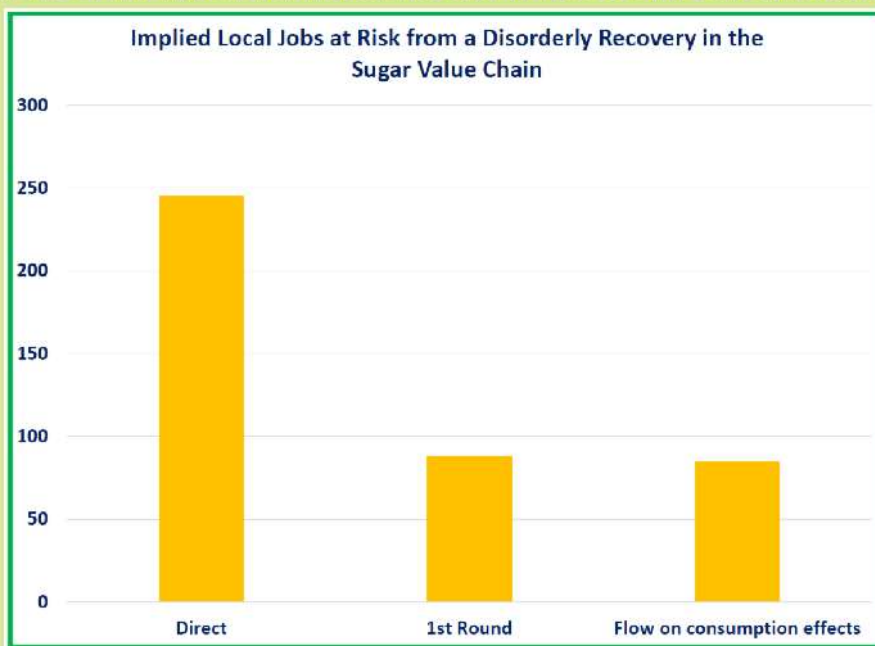
This estimate of direct local jobs is informed by both data and consultation with local businesses, with not all jobs on a full time basis. It is notable that in addition to these direct local jobs, the activities in these industries are also likely to:

- support jobs outside the Northern Rivers
- support more jobs again indirectly across the Northern Rivers economy.

Figure 7.12 on the next page reflects a scenario estimating the jobs at risk from disorderly recovery in the Northern Rivers' sugar value chain. In summary, this scenario reflects the local jobs implied to be at risk from a 30% reduction in throughput along the sugar value chain, as follows:

1. cane crop wash out & yield reductions are assumed to see the cut cane delivered to the mills fall by 30 per cent to around 1.2 million tonnes
2. the raw sugar & molasses yielded from milling fall to around 160,000 tonnes
3. Harwood's yield of refined sugar falls to about 150,000 tonnes, with an equivalent fall in the outbound freight task to get sugar products to market
4. delays in sourcing replacement assets and reduced availability of bagasse means only one power generator is operational.

FIGURE 7.12: SCENARIO ANALYSIS: 30% THROUGHPUT SHOCK



Source: Sea & Star Advisory projections

Sea & Star Advisory estimates this scenario could entail an adverse impact on production of around \$90 million and put a quarter of the Northern Rivers sugar chain jobs in question. If recovery were further prolonged, the household income & consumption impacts could put jobs in the region's broader economy at risk.

Neither farmers nor governments can influence the loss of cane yield from floods. However, governments can increase industry's confidence & capacity for orderly recovery by:

1. closely reviewing asset replacement needs, lead times & financing requirements
2. encouraging orderly re-planting of cane crops where damaged
3. ensuring major employers have both sufficient cash flow & confidence that recovery is on-track
4. ensuring re-pricing of insurance premiums does not jeopardise operational viability.



PART D: AN ACTION PLAN FOR EFFECTIVE RECOVERY

Part D (chapters 8 & 9) of this Report:

- identifies key community & economic needs
- formulates some initial priority actions to underpin a successful recovery.

8: Key Community & Economic Needs

8.1 ECONOMIC & SOCIAL STABILITY

Richmond Valley & the Northern Rivers communities have suffered a scale of shock & disaster difficult to grasp.

Even compared to terrible past disasters like the 2019 bushfires, disruption & disorder from the 2022 floods is on a new scale to what communities have endured before.

Any lives lost, homes destroyed or workplaces shattered by disaster create ripples of trauma, stress & despair across a community. However, social impacts & risks from flooding overshadow past disasters.

Home, shared with those we love, and workplace, shared with neighbours in creating value, are staples of daily life. In destroying so many homes & workplaces, the floods also swept away the sense of normalcy, making it now seem a remote possibility for many.

Many people may have a sense of being far removed from yesterday, with little left to be taken for granted. Significant uncertainties cloud the path to recovery.

Some uncertainties are unavoidable for now. But as well as unavoidable issues, delays & perceptions of limited government direction or support fuelled further question marks.

The minds of some residents & business owners are questioning not just how & when, but also if & where, recovery occurs.





RICHMOND VALLEY FLOODING
ECONOMIC IMPACTS STATEMENT

The fabric of Richmond Valley & Northern Rivers communities offers wonderful diversity in places to live, work, enjoy & prosper. The region's success is clearest in the number of people drawn to it, and the growing extent and reach of its products & services.

Recovery's first-order priority is stability - sustaining the social & economic fabric that made the Northern Rivers such a success in the first place.

Strong, active engagement & support from all governments will offer much-needed sources of stability. This will make it easier for all households & businesses - including those already dislocated, or at risk of dislocation - to resume a prosperous future in the region.

8.2 RESTORING HOUSEHOLDS

The practical tasks of cleaning out, and beginning repair & replacement houses to restore households have begun. Many tasks remain, but progress at least is clear for many, instilling confidence and helping encourage & sustain their recovery efforts.

However, progress has been uneven. Many communities & households have seen delays in the clean-up, let alone progress in restoring their housing & households.

Many residents are also questioning where they will get the resources from to repair, rebuild & restore a normal way of life. These questions trigger others, including the *if* and *where* recovery can be found.

It is understandable if some residents don't want to restore their households in the same place, in the same way & face the risk of future flooding doing the same again.

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Irrespective of individual households' circumstances & decisions, the essentials of effective community recovery are that:

1. people are actively supported in making such difficult choices in so difficult a set of circumstances
2. people have a clear sense of support for a pathway to recovery, wherever they choose
3. people feel like they have options, especially options to remain in the region, including alternatives for pursuing recovery at new residences in locations with reduced flood risks.

8.3 REBUILDING THE ECONOMIC BASE

As for households, businesses were sent reeling by a scale of disaster they could not have practically planned for. In recovery, businesses' front of mind considerations are:

- **cash flow.** The key recurring question among businesses was how to sustain wages for long-standing, loyal staff they know need the money to begin restoring their households. With production & revenue cut by asset losses & limited input availability, 'how to keep the lights on' is a widespread, recurring question
- **assessing asset damage & replacement needs.** The extent of losses is unclear, with difficulties sourcing replacements exaggerating the need to repair assets
- **lead times for asset replacement.** COVID-19 already meant long lead times, made worse by flood scarcities & high demand
- **financing asset & input replacement.** As well as cash flow for wages, businesses face challenges in financing new assets when insurance payouts may be delayed, or bank finance re-priced amid low revenue & different perceptions of risk





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- **regional labour supply & consumer demand.** A number of businesses indicated their grave concerns about the risks of residents being permanently dislocated from the Northern Rivers, reducing both regional labour supply & consumer demands they rely on or serve
- **insuring assets & operations.** Businesses indicate insurance markets already operated imperfectly before the floods, altogether refusing coverage at any price, even for assets & operations situated well above previous record levels for flooding. After the floods, market limitations mean businesses have few choices to self-insurance, irrespective of their capability for understanding & administering these arrangements efficiently.
- **regional supply chain linkages.** Some businesses reported they were at risk of losing critical local supply chain linkages, creating risks of compounding losses in output along the regional economy's supply chains
- **navigating government administrative requirements to access assistance.** Ahead of the release of a broad joint state & federal assistance package on 18 March 2022, many businesses expressed concern that administrative requirements were hampering regional recovery. Businesses drew unfavourable comparisons between the requirements of the grants immediately made available by the Commonwealth, and the relative ease & effectiveness of the JobKeeper & JobSaver schemes.



9.1 REINSTATE JOBKEEPER TO UNDERPIN STABILITY & CERTAINTY

Chapter 8 identified the community's foremost needs for recovery included:

- underpinning economic & social stability to instil confidence in regional recovery
- addressing concerns of businesses about how they could continue to finance the wages of their staff, given:
 - those wages are essential to restoring households, yet
 - business cash flows are under immediate pressure from lost inputs, inventory, assets, output & revenue
- addressing business perceptions of significant risks of household dislocations permanently disrupting both the region's labour supply & consumer demand.

The businesses consulted universally took a very positive view, without prompting, of the design of both the Commonwealth JobKeeper & NSW JobSaver schemes.

The schemes' design proved an excellent policy innovation. Commonwealth Treasury's *Insights From the First Six Months of JobKeeper* notes the scheme's design:

- integrated objectives to *support business and job survival, keep employees connected to their employers, and provide income support to individuals.*
- met the need to provide certainty & address risks quickly to avoid severe economic outcomes.





RICHMOND VALLEY FLOODING
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The Richmond Valley & the Northern Rivers communities have similar needs for certainty & avoiding severe outcomes today. Instead of limiting application of this policy innovation to COVID-19 alone, design should be tailored to the circumstances of a large-scale natural disaster of extreme severity.

More specifically, the design of a revamped Jobkeeper or JobSaver for Flood Recovery could sustain the nexus between:

- employers
- employees AND
- recovery in the Northern Rivers region.

As for JobKeeper & JobSaver, a Northern Rivers flood recovery scheme could be:

- targeted on extreme revenue losses
- be subject to ongoing review, given uncertainty around how quickly assets might be replaced and recovery comes.

Service NSW figures suggest the JobSaver scheme provided \$7.14 billion to 207,231 recipients - an average grant of around \$34,500 per recipient.

Northern Rivers' businesses most likely to see prolonged impacts from the floods are capital-intensive, land-intensive businesses & related businesses along supply chains.

Australian Bureau of Statistics' business count data suggests the Northern Rivers has about 3,100 employing businesses across the agriculture, manufacturing, utilities, wholesale, hospitality & logistics groupings.

Even if all these businesses received the average JobSaver grant, high-level indicative costs would be \$107 million - or less than 15 per cent of the cost of the joint assistance package announced on 18 March 2022.

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9.2 ACTIVELY REVIEW ASSET & INPUT REPLACEMENT NEEDS & LEAD TIMES

In chapter 8, we saw that businesses' review of asset impacts is ongoing. With businesses unable to replace assets quickly, and uncertain of the extent of replacements required, there are risks the region's recovery could be drawn out & delayed.

For example, the profile of modelling presented in chapter 7 reflected an assumption asset replacement & recovery would be complete by the end of the 2022/23 financial year. However, it is also plausible that it might take much longer to replace & restore assets, given broader impacts on supply & logistics from COVID 19.

All levels of government should continue to engage with affected businesses to better understand the detail of impacts in industry and clarify the risks to the rate of recovery.

9.3 ACTIVELY MONITOR FINANCE & INSURANCE MARKET RESPONSES

Closely related to the need to acquire new assets are businesses' ability to first finance, and then insure, the new assets effectively.

Inability to acquire effective insurance coverage from the market, requiring a choice between potentially complex self-insurance, or no coverage at all. Either option undermines the resilience of the region & the robustness of its recovery.

Both the businesses of the region and their providers of financial & insurance services have to respond to a disaster of great scale and rarity. Grants, concessional loans or help with self-insurance may be required to address risk-aversion or other re-pricing in financial services markets.



9.4 CREATE NEW OPTIONS IN THE REGION FOR HOUSING & INDUSTRIAL LANDS WITH LOWER FLOOD RISKS

Chapter 8 identified that a key element of flood recovery was ensuring households have options, including alternatives to re-housing residents in lower flood risk areas.

In providing greater options, the Northern Rivers will increase its capacity to retain its population & workforce - including those residents who understandably don't want to face the same risks of flooding again.

One of the great advantages of the Northern Rivers is that it truly functions as a region - including that it is commonplace for its residents to live in one locality, while working elsewhere. Strong commuting patterns in Census data include flows of:

- Ballina & Byron workers along the Bruxner Highway to jobs in Lismore
- Richmond Valley residents into Lismore
- Tweed residents onto the Gold Coast
- Yamba & Maclean residents into Grafton.

Extensive commuting trends like these are more typical of metropolitan areas.

An implication of a mobile labour force, willing to commute extensively across the region, is that a broader range of housing & employment combinations are feasible.

The Department of Planning, Industry & Environment's *2036 North Coast Regional Plan* includes local urban growth area narratives & maps. These local narratives set out priorities for putting the Plan's strategic directions into action 'on the ground'.



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For Richmond Valley, the *North Coast Plan* establishes several significant strategic directions directly relevant to flood recovery efforts, including:

- 1.deliver new housing in Rileys Hill, Evans Head, Woodburn & Casino
- 2.enhance the variety of housing options available in Casino, Evans Head & Coraki
- 3.deliver new employment opportunities at Casino, Woodburn, Broadwater & Evans Head
- 4.support the local agricultural sector and associated value-adding industries, such as the NSW Sugar Mill and Richmond Dairies at Casino.

In considering opportunities to deliver new housing supply & employment opportunities in areas with reduced flood risks, careful consideration should be given to opportunities to repurpose farmland in suitable quantities.

Selective rezoning of highly amenable, well-located land can address demand for new housing carrying minimal flooding risks, without undermining the viability of key agricultural activities in the region.









Richmond
Valley
Council



FRAUD AND CORRUPTION CONTROL PLAN

RICHMOND VALLEY COUNCIL

Adopted Month Year

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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.

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INTRODUCTION

1.1 Fraud and corruption against government entities

Incidents of fraud and corruption are a threat which affects all government entities in all areas of their operation. The risk of fraud or corrupt conduct may be internal (committed by a council official) or external (committed by a third party).

Fraudulent and corrupt conduct against Council is a criminal offence which impacts directly on our community. It reduces the funds available for delivering public services and undermines the integrity of the public's confidence in Council.

Fraud threats are increasingly complex with the increased provision of online services creating new threats. Further, organised criminals are actively seeking to infiltrate government entities to access government information and are committing fraud to fund other illegal activities.

1.2 Application

The Richmond Valley community must be able to trust and expect that those subject to this plan will not abuse their office or position and will fulfil their responsibilities to protect the prudent use of public money and property.

This plan applies to all council officials and third parties.

1.3 Objectives

The primary objective of the plan is to protect resources, including information, and safeguard the integrity and reputation of Council.

The plan supports Council's Fraud Prevention Policy and sets out the arrangements for the overall management of the risks and any instances of fraud and/or corruption.

The purpose of the plan is to:

- provide an overview of the governance arrangements within Council relating to fraud and corruption control;
- outline key fraud and corruption risk areas relevant to Council;
- raise awareness of fraud and corruption risks, and thereby influence the culture of Council to encourage employees to be vigilant in responding to them;
- communicate Council's expectation of management, employees, consultants/contractors, industry stakeholders and service providers to assist in the prevention and detection of fraud and corruption; and
- document fraud and corruption prevention, detection and response initiatives adopted by Council to manage fraud and corruption.

1.4 Legislative and policy requirements

Incidents of fraud and corruption are criminal offences under relevant state and federal legislation that may attract a range of criminal, civil, administrative and disciplinary penalties.

In addition to statutory offences, all incidents of fraud and corruption are breaches of Council's Code of Conduct. Any council official found to have engaged in incidents of fraudulent or corrupt conduct will be investigated, and substantiated findings will result in disciplinary procedures being initiated which may result in loss of employment at Council.

This plan has been designed to reflect current Acts and Standards and integrate with Council's codes, policies and procedure documents. This plan is based on Council's risk assessment of fraud and corruption which is conducted in line with within Council's Delivery Program and Operational Plan, to identify the specific fraud and corruption risks of Council.

The plan outlines the fraud and corruption categories of controls that help to mitigate these risks. This plan will be updated after any significant changes identified in the periodic fraud and corruption risk assessments, to ensure that the fraud and corruption control strategies and measures remain relevant. Amendments to this plan will be made as appropriate to ensure that it accurately reflects Council's capability and commitment to fraud and corruption control.

1.5 Defining fraud

Fraud refers to an intentional dishonest act or omission carried out with the purpose of gaining an advantage, usually a financial benefit from a position of trust and authority.

The types of acts or omissions include, but are not limited to: theft, false pretenses, evasion, manipulation of information, misappropriation, larceny, embezzlement and improper destruction or falsification of accounts or records.

Refer to **Appendix A** for further examples of fraud.

1.6 Defining corruption

Corrupt conduct, as defined in the *Independent Commission Against Corruption Act 1988* (ICAC Act), is deliberate or intentional wrongdoing, not negligence or a mistake. It has to involve or affect a NSW public official or public sector organisation.

While it can take many forms, corrupt conduct occurs when:

- a public official improperly uses, or tries to improperly use, the knowledge, power or resources of their position for personal gain or the advantage of others.
- a public official dishonestly exercises his or her official functions, or improperly exercises his or her official functions in a partial manner, breaches public trust or misuses information or material acquired during the course of his or her official functions.
- a member of the public influences, or tries to influence, a public official to use his or her position in a way that affects the probity of the official's exercise of functions.
- a member of the public engages in conduct that could involve one of the matters set out in section 8(2A) of the ICAC Act where such conduct impairs, or could impair, public confidence in public administration.

Refer to **Appendix A** for examples of corrupt behaviour.

1.7 Council's attitude to fraud and corruption

Whilst Council has a zero-tolerance attitude to fraud and corruption; this does not mean that all fraud and corruption can be avoided. In practice, zero-tolerance means that Council will:

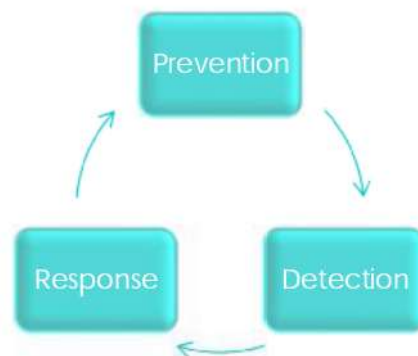
- maintain an effective fraud and corruption risk management environment to minimise and mitigate risks of fraud and corruption, which includes promoting an ethical culture;
- promptly assess all suspected or discovered incidents of fraud and corruption to determine their nature and extent;
- investigate and respond to all matters of fraud or corruption;
- apply appropriate administrative or contractual penalties, including termination of engagement;
- seek prosecution against offenders for fraudulent and corruption activities where Council deems appropriate, including referral to the Independent Commission Against Corruption (ICAC) or NSW Police;
- take reasonable measures to recover losses caused by illegal activity; and
- implement systemic changes to reduce the likelihood of recurrence.

FRAUD AND CORRUPTION CONTROL ENVIRONMENT

Council's fraud and corruption control environment is based on Standards Australia's Fraud and Corruption Control Standard AS8001-2008 and the ten key attributes of fraud control contained in the Audit Office of NSW's Fraud Control Improvement Kit: Managing your fraud control obligations (2015).

The Standard views fraud and corruption control as a holistic concept involving implementation and continuous monitoring across three key themes:

- **Fraud and corruption prevention** - strategies designed to prevent fraud and corruption from occurring in the first instance or to mitigate the effect of potential fraud.
- **Fraud and corruption detection** - strategies to discover fraud and corruption as soon as possible after it has occurred.
- **Fraud and corruption response** - the systems and processes that assist an entity to respond appropriately to an alleged fraud and corruption incident when it is detected.



Within these three themes sit the NSW Audit Office Kit's **10 attributes**:

1. Leadership
2. Ethical framework
3. Responsibility structures
4. Fraud control policy
5. Prevention systems
6. Fraud awareness
7. Third party management systems
8. Notification systems
9. Detection systems
10. Investigation systems

Monitoring and review of fraud and corruption controls, alongside reporting and evaluation of their effectiveness is key to providing assurance that legislative responsibilities are being met. This also promotes accountability by providing information which demonstrates compliance with specific fraud and corruption control strategies.

Management oversight through sound governance arrangements ensures that each strategy does not operate in isolation and that interdependencies are effectively identified and managed appropriately.

Council's Executive promotes proper use and management of public resources, to achieve Council's purposes and ensure financial sustainability and maintains an enterprise risk

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management framework to provide oversight and manage risk, and a system of internal controls to minimise potential for fraud and corruption incidents.

2.1 Key fraud and corruption risks facing Council

Following is a summary of the key fraud and corruption risks facing Council.

TABLE 1: KEY FRAUD AND CORRUPTION RISKS

RISK CATEGORY	DESCRIPTION	RISK ATTRIBUTES
CORRUPTION		
Conflicts of Interest	A conflict of interest occurs when an employee or agent - someone who is authorised to act on behalf of a principal - has an undisclosed personal or economic interest in a matter which could influence his or her professional role.	<ul style="list-style-type: none"> Extent and value of supplier relationships / contracts Extent of recruitment activities / staff turnover Presence of decentralised procurement and recruitment systems.
Bribery, illegal gratuities, economic extortion	<p>Bribery is offering, promising, giving, accepting or soliciting an advantage as an inducement for an action which is illegal or unethical.</p> <p>Illegal gratuities are items of value given to reward a decision after it has been made. They do not necessarily involve intent.</p> <p>Extortion is the obtaining of property from another, with the other party's consent, induced by wrongful use of actual or threatened force or fear.</p>	<ul style="list-style-type: none"> Number of staff Number of supplier and contractor relationships.
ASSET MISAPPROPRIATION		
Theft of cash	A scheme in which an employee steals or misuses the employing organisation's resources.	<ul style="list-style-type: none"> Use of petty cash Turnover of cash.
Inventory and all other assets	A scheme in which an employee steals or misuses the employing organisation's resources.	<ul style="list-style-type: none"> Nature of assets (data, inventory, fixed assets).
Fraudulent disbursements	A scheme in which an employee causes their employer to issue a fraudulent payment for fictitious goods or services, or reimbursement of fraudulent expenses.	<ul style="list-style-type: none"> Volume and value of supplier transactions Volume and value of expense transactions.
FINANCIAL STATEMENT FRAUD		
Net worth / net income understatements / overstatements	A scheme in which an employee intentionally causes a misstatement or omission of material information in the organisation's financial reports.	<ul style="list-style-type: none"> Change in management, high turnover of executive members Significant pressure from stakeholders to reduce costs and improve financial results Financial position of the organisation.

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GOVERNANCE

Realisation of fraud and corruption risks in a number of high-profile government programs has highlighted the need for strong leadership to support effective risk management practice and culture. Poor leadership can lead to a culture of complacency or give rise to situations where fraud and corruption incidents are only addressed after they emerge. Organisational commitment is required to ensure effective implementation of the Fraud and Corruption Control Plan.

Council's General Manager has ultimate responsibility for Council's fraud and corruption risk management environment and endorses and supports effective risk management, practice and culture and the control activities and objectives outlined in this plan. The General Manager has responsibility for approving, adopting and reviewing the plan.

While overall responsibility for the plan rests with the General Manager, effective implementation of the plan is dependent on the active participation of all who are subject to its guidelines. This includes use of the risk-based approach for fraud and corruption control, compliance with the internal control systems and extends to the correct procedures for reporting instances of suspected fraud and corruption.

3.1 Responsibilities for fraud and corruption control

Appropriate governance structures are critical to the effective operation of fraud and corruption control. Implementing an effective control environment for fraud and corruption prevention is a practical demonstration that Council is serious about its commitment to ethical practice.

TABLE 2: SUMMARY OF RESPONSIBILITIES ACROSS COUNCIL FOR FRAUD AND CORRUPTION

POSITION	RESPONSIBILITY
Mayor and Councillors	The Mayor and Councillors are responsible for: <ul style="list-style-type: none"> • leading and developing a culture of ethical behaviour • overseeing and promoting Council's overall approach to fraud and corruption control • approving and adopting fraud and corruption control policies and procedures.
General Manager (GM)	The GM has the primary responsibility for the prevention and detection of fraud and corruption, and for the governance of Council. This involves a commitment to creating and maintaining a culture of honesty and ethical behaviour. The GM is responsible for ensuring that appropriate resources are dedicated to fraud and corruption control in proportion to the size and risk profile of the organisation. This includes allocating a budget and assigning specific responsibilities. The GM's responsibilities include: <ul style="list-style-type: none"> • demonstrating leadership and commitment to fraud control and prevention by endorsing and promoting the plan and associated tools and procedures • approving, adopting and reviewing the plan • Council's compliance with relevant legislation and regulation • ensuring that those subject to the plan are aware of their responsibilities under the plan and the consequences of fraud and corruption • ensuring effective internal controls and risk assessment and management systems are in place • ensuring identified fraud and corruption risks are fully addressed • approving and monitoring systems of control and accountability for Council • receiving reports on suspected cases of fraud and corruption and approving any further action plans or activities relating to the handling of matters • reporting instances of suspected fraud and corruption to ICAC in accordance with the ICAC Act and where appropriate to the NSW Police.

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Executive Management Team	<p>The Executive have a leadership role in developing and promoting an ethical culture and share responsibility for prevention and detection of fraud and corruption, governance of the Council and risk management. Directors are responsible for ensuring that specific and ongoing training is provided for staff primarily engaged in fraud and corruption control activities and staff working in high risk fraud and corruption areas.</p> <p>The Executive considers strategic issues impacting their respective directorates, including any ongoing or emerging fraud and corruption risks, and monitors performance in delivering outcomes.</p>
Management Team	<p>Managers are responsible for:</p> <ul style="list-style-type: none"> • championing the fraud control plan and procedures and promoting and sustaining ethical behaviour and culture • ensuring implementation of the plan and compliance with relevant codes, legislation and Council's policies and procedures relating to their area • ensuring risk management internal control systems are operating effectively • ensuring employees are aware of the plan and their responsibilities as part of the plan • identifying risks and developing appropriate internal risk mitigation control systems • considering new and emerging risks on a regular basis and where necessary adjusting systems for control of these risks • ensuring employees understand the purpose of and comply with internal controls • reporting suspected fraud and corruption through the appropriate channels.
Governance	<p>The Governance department, under the leadership of the Director Organisational Services, has responsibility for developing, implementing, and maintaining the plan.</p>
Council Officials	<p>All Council Officials are responsible for:</p> <ul style="list-style-type: none"> • fulfilling their responsibilities under the plan • conducting themselves and performing their duties in accordance with the principles of the Code of Conduct and Council's values • complying with Council's internal control systems, policies and procedures • reporting suspected fraud and corruption through the appropriate channels.

3.2 Committee responsibilities

Audit and Risk Improvement Committee (ARIC)

In response to the NSW Government's Risk Management and Internal Audit Guidelines, Council will establish an Audit and Risk Improvement Committee (ARIC) as required, by 4 June 2022.

The ARIC will provide independent assurance and assistance to Council on risk management, compliance, control, governance, internal audit, fraud control, strategic plan implementation, organisational performance and improvement, and external accountability responsibilities.

The Committee will ensure, assess and advise on whether there are adequate and effective systems of internal control in place throughout Council and will assist in the implementation of the internal and external audit plans. The ARIC will also provide information to Council for the purpose of improving Council's performance of its functions.

3.3 Individual compliance with policies and procedures

Council requires council officials to evidence their commitment to acceptable standards of ethical behaviour by acknowledging completion of regular Code of Conduct training.

Council officials are required to declare actual, potential or perceived conflicts of interests and these are collated and stored by Council's Governance team. This also occurs throughout the recruitment process. Councillors and designated persons (as defined by Clause 4.8 of the Code of Conduct) must routinely submit written returns of interest which are publicly available as open access information.

Council officials are required to declare any secondary employment via the completion of the 'Staff Secondary Employment Approval' form. This form is assessed by the employee's Manager, and then by the General Manager. Secondary employment approvals are managed by Council's People & Culture team, with a register maintained by Governance.

FRAUD AND CORRUPTION PREVENTION

Fraud and corruption prevention strategies provide the most cost-effective method of controlling fraud and corruption within Council. Key elements of Council's fraud and corruption prevention strategies include:

- promoting and demonstrating ethical leadership and culture;
- Code of Conduct and policies/procedures that promote ethical behaviour and provide sanctions for unethical behaviour;
- conducting fraud and corruption risk assessments;
- effective prevention systems (internal controls);
- ongoing education and training;
- ongoing fraud and corruption awareness among employees, suppliers, and service providers; and
- due diligence.

Driving a culture of integrity and ethical conduct relies on strong leadership from the Council and managers at all levels to integrate fraud and corruption controls as part of their teams' day-to-day activities. This leadership is necessary to ensure all those subject to this plan are enabled and empowered to take steps to prevent and report fraudulent or corrupt conduct.

The Executive are accountable for implementing the plan and embedding fraud and corruption control accountabilities into the business plans and performance agreements of management. Managers will incorporate these accountabilities into their units' work plans and staff performance plans.

4.1 Ethical leadership and culture

Strong leadership and an ethical culture which promotes and demonstrates awareness of fraud and corruption risks and effective actions to address them helps protect against fraud and corruption.

Council reinforces its fraud and corruption control message to its staff and service providers through a range of internal measures which include:

- Council and senior management endorsement and role modelling of ethical behaviour;
- publishing and promoting Council's policies and procedures on Council's intranet and external website;
- managerial accountabilities for conducting fraud and corruption risk assessments to raise staff awareness of fraud and corruption risks and control;
- fraud and corruption awareness training;
- encouraging staff to report fraud and corruption risk related concerns or issues;
- implementing procedures and processes that include preventive and detection controls within business activities to manage fraud and corruption risks; and
- communicating investigation outcomes to demonstrate that incidences of fraud are treated seriously and appropriately dealt with.

4.2 Fraud and corruption risk assessments

The NSW Audit Office Fraud Control Improvement Kit states that a 'fraud risk assessment should be conducted when there is a substantial change in the function, structure or activities of an organisation and at least every two years.'

Council is committed to preventing instances of fraud and corruption by undertaking a fraud and corruption risk assessment process at least every two years, to identify the potential fraud and corruption risks across Council, the controls in place to mitigate these risks and to assess the inherent and residual risk rating of each of these risks.

4.3 Internal controls

This plan does not seek to describe every fraud and corruption prevention system across Council. Management relies on a mix of controls to manage internal and external fraud and corruption risks. Internal controls implemented by Council include:

- Financial and non-financial delegations of authority;
- Conflict of interest management;
- Segregation of duties;
- Budgetary controls (i.e. periodic reviews by finance);
- Financial reconciliations (including accounting statements, bank accounts, credit card transactions);
- Transaction reviews (i.e. expense reviews and procurement);
- Reviews of physical asset inventories;
- System access reviews;
- IT system controls including appropriate cyber security controls (e.g. limited user access controls, monitoring of specific data sets, monitoring of email usage and restricted USB use);
- Procurement procedure and sign-off processes;
- Vendor due diligence; and
- Pre-employment screening.

Further details of the controls associated with Council-wide fraud and corruption risks are described in Council's Risk Register. Council undertakes routine monitoring and testing of controls in conjunction with internal and external audit activities described below, to ensure the ongoing effectiveness of internal controls.

4.4 Fraud and corruption training

Code of Conduct

Council is committed to providing employees with regular training regarding code of conduct matters. Currently, Organisational Compliance training is provided organisation-wide, every two years.

Induction programs raise awareness of Council's position on behaviours, prompt individuals to question their understanding of ethical behaviour and potential biases and provide information on relevant resources.

Procurement

In addition to the education and awareness programs delivered to staff, specific training is provided at various times to staff across the organisation who deal with suppliers to ensure transactions meet Council's procurement and conduct standards.

4.5 Fraud and corruption awareness

Staff and contractors

Policies and procedures are available to staff on Council's PULSE system. These policies outline obligations with respect to ethical behaviour and procedures to support them in managing risk when conducting their activities.

Refer to **Appendix B** for a listing of relevant policies and procedures.

The Governance department partners with relevant Managers across Council, to organise training to further raise awareness of fraud and corruption issues, including managing conflicts of interest. This supports staff and Councillors to understand their ethical behaviour obligations, the specific areas of risk where vigilance is required and the consequences of fraudulent and corrupt conduct. If Council identifies an area that may be of particular concern, investigation into tailored workshops for specific business units will be investigated.

Suppliers and third parties

The incidence of fraud and corruption can be reduced through education of customers, suppliers and the community about acceptable standards of behaviour expected of Council staff, and of the customers, suppliers and community members that interact with Council. As expectations about standards of behaviour can differ, it is important that Council outlines its expectations to external parties with whom it interacts.

The standards of behaviour expected by Council in business relationships with external parties are outlined in the Business Ethics Policy. Additional resources include Council's Purchasing Policy and Purchasing Procedure (which details procurement thresholds).

DETECTION AND REPORTING

Council recognises that no organisation is resistant to incidents of fraud and corruption, however fraudulent and corrupt conduct can be detected through robust internal control systems and mechanisms for recognising deviations from standards. Council has a system of internal controls in place including routine checks of activities, processes, controls and transactions to identify irregularities.

5.1 Reporting fraud and corruption

All council officials are subject to the plan and are expected to immediately report any suspected fraud or corruption. Council's Internal Reporting (Public Interest Disclosures) Policy provides a clear set of guidelines that outlines the process for and responsibilities of those reporting or receiving a notification of corrupt conduct. It promotes immediate reporting of instances of fraud or corruption to an employee's supervisor in the first instance. Where a disclosure is made to Council's Disclosures Coordinator or one of Council's Disclosure Officers, and it meets the criteria of a public interest disclosure, the discloser may be protected from reprisal by Council via the Code of Conduct and the protections afforded by the *Public Interest Disclosure Act 1994 (NSW)*.

The community can also make complaints by contacting Council's General Manager. The management of such complaints will be in accordance with Council's Complaints Management and Mandatory Reporting Policy.

External agencies such as the Office of Local Government, the NSW Ombudsman and ICAC can take reports from council officials and members of the community about five categories of wrongdoing at local councils. These are disclosures of corrupt conduct, maladministration, serious and substantial waste of public funds, government information contravention and local government pecuniary interest contravention.

Internal and external guidelines for reporting fraud and corruption to Council are published on Council's internet and intranet sites.

A confidential register of complaints, including alleged fraud and corrupt conduct is maintained by Council's Governance department. The policies noted within this section identify the nature of suspected fraud and corruption which require reporting to the NSW Police and the Independent Commission Against Corruption, and other external agencies. External notification takes place as required in light of the above legal and policy requirements.

5.2 Public Information and Disclosures Act

Council's Internal Reporting (Public Interest Disclosures) Policy provides a mechanism to protect those reporting wrongdoing. If a public official makes a disclosure to a nominated Disclosures Coordinator or Disclosures Officer, protection may be provided under the *Public Interest Disclosures Act 1994 (NSW)* (PID Act). Should a person report behaviour that meets the criteria of the PID Act, Council undertakes to protect them from associated reprisal or detrimental action. The PID Act lists a number of investigating authorities in NSW that can receive reports of wrongdoing and the categories of wrongdoing each authority can deal with.

5.3 Internal Audit

Internal audits provide advice and guidance on the design and effectiveness of internal controls established by management, including those to prevent and detect fraud and corruption. Additionally, internal audit can assist management to develop fraud and corruption prevention and monitoring strategies.

Council's internal audit function undertakes proactive audits that provide an independent and objective review and advisory mechanism to:

- provide assurance that the financial and operational controls designed to manage Council's risk objectives are operating in an efficient, effective and ethical manner; and
- assist management in improving Council's business performance.

Internal audit activity, including the status of implementation of internal audit recommendations by management, is reported to the Internal Audit & Risk Committee.

The internal audit program is responsible for providing recommendations to the Internal Audit & Risk Committee and Council's management in respect of controls aimed to prevent, detect and respond to fraudulent and corrupt conduct including assigning individuals or business units with timeframes for response.

We note Council's audit function will be reviewed in light of the implementation of an Audit Risk and Improvement Committee (ARIC), to be established in 2022.

5.4 External Audit

Council is subject to annual performance and financial audits through the Audit Office of NSW, as mandated under the *Public Finance and Audit Act 1983 (NSW)*. External audits undertaken by the NSW Audit Office or its nominated provider assist prevention and detection of fraud and corruption by implementing auditing procedures to:

- detect material misstatements resulting from misappropriation of assets or fraudulent financial reporting; and
- report to Parliament on the performance of entities administering government programs.

Additionally, the NSW Audit Office or its nominated provider is responsible for assessing key aspects of an entity's fraud control arrangements to effectively prevent, detect and respond to fraud.

RESPONSE

Despite Council's implementation of prevention mechanisms for detecting fraud and corruption, it is conceivable that incidents of fraud and corruption will occur. Effective response demonstrates that Council takes its responsibilities seriously in line with its zero-tolerance approach to fraud and corruption and its commitment to the Code of Conduct.

Council's response to allegations includes assessment to determine the validity of allegations, and where fraud and corruption is substantiated, investigation, disciplinary action and restitution. Where disclosers have provided their details, they will receive feedback, to the extent possible, on Council's response to the issue.

6.1 External referral

External agencies such as the Office of Local Government, the NSW Ombudsman and ICAC can take reports from council officials and members of the community of wrongdoing at local councils. These agencies may refer reports to Council to investigate, or they may investigate themselves.

In the instance whereby Council was investigated, Council will cooperate with those agencies to investigate reports of wrongdoing and implement any recommendations made to improve its fraud and corruption controls.

The General Manager has a responsibility under section 11 of the *Independent Commission Against Corruption Act 1988 (NSW)* to report to ICAC any matter that is suspected on reasonable grounds to concern, or may concern, corrupt conduct.

6.2 Investigation

Council is committed to providing the resources required to ensure that instances of suspected fraud or corrupt conduct are thoroughly investigated and reported.

All investigations undertaken by the Council will adhere to the following principles:

- confidentiality;
- timeliness;
- procedural fairness;
- impartiality; and
- independence.

Internally investigated matters

Where a matter can be internally investigated, a suitable member of staff will be appointed by the General Manager to investigate in line with the relevant legislation.

Council will ensure investigators commit to continuing professional development so that they are aware of current fraud and corruption trends and issues.

Conduct Review Panel

If the matter is determined to be a Code of Conduct complaint it will be managed in accordance with the procedures for administration of the Code of Conduct.

Externally investigated matters

In addition to external agencies investigating reports about Council according to their own criteria, if the complexity or sensitivity of a matter is considered beyond the scope of Council's internal staff or where the qualifications or experience of Council's Conduct Review Panel is inadequate, Council will procure the services of suitably qualified independent investigators.

6.3 Response action

Should an allegation of fraud and corruption be substantiated, Council commits to taking action commensurate with the severity of the circumstances.

Disciplinary proceedings

Disciplinary action will be taken in accordance with the *Local Government Act 1993*, Council's Code of Conduct, and/or other Council policies, guidelines and requirements.

Referral to relevant authorities

Under section 462 of the *Local Government Act 1993*, the General Manager may refer a complaint for investigation to an authority, including the:

- NSW Ombudsman
- Independent Commission Against Corruption
- NSW Police.

Where the General Manager reasonably believes that a council official has committed a criminal offence, the matter will be referred to NSW Police.

Debt recoveries

Council has a formal process for deciding upon recovery actions including assessing the costs of recovery against the expected value of the recovery and the deterrent value of recovery action.

It is the expectation of Council that managers are responsible for fraud and corruption control by allocating any unrecoverable losses suffered to the business unit or department concerned.

Insurance

Council's insurance policy may provide cover where there is a financial loss sustained through fraudulent or corrupt activity.

Council will review insurance cover annually to ensure the fraud risks facing Council are adequately covered.

APPENDIX A: EXAMPLES OF FRAUD & CORRUPTION

Internal:

- Theft or misuse of tangible assets by employees (e.g. cash, stationery, smart phones, tablets, computer and computer-related software)
- Entitlements (e.g. expenses, leave, travel allowances or attendance records)
- Theft or misuse of intellectual property or other confidential information (e.g. procurement information or personal records)
- Release or use of misleading information for the purposes of deceiving, misleading or to hide wrongdoing
- False invoicing
- Credit card/payment fraud
- Receiving bribes or improper payments
- Misuse of position by employees to gain benefit, either financial or non-financial.

External:

- Theft or misuse of tangible assets (e.g. plant or equipment)
- False reporting on the expenditure of funding and falsifying funding applications to receive payments from government programs that they are knowingly ineligible for
- Falsifying data in relation to participants engaged in funded activities
- External service providers making claims for services that were not provided, converting funded assets to personal use or misappropriating cash payments for personal use.

Resource wastage:

- Misappropriation or misuse of public property
- Purchase of unnecessary or inappropriate goods or services
- Incurring costs which could have been avoided
- Programs not achieving their objectives and therefore costs being clearly ineffective and inefficient.

APPENDIX B: COUNCIL POLICIES & PROCEDURES

- Access to Council Records and Privacy Management Plan Policy CPOL 1.19
- Business Ethics Policy CPOL 1.17
- Cash Handling Procedure PRO 3.01
- Code of Conduct CPOL 1.01
- Complaints Management and Mandatory Reporting Policy CPOL 1.18
- Council Credit Cards Procedure PRO 6.10
- Councillor Access to Information Policy CPOL 1.14
- Debt Recovery Policy CPOL 6.05
- Disclosure of Interest Procedure PRO 1.15
- Fraud Prevention Policy CPOL 1.13
- Gifts and Benefits Policy CPOL 1.05
- Internal Reporting (Public Interest Disclosures) Policy CPOL 1.05
- Payment of Expenses and Provision of Facilities to Councillors Policy CPOL 1.07
- Purchasing Policy CPOL 6.06 & Purchasing Procedure PRO 6.06
- Risk Management Policy CPOL 1.12
- Risk Management Framework & Risk Management Procedure PRO 5.26
- Related Party Disclosure Policy CPOL 1.10



Concise Investment Report Pack

Richmond Valley Council

1 March 2022 to 31 March 2022



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1. Portfolio Valuation As At 31 March 2022

	Fixed Interest Security	Security Rating	ISIN	Face Value Original	Face Value Current	Market Value	% Total Value	Running Yield	Weighted Running Yield
At Call Deposit									
	CBA Business Online Saver Acct	S&P ST A1+		8,075,000.00	8,075,000.00	8,075,000.00	11.56%	0.20%	
	CBA General Fund Bk Acct RVC	S&P ST A1+		835,872.06	835,872.06	835,872.06	1.20%	0.00%	
	CBA Trust Acct RVC At Call	S&P ST A1+		87,050.17	87,050.17	87,050.17	0.12%	0.00%	
	MACQ 940323454 At Call	Moodys A2		10,004,328.72	10,004,328.72	10,004,328.72	14.32%	0.50%	
	NAB Business Cheque Acct RVC	S&P ST A1+		25.45	25.45	25.45	0.00%	0.00%	
				19,002,276.40	19,002,276.40	19,002,276.40	27.21%		0.07%
Floating Rate Note									
	Auswide 0.9 06 Nov 2023 FRN	Moodys Baa2	AU3FN005735	750,000.00	750,000.00	750,000.00	1.07%		
	Auswide 0.6 22 Mar 2024 FRN	Moodys Baa2	AU3FN005931	1,500,000.00	1,500,000.00	1,500,000.00	2.15%		
	MACQ 0.48 09 Dec 2025 FRN	S&P A+	AU3FN005770	1,000,390.00	1,000,390.00	1,000,390.00	1.43%		
	MYS 0.65 16 Jun 2025 FRN	Moodys Baa2	AU3FN006102	1,500,000.00	1,500,000.00	1,500,000.00	2.15%		
				4,750,390.00	4,750,390.00	4,750,390.00	6.80%		0.19%
Fixed Rate Bond									
	NTTC 1.1 15 Dec 2025 - Issued	Moodys Aa3		2,000,000.00	2,000,000.00	2,000,000.00	2.86%		
				2,000,000.00	2,000,000.00	2,000,000.00	2.86%		0.03%
Unit Trust									
	NSWTC Long Term Growth Fund UT			3,000,000.00	3,000,000.00	2,984,128.10	4.27%		-0.21%
	NSWTC Medium Term Growth Fund UT			11,005,029.35	11,005,029.35	12,110,951.22	17.34%		-2.81%
				14,005,029.35	14,005,029.35	15,095,079.32	21.61%		-3.01%



1. Portfolio Valuation As At 31 March 2022

Term Deposit						
AMP 1 11 Jul 2022 180DAY TD	S&P ST A2	2,000,000.00	2,000,000.00	2,000,000.00	2.86%	
Auswide 0.7 30 Aug 2022	Moodys ST P-2	1,000,000.00	1,000,000.00	1,000,000.00	1.43%	
SYD 0.8 19 Apr 2022 92DAY TD	Unrated ST UR	2,000,000.00	2,000,000.00	2,000,000.00	2.86%	
SYD 0.8 28 Apr 2022 90DAY TD	Unrated ST UR	2,000,000.00	2,000,000.00	2,000,000.00	2.86%	
SYD 0.7 31 May 2022 90DAY TD	Unrated ST UR	1,000,000.00	1,000,000.00	1,000,000.00	1.43%	
CCU 0.8 30 May 2022 90DAY TD	Unrated ST UR	1,000,000.00	1,000,000.00	1,000,000.00	1.43%	
CCU 0.8 31 May 2022 90DAY TD	Unrated ST UR	1,000,000.00	1,000,000.00	1,000,000.00	1.43%	
CCU 0.9 16 Jun 2022 92DAY TD	Unrated ST UR	2,000,000.00	2,000,000.00	2,000,000.00	2.86%	
CACU 0.7 23 May 2022 90DAY	Unrated ST UR	1,000,000.00	1,000,000.00	1,000,000.00	1.43%	
CACU 0.7 23 May 2022 90DAY	Unrated ST UR	1,000,000.00	1,000,000.00	1,000,000.00	1.43%	
JUDO 0.99 14 Apr 2022 365DAY	S&P ST A3	1,000,000.00	1,000,000.00	1,000,000.00	1.43%	
JUDO 0.86 27 Apr 2022 180DAY	S&P ST A3	1,000,000.00	1,000,000.00	1,000,000.00	1.43%	
JUDO 0.8 30 May 2022 91DAY	S&P ST A3	1,000,000.00	1,000,000.00	1,000,000.00	1.43%	
JUDO 0.8 30 May 2022 91DAY	S&P ST A3	1,000,000.00	1,000,000.00	1,000,000.00	1.43%	
JUDO 0.8 02 Jun 2022 90DAY TD	S&P ST A3	1,000,000.00	1,000,000.00	1,000,000.00	1.43%	
JUDO 0.8 09 Jun 2022 90DAY TD	S&P ST A3	1,000,000.00	1,000,000.00	1,000,000.00	1.43%	
JUDO 0.8 09 Aug 2022 180DAY	S&P ST A3	1,000,000.00	1,000,000.00	1,000,000.00	1.43%	
JUDO 0.8 01 Sep 2022 365DAY	S&P ST A3	1,000,000.00	1,000,000.00	1,000,000.00	1.43%	
JUDO 0.85 05 Sep 2022 181DAY	S&P ST A3	1,000,000.00	1,000,000.00	1,000,000.00	1.43%	
ME Bank 0.6 29 Aug 2022	Moodys ST P-2	2,000,000.00	2,000,000.00	2,000,000.00	2.86%	
ME Bank 0.6 30 Aug 2022	Moodys ST P-2	1,000,000.00	1,000,000.00	1,000,000.00	1.43%	
ME Bank 0.75 12 Sep 2022	Moodys ST P-2	1,000,000.00	1,000,000.00	1,000,000.00	1.43%	
SCC 0.9 21 Jun 2022 90DAY TD	Unrated ST UR	1,000,000.00	1,000,000.00	1,000,000.00	1.43%	
Westpac 0.99 26 Sep 2022	S&P ST A1+	1,000,000.00	1,000,000.00	1,000,000.00	1.43%	
		29,000,000.00	29,000,000.00	29,000,000.00	41.52%	0.33%
Portfolio Total		68,757,695.75	68,757,695.75	69,847,745.72	100.00%	-2.39%



2. Portfolio Valuation By Categories As At 31 March 2022

Security Type	Market Value	% Total Value
Fixed Rate Bond	2,000,000.00	2.86%
At Call Deposit	19,002,276.40	27.21%
Term Deposit	29,000,000.00	41.52%
Floating Rate Note	4,750,390.00	6.80%
Unit Trust	15,095,079.32	21.61%
Portfolio Total	69,847,745.72	100.00%

Market Value by Security Type





2. Portfolio Valuation By Categories As At 31 March 2022

Issuer	Market Value	% Total Value
AMP Bank Ltd	2,000,000.00	2.86%
Auswide Bank Limited	3,250,000.00	4.65%
Bank of Sydney Ltd	5,000,000.00	7.16%
Coastline Credit Union Ltd	4,000,000.00	5.73%
Commonwealth Bank of Australia Ltd	8,997,922.23	12.86%
Illawarra Credit Union Ltd	2,000,000.00	2.86%
Judo Bank	9,000,000.00	12.89%
Macquarie Bank	11,004,718.72	15.76%
Members Equity Bank Ltd	4,000,000.00	5.73%
MyState Bank Ltd	1,500,000.00	2.15%
National Australia Bank Ltd	25.45	0.00%
Northern Territory Treasury Corporation	2,000,000.00	2.86%
NSW Treasury Corporation	15,095,079.32	21.61%
Southern Cross CU	1,000,000.00	1.43%
Westpac Banking Corporation Ltd	1,000,000.00	1.43%
Portfolio Total	69,847,745.72	100.00%

Market Value by issuer




3. Investment Revenue Received For 1 March 2022 to 31 March 2022

Security ISIN	Security	Issuer	Settlement Date	Face Value (Basis of Interest Calculation)	Consideration	
					Notional	Income Type
	CCU 0.81 01 Mar 2022 90DAY TD	Coastline Credit Union Ltd	1 Mar 2022	1,000,000.00	1,997.26	Security Coupon Interest
	CCU 0.81 02 Mar 2022 90DAY TD	Coastline Credit Union Ltd	2 Mar 2022	1,000,000.00	1,997.26	Security Coupon Interest
	SYD 0.55 02 Mar 2022 180DAY TD	Bank of Sydney Ltd	2 Mar 2022	1,000,000.00	2,712.33	Security Coupon Interest
	AMP 0.95 03 Mar 2022 365DAY TD	AMP Bank Ltd	3 Mar 2022	1,000,000.00	9,500.00	Security Coupon Interest
	Auswide 1.75 03 Mar 2022 730DAY TD	Auswide Bank Limited	3 Mar 2022	1,000,000.00	35,000.00	Security Coupon Interest
	JUDO 0.7 04 Mar 2022 270DAY TD	Judo Bank	4 Mar 2022	1,000,000.00	5,178.08	Security Coupon Interest
	BNK 0.85 08 Mar 2022 91DAY TD	BNK Banking Corporation Ltd t/as Goldfields Money	8 Mar 2022	1,000,000.00	2,119.18	Security Coupon Interest
AUSFND0057709	MACQ 0.48 09 Dec 2025 FRN	Macquarie Bank	9 Mar 2022	1,000,000.00	1,333.23	Security Coupon Interest
	JUDO 0.7 11 Mar 2022 273DAY TD	Judo Bank	11 Mar 2022	1,000,000.00	5,235.62	Security Coupon Interest
	AMP 0.85 14 Mar 2022 91DAY TD	AMP Bank Ltd	14 Mar 2022	1,000,000.00	2,119.18	Security Coupon Interest
	BNK 0.75 16 Mar 2022 181DAY TD	BNK Banking Corporation Ltd t/as Goldfields Money	16 Mar 2022	2,000,000.00	7,438.36	Security Coupon Interest
AUSFND061024	MYS 0.65 16 Jun 2025 FRN	MyState Bank Ltd	16 Mar 2022	1,500,000.00	2,644.52	Security Coupon Interest
AUSFND0059317	Auswide 0.6 22 Mar 2024 FRN	Auswide Bank Limited	22 Mar 2022	1,500,000.00	2,487.33	Security Coupon Interest
	AMP 0.65 28 Mar 2022 180DAY TD	AMP Bank Ltd	28 Mar 2022	2,000,000.00	6,410.96	Security Coupon Interest
	Other		31 Mar 2022		1,365.45	Bank Interest
	Other		31 Mar 2022		4,328.72	Bank Interest
					91,867.48	
	Medium Term Growth Fund	NSW Treasury Corporation			(172,372.12)	Fair Value Gain(Loss)
	Long Term Growth Fund	NSW Treasury Corporation			(12,548.92)	Fair Value Gain(Loss)
					(184,921.04)	
	TOTAL				(93,053.56)	



4. Comparison of Investment Revenue Earned to Original Budget and Investment Portfolio by Month 2021 - 2022 YTD





5. Environmentally Sustainable Investment Performance Report for the Period Ending 31 March 2022 Relative To 28 February 2022

Portfolio Summary by Fossil Fuel Lending ADIs

ADI Lending Status	% Total	Current Period	% Total	Prior Period
Fossil Fuel Lending ADIs				
AMP Bank Ltd	2.9%	2,000,000.00	8.8%	6,000,000.00
Commonwealth Bank of Australia Ltd	12.9%	8,997,922.23	10.6%	7,221,935.44
Macquarie Bank	15.8%	11,004,718.72	16.1%	11,003,458.52
National Australia Bank Ltd	0.0%	25.45	0.0%	25.45
Westpac Banking Corporation Ltd	1.4%	1,000,000.00	0.0%	0.00
	32.9%	23,002,666.40	35.5%	24,225,419.41
Non Fossil Fuel Lending ADIs				
Auswide Bank Limited	4.7%	3,250,000.00	4.8%	3,250,000.00
Bank of Sydney Ltd	7.2%	5,000,000.00	7.3%	5,000,000.00
BNK Banking Corporation Ltd t/as Goldfields Money	0.0%	0.00	4.4%	3,000,000.00
Coastline Credit Union Ltd	5.7%	4,000,000.00	2.9%	2,000,000.00
Illawarra Credit Union Ltd	2.9%	2,000,000.00	2.9%	2,000,000.00
Judo Bank	12.9%	9,000,000.00	11.7%	8,000,000.00
Members Equity Bank Ltd	5.7%	4,000,000.00	2.9%	2,000,000.00
MyState Bank Ltd	2.1%	1,500,000.00	2.2%	1,500,000.00
Northern Territory Treasury Corporation	2.9%	2,000,000.00	2.9%	2,000,000.00
NSW Treasury Corporation	21.6%	15,095,079.32	22.4%	15,280,000.36
Southern Cross CU	1.4%	1,000,000.00	0.0%	0.00
	67.1%	46,845,079.32	64.5%	44,030,000.36
Total Portfolio		69,847,745.72		68,255,419.77



All amounts shown in the table and charts are Current Face Values.
 The above percentages are relative to the portfolio total and may be affected by rounding.
 A fossil fuel lending ADI appearing in the non-fossil fuel related table will indicate that the portfolio contains a "green bond" issued by that ADI.



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Report Code: TEPACKRZ3EXT-00.11
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 Trading Book: Richmond Valley Council
 Settlement Date Base
 Exclude Term Deposit Interest
 Exclude Unallocated Cash
 Exclude Negative Unit Holdings



Department of Planning and Environment

Guidelines for voluntary house raising schemes

Floodplain Management Program



environment.nsw.gov.au

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Guidelines for voluntary house raising schemes

Introduction

This guideline has been prepared for councils that are seeking funding from the NSW Government under the Floodplain Management Program (FMP) for voluntary house raising schemes (VHRS).

Voluntary house raising (VHR) is a flood risk management tool which involves raising a home above the minimum flood design level or relocating a home within its current lot to higher ground.

Program Guidelines may change periodically throughout the 3-year funding pool offer. The applicable guideline for individual property raisings will be the version published at the time of a formal funding offer is being issued.

This guideline details the objectives, eligibility criteria, funding and implementation procedure for a VHRS. It provides general information in relation to the process but does not cover all specific circumstances or provide guidance on assessing the viability of VHR as a management option as part of a Floodplain Risk Management Plan (FRMP).

Councils should discuss all proposed VHRS and their potential to attract funding with their Department of Planning and Environment (DPE) representative.

Objectives

Voluntary house raising is recognised as an effective floodplain risk management measure for both riverine and overland flood conditions. It is generally undertaken:

- to reduce the frequency of exposure to flood damage of the house and its contents and reduce the frequency of household disruption and associated trauma and anxiety
- as a compensatory measure where flood mitigation works adversely affect a house which is generally considered part of the mitigation work rather than a separate VHR scheme.

Voluntary house raising can be an effective strategy for existing properties in low flood hazard areas where mitigation works to reduce flood risk to properties are impractical or uneconomic. VHR must be part of a broader floodplain risk management strategy for an area rather than a stand-alone option as it does not deal with issues such as risk to life.

Consideration of houses for voluntary house raising

The viability of a VHRS or an individual VHR is usually assessed as part of a broader assessment of floodplain risk management options during the FRMP development stages. Floodplain Risk Management Plans adopted by councils should consider:

- the full range of flood events and their associated impacts
- the hydraulic function of the area, as VHR is generally excluded in floodways¹
- the area's flood hazard classification, as VHR is generally limited to low hazard areas

¹ Area of the floodplain where a significant discharge of water occurs during floods

Guidelines for voluntary house raising schemes

- the effectiveness as an ongoing maintenance requirement of complementary measures to address risk to life, such as those based around supporting self-evacuation in response to directions from the State Emergency Service (SES)
- the identification of individual houses' suitability for raising
- the cost-effectiveness of the VHRS (benefit-cost ratio) measured across the full range of floods with VHR aiming to generate positive financial returns from reduced damage relative to costs²
- the viability of the scope and scale of the VHRS and how the VHRS will be prioritised (considering flood hazard exposure)
- the support of the affected community for VHR as determined through consultation with affected owners
- an implementation plan for the VHRS.

Defining the scope of a new voluntary house raising schemes

Floodplain Risk Management Plans may identify individual properties for VHR, but a more detailed assessment may be required to determine the scope and cost of the VHRS and to arrange the VHRS properties in order of priority (Scoping Study) prior to making an application for funding for the VHRS. A Scoping Study involves consideration of the items identified above ('Consideration of houses for VHR'). A Scoping Study is not required if a sufficient assessment was done during the FRMP stage.

A short report must be developed in consultation with department flood staff for the Scoping Study. The report is eligible for funding by application under the FMP. An Implementation Project Prioritisation Information form (IPPIF) needs to be submitted as part of that application process (access the form here: [Floodplain management grants web page](#)). The IPPIF provides an indication of the potential priority of the VHRS.

Including a property in a VHRS does not place any obligation on the property owner to raise their house; participation is voluntary. It also places no obligation on a council or the NSW Government to fund the raising.

Eligibility criteria for funding a new VHRS

1. Only councils are eligible to apply for funding – it is not open directly to homeowners. Requests from homeowners to raise houses for hardship reasons are not eligible for funding.
2. Funding is only available for residential properties, not commercial or industrial properties.
3. Funding is only available for properties with buildings that were approved and constructed prior to 1986.
4. Funding is only available for properties identified in a VHRS that has been subject to a Scoping Study or clearly scoped and identified through the FRMP.

² The cost of raising a house will depend on the size and complexity of the house to be raised, the location of the house in NSW, the height to be raised and other factors

Guidelines for voluntary house raising schemes

5. The properties in a VHRS must be identified³ in an adopted FRMP developed in accordance with the Floodplain Development Manual (2005). In limited circumstances, funding can be considered for a VHR prior to completion of a FRMP. However, proper investigations and assessments need to be completed and clear and compelling evidence needs to be provided as the basis for expediting consideration ahead of a completed FRMP. This would generally include determining the scope of the VPS.
6. Properties which are benefiting substantially from other floodplain mitigation measures – such as houses already protected by a levee or those that will be – will not be funded for VHR.
7. VHR should generally return a positive net benefit in damage reduction relative to its cost (benefit-cost ratio⁴ greater than 1). Consideration may be given to lower benefit-cost ratios where there are substantial social and community benefits or VHR is compensatory work for the adverse impacts of other mitigation works.
8. The VHRS should involve raising residential properties above a minimum design level and must comply with the council's relevant development control plan.

Eligible/ineligible costs

Costs **eligible for funding** are those that are essential to raise the footprint of the existing habitable floor area or relocate the existing dwelling to a location on higher ground within the same lot(as applicable). Such costs include but are not limited to:

- plan and document preparation, including survey costs
- development application costs
- site preparation costs
- disconnection of services and provision of temporary services (water, electricity, communications, gas and stormwater, including rainwater tanks)
- preparation for and raising of the floor to the required minimum flood design level
- installation of supporting structure for the elevated floor
- reconnection of services
- the installation of front and back doorsteps or ramp and associated safety rails/devices
- costs associated with inspection and approval by the council
- relocating the house to an appropriate site within the same property if this is considered the most cost-effective option to meet the required minimum design floor level.

After a funding application is approved, councils are generally able to access a funding pool at a funding ratio of \$2 State to \$1 Council or homeowner contribution. Councils often structure VHRS to require the local contribution to be fully paid by the homeowner, as the beneficiary of the damage reduction under the project. Councils are encouraged to assist the owner by waiving their development application, inspection and approval fees, especially if council requires the homeowner to pay the local contribution.

³ Individual properties do not need to be identified within the FRMP itself; they can be included within a commercial and confidential appendix

⁴ Flood damages relative to the cost of the scheme compared on a net present value basis

Guidelines for voluntary house raising schemes

Costs which are **not eligible for funding** include but are not limited to:

- any additional features, improvements, renovations and substitutions of services requested by the homeowner, such as landscaping and concrete floor to the understorey
- raising the property above the minimum design floor level that is required
- accommodation for the homeowner while works are being done
- remedial works to the house
- expenses incurred prior to a funding agreement being entered (unless otherwise agreed to in writing by the department).

Implementation procedure

Applying for funding

If a Scoping Study is still outstanding prior to application for a VHRS, as detailed above ('Defining the scope of a new VHRS'), the following steps apply:

- an application is made to undertake a Scoping Study for the proposed VHRS during a funding round
- the Scoping Study report is finalised in consultation with the department and the Scoping Study grant is acquitted.

If the required information detailed above (see 'Consideration of houses for VHR') has been provided, either by completion of a Scoping Study report or through the FRMP process, the following steps apply:

- The council submits a funding application for the VHRS to the department during a funding round (see Guidelines for Applicants Floodplain Management Program for more detail).
- The application must detail the total number of properties with houses to be raised in the VHRS and the number of properties that the council desires to raise in the three-year funding round in priority order. The council must also submit the IPPIF.
- The department will review the funding application and confirm whether all required information to make an assessment is available. If insufficient evidence has been provided, additional information will be requested from the council.
- Applications are reviewed by the State Flood Mitigation Assessment Committee and recommendations made to the Coordinator-General, Environment, Energy and Science for consideration.
- Council will be notified by the department if it has been given access to the VHR Pool and advised of the conditions of access to the pool for VHR.

Voluntary house raising funding pool

A successful application to the funding pool is not a formal offer of funding and it does not guarantee access to grant funds. Funding for VHR comes from the FMP and each financial year a portion of this money is allocated to the funding pool.

Councils are provided with access to the VHR funding pool for a three-year period and funding is dependent on the nominated properties meeting the required criteria to be raised, funds being available under the program and there being equitable provision of funds across the State.

Guidelines for voluntary house raising schemes

Access to the pool does not mean that every request for funding will be granted, and limits may be placed on the number of houses raised per request or over a financial year. Funding is targeted to eligible properties with the highest flood exposure.

This funding model provides councils with the flexibility to be able to apply for the funding for specific properties any time over the 3-year period, when and if an owner expresses an interest in raising their property.

Raising properties

Council must approach eligible homeowners in their order of priority in the VHRS, as determined by the FRMP or Scoping Study. If property owners are not interested when initially approached and the owners of properties with lower priority can then be approached. The council may wish to seek non-binding expressions of interest from a number of owners to expedite this process.

The owner must obtain three competitive quotes from qualified builders to ensure the works being undertaken are value for money. Council can contact the department to request approval for the owner to seek fewer than 3 quotes, if obtaining three quotes is not practical or achievable.

Where the council receives confirmation from the department that funds are available, it must submit a work plan based on the lowest quotation, using the variation process in the Grants Management System. The work plan includes proposed milestones and associated payments for eligible costs. The department will inform the council in writing if the work plan is approved. Should the homeowner wish to progress with a quotation that is not the lowest, sound justification must be provided to the department for consideration as to why that quotation should be approved. This justification will be considered by the department and council will be advised if the higher quotation is approved.

Council is then required to enter into a funding agreement with the department which sets out the conditions applicable to council's receipt of funding and the terms on which funding will be released.

When the council enters into its agreement with the homeowner, it must agree on an itemised raising cost of the house, a time limit for the task and a funding payment schedule that aligns with the issued funding agreement and approved work plan.

The homeowner enters into a contract directly with the builder. Council is responsible for ensuring that the homeowner contracts with a builder that is fully qualified, insured and licensed to carry out this type of work. Copies of the builders and subcontractors' licences and insurance documents must be provided to the council for its records.

Following raising of the property, the council will inspect the house and provide confirmation to the department that the work has been completed. Payments will be made on successful completion of the milestones in accordance with the funding agreement, following submission of a milestone report to the department via the Grants Management System.

Monitoring and review

The council is required to keep the department informed of progress in accordance with the work plan and the funding agreement. Where difficulties arise and the council is unable to spend the agreed grant amount in the required timeframe, the council is required to inform the department as soon as possible to enable other VHR projects to proceed or to request an extension to the funding term for the projects delivery.

The council should review the scope of a VHRS every three years or before submitting a new application for funding under the program. This review should outline progress of the

Guidelines for voluntary house raising schemes

VHRS to date, confirm the eligibility and priority of properties remaining under the VHRS and be submitted to support the application.

Actions by councils to ensure outcomes

The FRMP or Scoping Study report will contain complementary recommendations, such as flood emergency response planning, necessary to support VHR in an area, particularly in relation to risk to life. The council must ensure that these recommendations are instigated and maintained.

Councils must implement and maintain development controls to ensure that the areas beneath raised properties are not used for accommodation. Councils need to ensure that subsequent owners are made aware of restrictions on development in the areas beneath the habitable floor level of the raised property, with these details included on 10.7 certificates (Planning Certificate) or by placing a restriction on the use of the land under the *Conveyancing Act 1919*⁵. Any breaches in planning requirements, such as understorey development, may be identified on a building certificate at the sale of a property.

As part of its maintenance strategy for the VHRS, the council will set up an annual review to ensure that:

- no habitable development occurs below the raised habitable floor levels of any property raised under the VHRS
- complementary recommendations (such as emergency response planning) necessary to support VHR in an area are instigated and effective.

Acquittal

The council is required to acquit each VHR grant in line with the relevant funding agreement and provide associated documentation such as surveying certificates or final drawings detailing habitable floor level information relative to minimum requirements as part of the final report via the Grants Management System.

More information

- [Floodplain Development Manual](#)
- [Floodplain management grants](#)
- [Grants Management System](#)

⁵ This could be through the creation of a public positive covenant under either Section 88D or 88E of the *Conveyancing Act 1919* which imposes obligations on the new owner of the land burdened (the servient tenement) in favour of a prescribed authority: https://rg-guidelines.nswlrs.com.au/deposited_plans/easements_restrictions/positive_covenants/public_positive_covenants

Guidelines for voluntary house raising schemes

References

Department of Infrastructure, Planning and Natural Resources (2005), *Floodplain Development Manual*, New South Wales Government, Sydney

Reducing Vulnerability of Buildings to Flood Damage: Guidance on building in flood-prone areas (2007), report prepared for the Hawkesbury-Nepean Floodplain Management Steering Committee, Parramatta

Council Policy



Policy Title:	Customer Service Charter & Standards
Policy Number:	CPOL 3.03
Focus Area:	CS2 Great Support
Responsibility:	Customer Experience
Meeting Adopted:	Date of Council Meeting – Resolution Number

OBJECTIVE

Richmond Valley Council is committed to working in partnership with our community to consistently deliver programs and services with a strong focus on exceptional customer service reflected in our Community Strategic Plan and Organisational Values. This policy and the Customer Service Charter form the Customer Service Framework.

This policy outlines the standards Council will use to deliver professional, reliable and consistent customer service and how we will measure our performance.

SCOPE

This policy applies to all employees of Council and will provide overall direction to staff on their responsibilities in delivering customer service and provide guidance in implementing and managing an improved customer experience.

DEFINITIONS

Customer: A customer is a person or organisation engaging in any form of interaction with Council for information, goods, services or transactions. This includes residents, property owners, business operators, consultants, Council staff, contractors, Government agency representatives, developers, Councilors, elected representatives and visitors.

Customer Service: Interactions between a customer and a provider at the time of a sale or provision of a service and thereafter. Customer service adds value to a product or service and builds an enduring relationship.

REFERENCES

Complaints Management and Mandatory Reporting Policy – CPOL.1.18
Code of Conduct
Customer Service Charter - 2021

POLICY

Our Commitment to Customer Service

Council strives to provide a positive experience to customers at every opportunity. Staff are committed to being open, honest, fair and accountable in all dealings with customers and strive to provide timely, efficient and consistent services. The Customer Service Charter outlines the standards to be used to deliver professional, reliable and consistent customer service that meets customer expectations.

We acknowledge the diversity of our community and are committed to effectively engage and communicate with our culturally diverse residents to ensure their individual needs are met. We will provide clear and logical means for customers to access services, facilities and information including assistance where necessary to lodge requests or provide feedback.

Customer Service Responsibility

All Council employees, contractors and volunteers are responsible for the provision of quality customer service to customers. Each staff member is accountable for the quality of customer service delivered through their own work or the quality of output of any project or work team(s) of which they are a member.

Leadership's Role

A key component in any customer service framework is the leadership and commitment by the General Manager and Executive Team, who are required to play an active leadership role and show commitment to the framework.

Managers and their Leadership Teams are responsible for:

- ▼ Developing a customer focused work ethic in their teams and empowering staff to undertake customer focused decision-making;
- ▼ Encouraging innovation to develop and implement customer focused systems and processes, that respond to and satisfy internal and external customer needs and expectations; and
- ▼ Ensuring all teams participate actively in implementing the plan and review the progress of the framework.

Staff will be provided with the appropriate tools, information and training to provide quality customer service.

These actions will communicate a clear message to the organisation, of the need to work together to achieve improved customer service outcomes.

Customer Service Charter

The Customer Service Charter reflects our commitment to providing quality service and outlines what a customer can expect from us. We strive to provide a friendly, professional and efficient service which meets their needs. The Charter is designed to ensure that standards are upheld.

In our commitment to customers we will act in a way that reflects and upholds our core values - Leadership, Innovation, Sustainability, Transparency, Accessibility and Good Service.

In support of the customer service framework, we commit to:

Access to timely and efficient services by:

- ▼ Outlining policies and procedures
- ▼ Preventing unnecessary return visits to council
- ▼ Doing what we say and keep customers updated, if we are unable to meet our commitments
- ▼ Publishing information on the website and social media platforms
- ▼ Referring customers to external service providers if an enquiry is outside of Councils authority.

Friendly, professional service by:

- ▼ Treating customers with respect, integrity and honesty
- ▼ Displaying empathy and understanding
- ▼ Eliminating acronyms and jargon
- ▼ Offering solutions
- ▼ Valuing personal information by maintaining confidentiality
- ▼ Listening to feedback on our service
- ▼ Set clear expectations and deliver on those commitments by development and implementation of Council wide customer service level agreements focused on accountability, performance improvements and best practice
- ▼ Actively measure and monitor our performance against the Customer Service Standards.

A fair decision-making process by:

- ▼ Complying with relevant legislation
- ▼ Ensuring staff have appropriate knowledge
- ▼ Displaying transparent decision-making processes
- ▼ Making decisions once all the information has been obtained in a timely fashion
- ▼ Notification of the outcome and reasons for the decision
- ▼ Notification of your options for an appeal.

To help us deliver a better service we ask our customers to:

- ▼ Treat our staff with courtesy and mutual respect
- ▼ Respect the privacy and rights of other customers
- ▼ Respect the community we live in
- ▼ Provide accurate and complete information and documentation
- ▼ Acknowledge Council is subject to strict governance and legislation which may result in decisions customers may not agree with
- ▼ Work with us to solve problems and reach resolutions
- ▼ Provide us with honest constructive feedback on our service.

Customer Service Standards

Council staff will provide customers with professional, polite and helpful service at every interaction and consistently apply these standards across all customer contact points.

In person

- ▼ We will greet customers with respect, courtesy and understanding
- ▼ Acknowledge customers waiting to be attended to
- ▼ Aim to answer customer's enquiry at first point of contact or put customers in contact with staff member best able to respond to their enquiry.

If we are unable to resolve the customer's issue at the first point of contact, we will:

- ▼ forward the enquiry to the appropriate staff member who will contact them with a response no later than the close of business the next working day; or
- ▼ if necessary, arrange an alternative meeting time that suits the customer.

Council Administration Offices hours of operation

- ▼ **Casino:** Monday to Friday - 9:00am to 5:00pm
- ▼ **Evans Head:** Monday to Friday - 8:30am to 4:30am
Saturday - 9:00am to 12:00noon

Enquiries made to operational staff in the field

- ▼ The safety of customers and that of our staff at the forefront of our interactions
- ▼ Council staff will endeavor to assist with the enquiry or provide details of an alternative contact person.

By Phone

- ▼ We identify ourselves as "Richmond Valley Council" and introduce ourselves by name
- ▼ Contact Centre agents strive to answer 80% of calls within 20 seconds
- ▼ Average wait time will be less than 15 seconds
- ▼ Less than 5% of callers will hang up before the call is answered
- ▼ 80% calls resolved at first point of customer contact
- ▼ If we are unable to resolve the enquiry in the first instance, we will transfer or forward the enquiry to an appropriate staff member
- ▼ We will return your unanswered calls and messages by close of business the next day
- ▼ Council will provide a 24-hour phone service for urgent after-hours requests.

Correspondence including emails

- ▼ General enquiries sent to Customer Experience, will be answered within five (5) business days
- ▼ Enquiries to other departments will be answered within twenty-one (21) calendar days
- ▼ If your correspondence cannot meet the above standards, an acknowledgment letter will be sent advising of the reason/s and provide ongoing updates until resolution
- ▼ We will respond in language that is clear, concise and easily understood, eliminating jargon and acronyms
- ▼ We will respond to correspondence using appropriate means and ensure that accurate records are securely maintained.

Social Media / Website

- ▼ Social media allows Council to share accurate and timely information directly with our community. Council cannot guarantee a response to all posts made on its social media sites and therefore will post responses when considered necessary or appropriate.
- ▼ Enquiries made via Council's website or Facebook Messenger will be acknowledged as being received via an automated response and processed in line with the written correspondence standards listed above.
- ▼ We will continuously review our website to ensure it is easy to navigate and displays current and accurate content.

Customer Request Management

Council maintains a Customer Request Management (CRM) System to record, monitor and report on requests received. This service enables customers to notify us of an issue, request an action, report faults, defects or hazards in Council infrastructure. Requests can be lodged over the phone, in writing or on Council's website.

We strive to ensure:

- ▼ Customer requests will be actioned within 80% of set timeframes.
- ▼ Customer requests will be monitored by each relevant supervisor/manager to ensure these timeframes are being met.
- ▼ Reporting to relevant stakeholders is actioned on a monthly basis.

Customer Satisfaction

Council is committed to being accessible and responsive to customers. We welcome compliments, suggestions and complaints.

We value customer feedback and use it as an opportunity to learn and improve our service delivery, practices, procedures, products, systems and complaints. It confirms that the service we are providing is a service that the customer values and helps us to recognise staff for excellent customer service delivery.

We are committed to ensuring complaints are handled fairly, efficiently and effectively. We have a formal Complaints Handling Policy which outlines standards and processes for actioning matters raised by Customers quickly and managed effectively.

Complaints Management and Mandatory Reporting Policy – CPOL.1.18

Continuous Improvement Plan

The continuous improvement plan to be undertaken by the Customer Experience Manager on an annual basis:

- ▼ Service Level Agreements review – meetings to be held with relevant stakeholders to review the current agreements and changes to be made if required.
- ▼ Contact Centre review to ensure the framework and support tools are supporting of providing excellent customer service both internally and to the wider community.
- ▼ Customer Service workflows are reviewed to ensure productivity goals are being met and they assist in meeting service standards.
- ▼ Customer Request timeframes are reviewed to ensure that relevant timeframes are measured against requests.

Training

- ▼ Office based staff are provided with a customer service induction within the first month of commencement of their employment. The aim of the induction process is to make staff aware of the customer service standards whilst undertaking their responsibilities of their role.

Reporting

Customer Service

- ▼ Reporting on our Customer Service standards will be done on a quarterly basis to Council with areas for improvement identified and necessary strategies implemented. A customer service survey will be completed every six months and reported to Council.

Development Concierge

- ▼ Reporting on the number and type of development enquiries and lodged applications that have received assistance from the Development Concierge will be reported on a quarterly basis to Council. A development application survey will be completed every six months and reported to Council.

REVIEW

This policy will be reviewed by Council at the time of any relevant legislative changes, compliance requirements or at least every four years.

Version Number	Date	Reason / Comments
1	Date	New policy – previously known as Customer Service Framework and Charter

CUSTOMER SERVICE CHARTER

Connected Community | Relaxed Lifestyle | Natural Beauty | Diverse Economy



Richmond
Valley
Council



Our Purpose and Goals

Our unique purpose is to lead, govern and serve. We are here to provide important facilities, programs and valued services for our communities.

Our staff, whether they are at the counter, working in an office, driving a truck or mowing a park, are encouraged to pursue excellence in all they do.

Our People

We respect, care about, support and develop our people. We promote a safe workplace where people can explore opportunities. We're community focused and in this together.

Innovation

We encourage creativity and innovation to develop and implement customer focused outcomes, in response to the needs and expectations of our community. We embrace the opportunity to implement positive change for the benefit of all.

Leadership

We encourage leadership aligned to our values at all levels of the organisation. We work together to best use our skills and knowledge to pursue challenges and to deliver excellent services to our customers and our community.

Integrity

We are transparent and take responsibility, individually and as a team. We take ownership and do what we say. We respect your privacy and keep your information confidential.

Welcome

Our Customer Service Charter is our commitment to provide you, our customer, with quality service which is professional, efficient and effective.

It also provides our staff with clear standards and expectations to deliver on our promise of quality service. These standards will be regularly monitored to gauge our performance and where we may need to improve.

Your Feedback

Council's customer service promise is based on our commitment to delivering the highest quality and level of service as outlined in this charter. We will use your feedback to drive business improvements in an open and accountable manner, using it as an opportunity to learn and improve our service delivery.

OUR COMMITMENT TO YOU



We're committed to excellence with:

- Prompt, friendly and ongoing customer service.
- Active social media, informing you of what's happening in your area and answering your questions.
- Easy-to-use online services.

When you contact us we will:

- Greet and listen to you with respect, courtesy and understanding.
- Respond to your enquiry in a professional and timely manner.
- Endeavour to resolve your enquiry at the first point of contact or record your request for actioning.
- Set clear expectations of the next steps and deliver on those commitments.
- Consistently apply these standards across all contact points of Council.
- Identify ourselves as Richmond Valley Council and introduce ourselves by name.
- Continuously improve our service by proactively seeking feedback from the community and actively measuring performance against these commitments.





Telephone

- Answer your call within 20 seconds, though in periods of high demand we may need to place your call in a queue for a short period.
- Strive to provide 80% first call resolution to your enquiries,
- Return your unanswered call or message by close of business the next day.
- Provide 24-hour phone service for urgent after-hours requests.



Visit in Person

- We will attend to you promptly and not keep you waiting more than five minutes.
- We will acknowledge your arrival and serve you in turn.
- We will attend to your appointment prepared and on time.



Written Correspondence

- We will respond to all letters, faxes and emails within 21 calendar days.
- We will provide an interim response to you if your enquiry is complex and cannot be addressed within this time.
- We will respond by appropriate methods in clear concise and easily understood language without acronyms and jargon.



Website and Social Media

- Enquiries made via Council's website or Facebook Messenger will be acknowledged as being received via an automated response and processed in line with the written correspondence standards listed above.
- Council cannot guarantee a response to all posts made on its social media sites and, therefore, will post responses when considered necessary or appropriate.
- We will continuously review our website to ensure it is easy to navigate and displays current and accurate content.

HELP US HELP YOU

- We ask you treat our staff with courtesy and mutual respect.
- Respect the privacy and rights of other customers and the community we live in.
- Provide accurate and complete information and documentation.
- Acknowledge Council is subject to strict governance and legislation which may result in decisions customers may not agree with.
- Work with us to solve problems and reach resolutions.
- Provide us with honest constructive feedback on our service.

Customer Feedback

We are constantly looking for ways to enhance the services and programs we provide to the community. If you have been pleased with our service, let us know, as it gives us the opportunity to recognise the great service provided by our staff.

If you can suggest how we can do things better, please tell us. We welcome your feedback to improve our service to you. A feedback form is available online at www.richmondvalley.nsw.gov.au or at any of your customer contact centres or libraries. Alternatively, email or give us a call.

Our performance will be measured by customer surveys, customer feedback, telephone system reports, customer requests system reports and correspondence monitoring.



HOW TO CONTACT US

Website www.richmondvalley.nsw.gov.au
 Email council@richmondvalley.nsw.gov.au
 Telephone 02 6660 0300
 Fax 02 6660 1300

Write Richmond Valley Council
 Locked Bag 10
 CASINO NSW 2470

Visit Casino: 10 Graham Place
 Evans Head: 25 Woodburn Street



Sydney & Regional Planning Panels Operational Procedures

January 2020

These procedures are provided for general guidance and information only and are made available on the understanding that the NSW Department of Planning and Environment (Department) is not providing legal advice.

The Department has compiled the procedures in good faith, exercising all due care and attention.

The procedures do not affect or replace relevant statutory requirements.

Where an inconsistency arises between the provisions of the procedures and relevant statutory provisions, the statutory requirements prevail.

While every reasonable effort has been made to ensure that this document is correct at the time of printing, the State of New South Wales, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance upon the whole or any part of this document.

The procedures are not intended to give rise to any rights, claims, benefits, privileges, liabilities or obligations with respect to matters the subject of the procedures.

It should be noted that the procedures may be affected by changes to legislation at any time and/or be subject to revision without notice.

It is recommended that independent advice be sought in respect of the operation of the procedures and the statutory requirements applying to Sydney and Regional Planning Panels under the *Environmental Planning and Assessment Act 1979*.

Sydney and Regional Planning Panels Operational Procedures
© State of New South Wales through the NSW Department of Planning, Industry and Environment
January 2020
NSW Department of Planning, Industry and Environment
Four Parramatta Square, 12 Darcy Street, Parramatta, NSW 2150.
www.planning.nsw.gov.au

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Definitions

Aboriginal Land SEPP means the *State Environmental Planning Policy (Aboriginal Land) 2019*

Capital Investment Value (CIV) means all costs necessary to establish and operate a development, as defined in clause 3 of the *Environmental Planning & Assessment Regulation 2000*

Commission means the Greater Sydney Commission

Council means the council for the local government area in which the land the subject of a development application, rezoning review or application for a site compatibility certificate is located

Days means calendar days unless otherwise stated

Department means the Department of Planning and Industry

Development Application (DA) means an application for consent under Part 4 of the *Environmental Planning & Assessment Act 1979* to carry out development but does not include an application for a complying development certificate

District means any part of the Greater Sydney Region, or other region of the State, declared to be a district by the Minister

Education SEPP means the *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017*

EP&A Act means the *Environmental Planning & Assessment Act 1979*

EP&A Regulation means the *Environmental Planning & Assessment Regulation 2000*

Greater Sydney Region means the region comprising the local government areas within the boundary shown on the map in Schedule 1 of the *Greater Sydney Commission Act 2015*

GSC Act means the *Greater Sydney Commission Act 2015*

LALC means Local Aboriginal Land Council

LEP means local environmental plan

LGA means local government area

LGNSW means Local Government NSW

LG Act means *Local Government Act 1993*

Minister means the Minister for Planning and Public Spaces

Panel or *Planning Panel* means a Sydney district or regional planning panel. The Panels were previously known as Joint Regional Planning Panels (JRPPs).

Planning Panel meeting means a public briefing meeting or a public determination meeting.

Planning proposal means a document prepared to explain the intended effect of, and justification for, making a proposed environmental planning instrument

Regionally significant development means development that meets criteria set out under Schedule 7 of the *State Environmental Planning Policy (State and Regional Development) 2011*

Planning proposal authority (PPA) means the public authorities identified under section 3.32 of the EP&A Act

SCC means a Site Compatibility Certificate issued under the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*

Seniors SEPP means the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*

Secretariat means the Planning Panels Secretariat which provides technical and administrative support to the Planning Panels

Secretary means the Secretary of the Department of Planning and Industry

State and Regional Development SEPP or SRD SEPP means the *State Environmental Planning Policy (State and Regional Development) 2011*

Sydney Planning Panel means a Sydney district planning panel

January 2020

1. Introduction

The Planning Panels were introduced in NSW on 1 July 2009 to strengthen decision making for regionally significant development and certain other planning functions under the EP&A Act.

These procedures relate to the operation of both the Sydney and Regional Planning Panels.

The Planning Panels are independent bodies representing the Crown and are not subject to the direction of the Minister, except on matters relating to Planning Panel procedures or where the Minister issues a formal direction under the EP&A Act.

These procedures are the Planning Panels charter and have been developed to explain the objectives, powers and authorities of the Planning Panels. They also detail the means of operating the Planning Panels and clarify the roles of various parties in the work of the Planning Panels.

The procedures should be read in conjunction with the Planning Panels Code of Conduct which explains the standard of conduct expected of Planning Panel members.

These procedures will be kept under review and may be amended periodically.

January 2020

2. Defining the regions and districts

Planning Panels are constituted for each region of the State (other than the Greater Sydney Region), and each district of the Greater Sydney Region (see sections 2.12 and 3.2 and Part 3 of Schedule 2 of the EP&A Act).

The nine Planning Panels are the:

- Northern Regional Planning Panel,
- Hunter and Central Coast Regional Planning Panel,
- Western Regional Planning Panel,
- Southern Regional Planning Panel,
- Sydney North Planning Panel,
- Sydney Eastern City Planning Panel,
- Sydney Central City Planning Panel,
- Sydney Western City Planning Panel and,
- Sydney South Planning Panel.

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3. Functions of Planning Panels

3.1 Functions

The principal functions of Planning Panels are to determine regionally significant DAs and undertake rezoning reviews. Additional functions of Planning Panels include:

- preparing planning proposals if they are directed to be a planning proposal authority,
- determining Crown DAs,
- determining modification applications for regionally significant development,
- determining DA reviews,
- determining SCCs, and
- advising the Minister upon request.

3.2 Legislation

Legislation governing Planning Panels includes:

- the EP&A Act for the constitution and functions of Planning Panels and obligations in respect to councils, with the following key provisions:
 - Division 2.4 and Schedule 2 provides for the constitution of Planning Panels, member appointments, functions and general procedures,
 - Division 3.4 allows for a Planning Panel to act as the planning proposal authority and undertake planning proposal reviews,
 - Section 4.5 specifies that a Planning Panel is the consent authority for regionally significant development, and
 - Section 4.7 sets out the consent functions of a Planning Panel which are to be exercised by the relevant council.
- the EP&A Regulation contains provisions for where a Planning Panel is exercising consent authority functions,
- the State and Regional Development SEPP sets out in Part 4 and Schedule 7 development declared to be regionally significant,
- the Aboriginal Land SEPP sets out in Part 3 development declared to be regionally significant, and
- the Seniors SEPP and the Education SEPP both set out processes for consideration and determination of relevant applications for Site Compatibility Certificates.

3.3 Classes of regionally significant development

The State and Regional Development SEPP identifies the types of development classified as regionally significant (see Schedule 7 of the SEPP). The Aboriginal Land SEPP also identifies development declared to be regionally significant development (see Part 3 of the SEPP). The relevant Planning Panel will be the consent authority for regionally significant development.

Note State significant development or development within the City of Sydney cannot be declared as regionally significant development (see section 4.7 of the EP&A Act).

On lodgement of a DA, the council will decide if a DA is regionally significant development.

The capital investment value (CIV) is relevant for some regionally significant development and should be calculated at the time of lodgement. Councils should request a quantity surveyor's certificate or similar expert assessment

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to confirm the CIV from the applicant. The CIV is to be calculated in accordance the Planning Circular PS 10-008 (or as updated).

The Planning Panels determine applications to modify consent for regionally significant development under section 4.55(2) of the EP&A Act. Section 4.55(1) and section 4.55(1A) modification applications to development consents granted by the Planning Panel are to be determined by the relevant council. A court granted consent may be modified by a Planning Panel under section 4.56 if it is the consent authority.

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4. Membership of Planning Panels

(Part 4, Schedule 2 of the EP&A Act)

4.1 Members

Each Planning Panel consists of five members, with three of the members, including the chair, appointed by the Minister (State members) and two members nominated by the relevant council (council members).

Property developers and real estate agents are not eligible to be members of a Planning Panel.

The agenda of a Planning Panel meeting may include consideration of multiple matters, each located in different council areas. The council members who join the State members to form a Planning Panel will change, depending on the LGA in which the matter under consideration is located.

Panel members can be appointed to more than one Panel, either as a Panel member and/or as an alternate member.

When there is a vacancy on a Planning Panel, the Minister in the case of a State member, and the relevant council in the case of a council member, will appoint another member to that vacancy.

Terms of appointment for Planning Panel members, both State and council, must not exceed three years. Members are eligible for re-appointment. A State member of a Sydney Planning Panel must not be a member for more than nine years in total.

The secretariat is responsible for maintaining a register of all Planning Panel members.

4.2 Chair and deputy chair

Chairs of the Planning Panels are appointed by the Minister from among the State members. The Minister must obtain the concurrence of Local Government NSW (LGNSW) to the appointment unless LGNSW:

- does not notify its concurrence or refusal within 21 days of being requested, or
- has previously refused to give concurrence for two different persons nominated by the Minister for that appointment.

At any time, the members may determine to elect a deputy chair from among the State members for any term. The role of a deputy chair is to act as the chair in the chair's absence.

The chair (or, in the absence of the chair, a person elected by the members) presides at Panel meetings. The presiding member has a deliberative vote and, in the event of an equality of votes, has a second or casting vote.

4.3 Expertise requirements for members appointed by the Minister

All Panel members appointed by the Minister, including alternates, must have expertise in one or more of the following areas: planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering, tourism or government and public administration.

4.4 Council members

Two council members are appointed by each council. At least one council member must have expertise in one or more of the following areas: planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering or tourism.

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4.5 Selection of council members

Each council determines how their members are selected. In selecting members, councils should have regard to any conflict of duties that would be created for a person nominated to the Planning Panel if they are in any way responsible or involved in the assessment of matters to be determined by the Panel or involved in voting or deliberating on matters that come before the Panel.

Councils are not restricted to nominating people from the council's local area. They can appoint, terminate, and reappoint members at any time, and can determine the duration of each appointment. Generally, so as to ensure the greatest degree of continuity for the Panels, councils should consider appointing members for the maximum term of three years provided for under the EP&A Act. However, councils should reconsider if the nominations to the Panels are appropriate within 12 months following a council election.

Following a change to its nominees, council is to forward the new member's contact details to the secretariat as soon as possible and this must be a minimum of 14 days before any meeting at which they will act as a Panel member.

If a council fails to nominate one or more council members, a Panel may still exercise its functions in relation to the area of the council concerned.

4.6 Payment of council members

Councils determine the fees they pay their Panel members. The Minister has provided guidance to all councils on appropriate rates of remuneration for travel and subsistence allowances for their members.

Each council is responsible for making any payments to its Panel members when they attend Planning Panel meetings.

4.7 Alternate members

The Minister may at any time appoint a person to be the alternate of another member appointed by the Minister and may revoke any such appointment.

A council may also at any time appoint a person to be the alternate of a member nominated by the council and may revoke any such appointment.

Any changes are to be notified in writing to the secretariat as soon as possible and at least 14 days before undertaking any Panel business.

The alternate will act in the place of the member with all the powers of the member. Although a member may be appointed as an alternate for two or more members, they will only have one vote on any Panel decision.

4.8 Rotation of members

All chairs and members are required to periodically rotate with alternate members. The chair is to determine the frequency of rotation.

Following a matter being deferred, where possible the same members should reconvene to finalise the determination.

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5. Code of Conduct considerations

5.1 Planning Panels Code of Conduct

All Planning Panel members must comply with the Planning Panels Code of Conduct when exercising their functions as a Panel member and make impartial merit-based decisions in accordance with their statutory obligations. The latest version of the Planning Panels Code of Conduct is available online at www.planningpanels.nsw.gov.au. On appointment each Planning Panel member must acknowledge in writing that they will abide by the Planning Panels Code of Conduct.

5.2 Declaration of interests

On being informed of a matter to come before the Planning Panel members should consider if they have an actual, potential or reasonably perceived conflict and, if so, declare the conflict and take any appropriate action, such as allowing an alternate member to take their place.

Planning Panel members are required to complete and sign a declaration of interest form in relation to each matter which is considered by the Planning Panel, either before, or at the commencement of, the Planning Panel meeting. Any verbal declarations are to be recorded in writing.

To avoid any perceptions of bias, and to meet requirements of the Code of Conduct, councillors who have previously deliberated or voted on a matter that is to come before the Planning Panel (such as a submission from the council on a DA for regionally significant development, a related voluntary planning agreement or a planning proposal) must stand aside from their place on the Planning Panel and allow council's nominated alternative member to take their place. Alternatively, the member may choose to not participate in the deliberations or voting on the matter at the council (or council committee) meeting. They should also not remain in the council chamber during the council's deliberations.

5.3 Representations to Planning Panel members

If a Planning Panel member is approached by any person about a matter to come before the Planning Panel, i.e. a DA, or planning proposal or Site Compatibility Certificate, the Planning Panel member must not discuss the matter.

Any person that approaches a Planning Panel member should be encouraged to make a written submission to the council planning staff for DAs during the exhibition period, or if the matter relates to a planning proposal for which the Planning Panel is the Planning Proposal Authority, to the secretariat. Issues raised in submissions will be addressed in the assessment report to be provided to the Planning Panel and there will be an opportunity for the applicant and any person who made a submission to address the Planning Panel at its meeting.

5.4 Interactions with third parties about matters before the Planning Panel

Planning Panel members are not to discuss any matter that is to be considered by the Planning Panel with councillors, the applicant, their consultants, parties who have made a submission, or any other person with an interest in the matter outside of a public briefing meeting, public determination meeting, site visit or briefing.

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5.5 Public meetings organised by the council or community about the proposed development

To avoid any perception of bias, Planning Panel members should avoid attending public meetings about a proposed development organised by members of the community or council, unless the meeting has been organised at the request of the Planning Panel.

In order for all Planning Panel members to hear the concerns of the public as part of the consideration of the application, Planning Panel members should decline any invitation to attend a public meeting and advise the meeting organisers to make a submission to council and register to address the Planning Panel at its meeting.

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6. Administration

Administration and support for the Planning Panels is provided by the Planning Panels Secretariat. Support includes:

- scheduling of meetings, briefings and site visits,
- preparing and issuing agendas and business papers,
- notification of meetings,
- arranging for travel and accommodation for State appointed Panel members,
- preparing records of decision (with assistance from council),
- arranging for the audio recording of public Panel meetings,
- record keeping for the Planning Panels, and
- being the first point of contact for councils to notify a Planning Panel of any decision made by the Panel which is the subject of a merit appeal in the Land and Environment Court.

The secretariat is the first point of contact for all Planning Panel matters and publishes a wide range of information on its website:

www.planningportal.nsw.gov.au/planningpanels

The contact details for the secretariat are:

phone: (02) 8217 2060

email: enquiry@planningpanels.nsw.gov.au

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7. Government information, privacy and complaints

7.1 Right to information and privacy management

The Department assists Planning Panels in managing applications made under the *Government Information (Public Access) Act 2009* and the *Privacy and Personal Information Protection Act 1998*.

Applications of this nature can be made to patiunit@planning.nsw.gov.au or visit the Department's website at:

<http://www.planning.nsw.gov.au/About-Us/Right-to-Information/How-Can-I-Access-Information>

7.2 Complaints

The Department assists Planning Panels in managing complaints. Complaints are investigated and managed in accordance with the Department's Management of Complaints Policy.

Dissatisfaction with determinations of the Planning Panels will not be regarded as a complaint.

If you wish to make a complaint telephone, write or email the Department at:
phone: 1300 305 695.

postal address: GPO Box 39, Sydney NSW 2001.

email: information@planning.nsw.gov.au.

Complaints made in this way will be recorded in the Department's Complaints Register and will be allocated to the appropriate level for investigation and response.

If you are not satisfied with a response, you can ask for the issue to be considered by a more senior officer.

Code of conduct complaints will be dealt with under the Planning Panels Code of Conduct.

At any time, a person can complain to external bodies such as the Independent Commission Against Corruption (ICAC), the Ombudsman, or the Audit Office of NSW. Allegations of corrupt conduct, misconduct, or serious waste of resources are encouraged to be made directly to these organisations.

Complaints about council, councillors, council staff or local planning panels (IHAPs) should be directed to the relevant council.

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8. Monitoring, review and reporting

The secretariat monitors the progress of DAs referred to the Planning Panels. It is expected that council will complete its assessment report within 60 days after the close of the public exhibition period. The relevant Planning Panel will aim to determine the DA within 14 days of receipt of the assessment report.

The performance of the Planning Panels is monitored and reported in the Department's Annual Report.

8.1 Availability of information

The secretariat makes a range of information publicly available on its website, including:

- Planning Panel notices with dates, locations and times (at least 7 days before the Planning Panel meeting),
- the relevant council's assessment report and recommendation (at least 7 days before the Planning Panel meeting),
- records of briefings and Planning Panel meetings, Determinations and Statements of Reasons, decisions on rezoning reviews and Site Compatibility Certificates, resolutions of the Planning Panels and any advice provided by the Planning Panels to the Minister, Secretary or GSC, as relevant,
- audio recordings of Planning Panel meetings, and
- a schedule of meeting dates reserved for Planning Panel business.

Councils remain responsible for receiving, notifying and exhibiting DAs and supporting documents in accordance with statutory provisions and council's own notification and exhibition requirements set out in its community participation plan.

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9. Liability and indemnification

Panel members are excluded from personal liability as long as the act or omission was done in good faith for the purpose of carrying out their duties under the EP&A Act (see s 2.28 of the EP&A Act).

The NSW Government extends insurance indemnity cover to Panel members. For indemnification provisions to apply Panel members must act honestly and in accordance with the Planning Panels Code of Conduct in the performance of their responsibilities.

For further information please contact the NSW Self Insurance Corporation (icare) at: <https://www.icare.nsw.gov.au>

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10. Roles of councils and other panels

10.1 Role of councillors and council staff

The elected council and council staff have different roles in the assessment of DAs. Under the *Local Government Act 1993*, the independence of council staff is protected in the preparation of advice and recommendations. Staff members are not subject to direction by the council or by a councillor as to the content of any advice or recommendation made by the staff member. Equally, a council or councillor is not bound by the advice or recommendation made by a member of staff.

10.2 Assessment role

Council staff undertake the assessment of a DA. The assessment of a DA includes accepting the DA, consultation, concurrence and obtaining general terms of approval from an agency if required, carrying out community participation requirements and assessment of the matters set out in 4.15 of the EP&A Act. The assessment is documented in a report with recommendations. The report is then considered by the person or body that is the consent authority.

Council is responsible for carrying out community participation requirements on behalf of the Planning Panels (see section 4.7(2)(d) and Division 2.6 of the EP&A Act).

The Department undertakes the assessment of planning proposals and applications for site compatibility certificates referred to the Planning Panels.

10.3 Determination role

Historically, one of the roles of an elected council has been to determine or make decisions on DAs in their capacity as a consent authority. There are occasions, however, where the determination role is performed by other people or bodies, either because the council has delegated that function, or because it has been conferred upon another person or body. For example, where mandatory local planning panels, previously known as Independent Hearing and Assessment Panels (IHAPs), have been introduced elected councils no longer determine DAs (see section 2.17 of the EP&A Act).

The Planning Panel for the area in which the development is to be carried out is the consent authority for regionally significant development (see section 4.5 of the EP&A Act).

10.4 Post-determination role

Council staff are responsible for post-determination functions including:

- notifying Planning Panel determinations on DAs (see sections 4.7(2)(e), 4.18 and 4.59 of the EP&A Act),
- registering Planning Panel development consents on the NSW Planning Portal (see sections 4.7(2)(e) and 4.20 of the EP&A Act), and
- monitoring and enforcing compliance with conditions of the development consent.

The notice of determination should be issued once council receives a copy of the endorsed and final determination from the Planning Panel. The notice of determination must include all conditions imposed by the Planning Panel, including any additional or amended conditions.

The council has no power to amend conditions or include additional conditions following the Planning Panel's determination.

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Council will advise any person who made a submission on the DA of the determination.

The council continues to be responsible for the monitoring of, and enforcing compliance with, any conditions of the development consent.

Where an application has been approved subject to a 'deferred commencement' condition council is responsible for determining whether the requirements of the condition have been met (see section 4.16(3) of the EP&A Act). Council advises the chair of the Planning Panel in writing when the matter specified in the condition has been satisfied (see clause 123E (2) of the EP&A Regulation).

10.5 Support provided to Planning Panels by councils

Planning Panels are entitled on request to the general manager of a council, to use the staff and facilities of the relevant council, have access to council records, and any other assistance or action for the purpose of carrying out their functions (see section 2.27 of the EP&A Act).

It is expected that use of council facilities such as meeting rooms would be arranged prior to Planning Panel meetings.

Support, such as recording the written decisions of the Planning Panel, audio recording of Planning Panel meetings, copying of documents and the provision of professional advice, may also be required.

Generally, the relevant council bears the administrative and council staffing costs associated with the Planning Panel meetings. Administrative costs may include those associated with the meeting venue and set up, the attendance of council staff, as well as administrative support.

The chair and members of a Planning Panel will need to be mindful of the regular duties and responsibilities of council staff when requests for support and assistance from councils should be made through the chair to the general manager (or other person nominated by the general manager) of the council concerned.

10.6 Role of design review panels

Design review panels are established by councils either formally under *State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development* with the approval of the Minister, or informally to bring special design expertise to the assessment of certain types of DAs.

Design review panels that are properly integrated in the assessment process are an effective tool which helps to improve the quality of design outcomes. The quality of design has a bearing on many, but not all, of the matters considered in the assessment of a DA.

The role of design review panels in the assessment of applications is not changed by the fact that the application is to be determined by a Planning Panel. However, it is generally more effective in terms of design quality outcomes and timeliness if the design review panel is convened at the pre-DA stage or early in the assessment phase.

10.7 Role of local planning panels

The purpose of local planning panels (formerly known as IHAPs) is to provide independent, expert determination of DAs, as well as providing an opportunity for people with an interest in the DA to raise and discuss issues in a public forum before a decision is made on the application. Local planning panels determine all DAs that meet criteria set by the Minister.

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Although similar in operation, the roles of local planning panels and the Planning Panels do not overlap. Each DA must satisfy distinct referral criteria before it is known whether the Planning Panel or local planning panel will determine that DA.

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11. Development application and assessment

11.1 Pre-development application meetings

Pre-DA meetings between applicants and assessment officers are commonly used to inform lodgement requirements and likely assessment pathways before applications are submitted to the consent authority.

Applicants are encouraged to meet with council before lodging a DA, and to respond to the advice of council when preparing the DA.

To avoid any apprehension of bias, it is not appropriate for determining bodies, such as Planning Panels or their members to participate in pre-DA meetings.

11.2 Making of development applications

DAs for regionally significant development are made to the relevant local council.

In the case of development located in two or more LGAs, a separate DA must be lodged with the councils of each LGA. Additionally:

- each DA should only address that part of the development located on land in the relevant LGA,
- neighbouring councils may wish to consider setting up joint assessment procedures, if appropriate, and
- the Planning Panel will determine each DA separately (although the determinations may be made concurrently).

11.3 Notification to the secretariat

Within 7 days of receiving a DA for regionally significant development, the council registers the DA with the secretariat.

The registration is made via the Planning Panels website or the NSW Planning Portal. The registration includes all information required on the website registration page. The DA documents are electronically transmitted to the secretariat at the same time.

The secretariat advises relevant Planning Panel members of the DA once the registration is accepted. The DA documents, including the application form are generally sent to Planning Panel members electronically.

These documents allow Planning Panel members to become familiar with the development and to identify if they have any potential conflicts of interest prior to their review of the assessment report and before attending the Panel meeting to consider the application in public.

11.4 Public exhibition of development applications by council

Public exhibition of the DA is undertaken by council staff in accordance with the requirements of the EP&A Act, EP&A Regulation and Council's Community Participation Plan or any relevant development control plan or policy of council.

Notification of exhibition, including letters and advertisements, should contain appropriate statements to advise:

- that the {name of relevant} Planning Panel is the consent authority for the application,
- that submissions made in respect of the application should be made to {name of relevant} Council, but will be provided to the Planning Panel and may be viewed by other persons with an interest in the application,

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- names and addresses of submitters will be provided to the Planning Panel for notification purposes, and
- other information required by the EP&A Act or EP&A Regulation.

11.5 Requests for additional information

It is the applicant's responsibility to provide adequate information and technical reports on potential impacts of the proposed development.

Holding a pre-DA meeting with council staff will often clarify council requirements for the lodgement of an application. However, the applicant may be requested by council staff to provide further information or reports to properly address all relevant aspects of the development, or to enable an assessment report to be completed.

During the assessment process the Planning Panel may identify issues at a briefing that must be addressed or clarified in council's assessment report, and for which council may request further information.

Amended plans or additional information for a DA must be lodged with council.

11.6 Status reports

Councils must advise the secretariat if it is evident that there are difficulties in assessing the DA or the assessment report will not be completed within the timeframe indicated in the referral notification.

The secretariat tracks the progress of DAs registered with it and requests status updates from council for DAs lodged for 70 days or more.

Where a response or concurrence from public agencies delays the assessment of a DA, a council can ask the secretariat for assistance to ensure the agency responds to council in a timely manner.

Where there is an ongoing and unreasonable delay in the processing of a DA, council may be requested by the Planning Panel to complete its assessment without further delay.

11.7 Assessment of the development application

The council that received the DA is responsible, through its staff, for the assessment of the application.

It is council's responsibility to prepare an assessment report addressing all statutory requirements and properly considering all issues. Usually councils will rely on their own professional staff, however where they do not have the technical expertise required in-house, they may engage external expertise. All costs associated with the preparation of the assessment report are to be covered from application fees, which are retained by council.

The assessment report must clearly identify how the proposal meets the relevant requirements for regionally significant development, and that the Planning Panel is responsible for determining the application.

The assessment report must include a recommendation on the proposed development:

- if the recommendation is for approval of the application, the report must include recommended conditions of consent, and
- if the recommendation is for refusal, the report must include reasons for refusal based on the assessment in the report.

The chair, following consultation with the Planning Panel, may also request without prejudice draft conditions of consent, where council's report

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recommends refusal. The Panel may do this before or at the determination meeting.

The assessment report should clearly identify if there are any outstanding issues and steps to be taken to address such issues.

In considering an application, a Planning Panel may request additional information to assist in its determination of the application.

11.8 Varying development standards

Where a DA includes a variation to a development standard, an application under clause 4.6 of the relevant LEP is required (or, where the development is not in a standard instrument LEP, an objection under *State Environmental Planning Policy No 1—Development Standards* (SEPP 1)). Council's assessment report includes an assessment of the application against the relevant statutory provisions.

The function of obtaining concurrence from the Secretary under clause 4.6 is a matter for the council. However, where concurrence is assumed, the council does not need to obtain concurrence. The Planning Panel will determine whether a clause 4.6 application is well founded on the basis of the applicant's justification.

11.9 Local infrastructure contributions

The assessment report should address contributions required in accordance with the council's relevant contributions plan (see section 7.11 and 7.12 of the EP&A Act). The Planning Panel is able to impose additional or different contributions than those set out in the contributions plan. For Crown developments, councils should address contributions in accordance with the relevant planning circular (Circular No. D6, issued September 1995 or as updated).

11.10 Special infrastructure contributions and certification requirements

If the development falls within a special contributions area the council should address the relevant requirements in its assessment report and recommend appropriate conditions in accordance with the Ministerial direction (see section 7.24 of the EP&A Act).

The council must address any "Satisfactory Arrangements" clause in the applicable LEP in its assessment report. These clauses usually state that development consent must not be granted by a consent authority until arrangements to the satisfaction of the Secretary have been made to contribute to regional or State infrastructure. A Planning Panel cannot provide consent to the DA until the Secretary (or delegate) of the Department has certified in writing that satisfactory arrangements have been made.

11.11 Development subject to delays in determination

An applicant with a DA that has a CIV between \$10 million and \$30 million can refer the DA to the relevant Planning Panel for determination if it remains undetermined for 120 days after being lodged with council (see Schedule 7 of the State and Regional Development SEPP). The referral process is outlined below:

- when making a referral, applicants must use the Regional Development Request form available on the Planning Panels website,
- the applicant is to complete the relevant part of the form and submit it to **both** the relevant council and the secretariat,

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- once the council receives the referral form it cannot determine the DA until a decision has been made regarding whether the Planning Panel will have the function of determining the DA, however council can continue to assess the DA,
- the council sends the completed referral form and copies of all DA documents, to the secretariat within 7 days. Council should also send its explanation for the delay in completing its assessment,
- the chair will consider the information in the referral form and advise the secretariat if the referral is accepted (i.e. the applicant is not responsible for a delay in the application), generally within 14 days of the applicant making the referral. The chair will consider a number of matters in making this decision, including:
 - permissibility and zoning, including whether the determination is dependent on a rezoning,
 - whether the determination is dependent on a voluntary planning agreement or the approval of a masterplan or DCP,
 - whether the landowner's consent has been provided,
 - whether the required referrals and concurrences have been obtained,
 - whether there have been requests for further information, and what the responses were to those requests, and
 - if council has considered the DA and the outcome of that consideration,
- once the chair decides, the secretariat will notify the council and the applicant as to whether the development is regionally significant development,
- if the referral is not accepted the chair must advise the reason(s) for not accepting the referral,
- if the referral is accepted, council completes the assessment of the application and prepares an assessment report for submission to the secretariat, and
- a briefing with council may be held prior to determination.

11.12 Council representation to the Planning Panel

An elected council may make a submission on a DA within their LGA that is to be determined by a Planning Panel up to seven days before the Planning Panel meeting.

After the assessment report is sent to the secretariat, it may be given to the elected council to assist in its decision as to whether it will be making a submission to the Planning Panel. The elected council's submission should not be prepared by persons involved in the assessment of the application but could be prepared by another council officer, or a consultant.

A council submission should not be specifically referenced in the assessment report or recommendations prepared by the council staff. If council makes a submission, a staff representative or individual Councillors may register to address the Planning Panel at the meeting to express the views of council.

Councillors who are also Planning Panel members have an independent role because they have been nominated by their council as its nominee to the Planning Panel.

11.13 Submission of assessment report to the secretariat

The completed assessment report and recommendation is to be immediately sent via electronic means to the secretariat.

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The assessment report is not to be endorsed or presented to the elected council before being sent to the secretariat.

The following items are to be sent in a digital format to the secretariat:

- assessment report and any attachments and recommendations (including conditions),
- the Council Assessment Report cover sheet (available on the Planning Panels website),
- final architectural drawings and plans and other reports that the assessing officer considers that the Panel may require in order to make an informed decision,
- copies of each submission received in respect of the DA
- a completed List of Submitters (available on the Planning Panels website) containing the names, postal addresses and email addresses (if provided) of every person or body who made a submission to allow the secretariat to notify submitters of the details of the Panel meeting, and
- in the case of petitions, only the name and address of the head petitioner should be provided, if that person can be identified.

Note: Council's assessment report must include a summary and assessment of all submissions so that the Planning Panel can consider the submissions as part of the assessment of the DA. Based on the details provided by council, the secretariat will notify persons who made submissions of the time, date and venue of the Planning Panel meeting at which the relevant application will be considered. Councils should also give the secretariat copies of any late submissions and, where necessary, provide further assessment if the issues are not already covered in council's assessment report.

11.14 Written submissions to the Planning Panel

All written submissions must be sent directly to council to be considered as part of the assessment of the DA.

Submissions sent to the Planning Panel will be given to council for assessment. Planning Panels will not normally accept information "in confidence" that is not also given to council. However, if confidentiality is requested, the reason must be clearly stated as to why it is confidential and relevant to the assessment matter before the Panel and the chair will consider the request.

11.15 Rezoning, development control plans and planning agreements

Where a DA is lodged concurrently with a planning proposal seeking the rezoning of land under the LEP Council's assessment report must address the DA against the proposed zoning. Council is responsible for progressing the planning proposal. The Planning Panel cannot determine a DA to approve such development until the land is rezoned to permit that development.

Where the provisions of an environmental planning instrument require a development control plan (DCP), (previously known as a master plan) to be adopted by the council before granting development consent, it is the responsibility of council to prepare and adopt the DCP prior to sending the assessment report to the Planning Panel. In such circumstances, the Planning Panel will not determine the application until the DCP is adopted by the council.

If a planning agreement is proposed, it should be negotiated by council staff. Council's assessment report for the Planning Panel would normally make reference to any planning agreement and its relationship to the DA.

The Planning Panel may only impose a condition of consent requiring a planning agreement be entered into if the condition reflects the terms of any

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offer made by the applicant to enter into a planning agreement (see section 7.4 of the EP&A Act).

11.16 Referral of Crown development applications with a CIV less than \$5 million

Crown DAs with a CIV greater than \$5 million are regionally significant development. Crown DAs with a CIV under \$5 million can be referred to the relevant Planning Panel (see section 4.33 of the EP&A Act) by either:

- the applicant where council (or IHAP, if relevant) has not determined in the prescribed period, or
- the council at any time including before the end of the prescribed period.

Before the end of the prescribed period, only a council (not the applicant) can refer an application to the Planning Panel.

For Crown DAs with a CIV of less than \$5 million where a council or IHAP seeks to refuse consent or impose a condition to which the applicant has not provided their agreement, the application is also to be referred by council to the relevant Planning Panel (see section 4.33(2) of the EP&A Act). Planning Circular PS 09-017 outlines the Crown DA provisions and policy.

The referral to the Planning Panel must be in writing. Additional procedures for the referral, including the requirement to notify the other party in writing of the referral are set out at sections 4.33(6) and section 4.33(7) of the EP&A Act.

Once the application is referred to a Planning Panel, the council registers DA on the Planning Panels website and gives its assessment report to the Planning Panel to consider.

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12. Determination of development applications

12.1 Determining regionally significant development applications

Planning Panels determine regionally significant development as the consent authority.

Planning Panels generally hold public determination meetings to consider DAs. Refer to **Schedule 1** for more information on the detailed procedures for Planning Panel meetings.

The purpose of the public determination meeting is for the Planning Panel to hear views of the community and other interested parties, such as the applicant and the council, on the DA before the Planning Panel makes a decision.

After reviewing written submissions on a DA, considering the recommendation in council's assessment report and hearing from those wishing to address the Planning Panel, the Planning Panel may determine the application or defer its decision for reasons that will be stated in the meeting record.

In certain circumstances the determination of a DA can be done by a circulation of papers e.g. where the assessment report recommends approval and there are no submissions objecting to the proposed development or if the decision on the DA was deferred.

12.2 Obligation to consult council – if adverse financial impacts

A Planning Panel must not make a decision that will have, or that might reasonably be expected to have, a significantly adverse financial impact on a council without first consulting the council (see section 2.26 of the EP&A Act).

The consultation must be in writing, with the council being given a specified time to respond in writing. Where a briefing with the general manager (or nominee) is to be held to discuss the matter, all relevant Panel members should be present, and a meeting record and outcomes should be sent to the secretariat.

12.3 Determining Crown development applications

A consent authority for Crown development cannot refuse consent to a Crown DA except with the approval of the Minister, nor can it impose a condition on a development consent for Crown development except with the approval of the applicant or the Minister.

This requirement applies to Crown development that is to be considered by a Planning Panel, where the application is for regionally significant development, or where the DA is referred to the Panel under Division 4.6 of the EP&A Act.

Where the Planning Panel wishes to either refuse an application or impose conditions not agreed by the applicant, or where a Planning Panel fails to determine the DA within the prescribed period, the applicant or the Planning Panel may refer the DA to the Minister. The Minister may then direct the Planning Panel to approve or refuse the Crown DA within a specified time.

12.4 Determining DAs for coastal protection works

Certain coastal protection works are classified as regionally significant development. Where a Planning Panel is to determine a DA for coastal protection works the chair and the council nominated members will remain on the panel, however the State members will be replaced by members appointed by the Minister who have expertise in coastal engineering or coastal geomorphology (see clause 8A, Schedule 7 of the SRD SEPP).

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12.5 Delegation to council to determine applications

If the Minister agrees, Planning Panels may delegate the determination of applications to councils, a local planning panel of a council or the general manager or other staff of council (see section 2.16(2) of the EP&A Act). Delegation may be for development in a specified area, for a class of application, or be made on a case-by-case basis.

In situations where the determination is delegated, councils must:

- register the application on the Planning Panels website,
- inform and update the secretariat on the processing of the application as requested, and
- provide a copy to the secretariat of all determination documents, including the assessment report and Notice of Determination.

The chair of the relevant Planning Panel may request the council to not exercise the delegated function in certain circumstances.

Any determination made by council under delegation is a decision of the Planning Panel.

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13. Reviews and appeals

13.1 Decision reviews

Planning Panels also review decisions made on DAs by the Planning Panels (see Division 8.2 of the EP&A Act). The Council notifies the Planning Panel when a request to review a decision has been lodged. The Planning Panel reviewing the decision will be comprised of different members to those members that made the original decision and will be called the Decision Review Panel of the [relevant] Planning Panel.

Note that decision reviews cannot be requested where the following applies:

- the time to lodge a legal appeal has passed,
- a merit appeal has been determined regarding the DA, or
- it is an application for complying development, a Crown DA or a designated development DA.

The Decision Review Panel may ask to be briefed on the decision review request, either by the applicant, Council staff undertaking the assessment, or other experts engaged to assess the application.

The circumstances where this may be needed include where the applicant for the DA has amended the development the subject of the original DA since the original determination.

If needed, the Decision Review Panel may also hold a site visit or public briefing meeting.

Council must prepare an additional assessment report to the Decision Review Panel if the DA or application to modify a development consent has been amended after its initial determination, or if submissions have been made following any further notification.

The Decision Review Panel of the Planning Panel may hold a public determination meeting. A Decision Review Panel will only need to hold a public determination meeting if the application was notified and submissions objecting to the application were received. It is at the Chair's discretion whether a public determination meeting is necessary at any other time.

Council must give written notice to the applicant of the result of the review within 7 days of the completion of the review.

13.2 Appeals against a Planning Panel determination

Merit appeals

An applicant who is dissatisfied with a determination or deemed refusal of an application may lodge a merit appeal to the Land and Environment Court within six months against the decision as provided for in the EP&A Act.

Note: An application is deemed to have been refused if it is not determined within 40 days, or 60 days if the application is for designated or integrated development, requires concurrence of a concurrence authority or is accompanied by a biodiversity development assessment report and that proposes a discount in the biodiversity credits required under the report to be retired.

If the development is designated development, then an objector to the development who is dissatisfied with a determination may also lodge a merit appeal in the Land and Environment Court within 28 days as provided for in the EP&A Act.

The council for the area will be the respondent for any merit appeal against a determination made by a Planning Panel on a development application. The council is subject to the control and direction of the Planning Panel in connection with the conduct of the appeal.

The council is to give notice of the appeal to the Planning Panel. It must do this by notifying the secretariat. Notification to the Planning Panel must be

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made no more than seven days after the council receives notice of the appeal and must advise whether the council will be actively defending the appeal.

Note: Each Planning Panel chair has delegated authority to act as the Planning Panel's representative to provide instructions and seek legal advice in relation to appeals. Planning Panel delegations are published on the Planning Panels website.

The Planning Panel will determine its level of involvement in an appeal, and what directions (if any) it wishes to issue to the council, on a case-by-case basis. While a Planning Panel has the power to direct and control the council, it may choose not to exercise the power. If a Planning Panel wishes to take a more active role in a council's conduct of the appeal, the Planning Panel can exercise its powers to control and direct council. In some circumstances the Planning Panel may seek to join proceedings and act as the respondent in the place of the council.

Council is to:

- 1) provide the Planning Panel with a copy of the application commencing the appeal within 7 days of the council being served with it,
- 2) provide the council's proposed statement of facts and contentions to the Planning Panel at least 7 days before the later of:
 - a) the day of the first directions hearing for the appeal or
 - b) the day the statement is filed,
- 3) identify in the council's statement of facts and contentions the steps taken by the council to notify the Planning Panel of the appeal, and any response received by the council, and
- 4) provide the Planning Panel with:
 - a) a copy of any directions or orders made by the Court in relation to the appeal within 7 days of the directions or orders being given,
 - b) a copy of any proposed in principle agreement between the parties to the appeal following a conciliation conference under section 34 of the *Land and Environment Court Act 1979* within 3 days of the proposed in principle agreement being reached and before any written agreement is executed,
 - c) the dates on which the appeal will be heard within 3 days of the council receiving notice of them, and
 - d) a copy of any judgment of the Court in relation to the appeal.

The council should include in its Statement of Facts and Contentions the actions taken by council to notify the Planning Panel of the appeal and any response from the Planning Panel.

Deemed Refusals

A Planning Panel may determine a DA even though it is subject to a deemed refusal appeal. When a deemed refusal appeal has been filed with the Court, the usual practice is for council's assessment officer to complete their assessment report.

Applications may be deemed to have been refused before a Planning Panel has been briefed on the application. Where a Planning Panel has not been

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briefed on an application that is subject to an appeal, the Planning Panel may request a briefing from the council.

Judicial review and civil enforcement proceedings

Any person may commence judicial review or civil enforcement proceedings in the Land and Environment Court against a Planning Panel determination. Unlike merit appeals, in these types of proceedings the Planning Panel will be named as a respondent.

A submitting appearance may be filed by the Planning Panel if the grounds of challenge are not related to the powers or procedures of the Planning Panel in determining the application.

Appeals against determinations where council is the applicant

The Planning Panel will be the respondent in merit appeal and judicial review proceedings in the Land & Environment Court where council is the applicant.

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14. Planning proposals

Planning Panels also undertake plan-making functions including:

- undertaking administrative reviews,
- acting as the planning proposal authority (PPA) in certain circumstances, and
- providing advice to the Minister or the Secretary on any planning or development matters or environmental planning instrument referred to them.

Note: The Independent Planning Commission undertakes these functions in the City of Sydney LGA.

14.1 Reviews

A Planning Panel may be asked to review certain plan-making decisions.

Reviews include:

- **Rezoning reviews** — which may be requested by a proponent before a planning proposal has been submitted to the Department for a Gateway Determination, and
- **Independent proposal reviews** — which may be requested by a Local Aboriginal Land Council before a planning proposal for land subject to a development delivery plan or interim development delivery plan, that is shown in the Aboriginal Land SEPP, has been submitted to the Department for a Gateway Determination.

These review processes allow councils and proponents to have decisions about the strategic merits of proposed amendments to LEPs reconsidered.

The Department's *A Guide to Preparing Local Environmental Plans* sets out lodgement requirements, including information the council or proponent must provide for reviews to be undertaken.

14.2 Rezoning reviews

If a proponent (e.g. developer, landowner) has requested that a council prepare a planning proposal for a proposed instrument, the proponent may ask for a rezoning review if:

- the council has notified the proponent that the request to prepare a planning proposal is not supported, or
- the council has failed to indicate its support 90 days after the proponent submitted a request, accompanied by the required information, or has failed to submit a planning proposal for a Gateway determination within a reasonable time after the council has indicated its support.

On receipt of an application the Department notifies the Planning Panel and the relevant council within 3 business days.

The Planning Panel reviews the planning proposal initially considered by council, rather than any amended or updated version. Council will be requested to confirm that the planning proposal is that which was initially considered by council, and to provide any additional comments or information to the Department within 21 days.

The Planning Panel may be briefed by the Department, council and proponent to clarify any issues before completing the review. The Planning Panel may request a site visit to assist in its considerations.

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A briefing or site visit will be attended by the Planning Panel, Department staff and, in certain circumstances, the applicant and council staff. Any briefing or site visit will follow the procedures set out in Schedule 1.

Determination

The review and determination should be in accordance with the Planning Circular PS 18-012 (or as updated).

The Planning Panel's determination is to be based on the strategic and site-specific merits of the proposal.

Planning proposals that do not reasonably meet the strategic and site-specific merit tests will not proceed to a Gateway determination.

The Planning Panel's determination is to provide a clear decision on whether the planning proposal should proceed or not to a Gateway determination.

Decisions on rezoning reviews will generally be made by a resolution following a circulation of papers in accordance with the procedures set out in Schedule 1.

Communication of the Planning Panel's determination is made to the proponent and the council within 90 days of the Department receiving the initial rezoning review request.

Planning Proposal Authority

If the Planning Panel determines that a proposal should proceed to a Gateway determination, councils will be provided the opportunity of accepting the planning proposal authority role. If the council does not accept the role within 42 days an alternate planning proposal authority will be appointed.

Each Planning Panel has delegated authority to direct itself to be the planning proposal authority where a proposal has been subject to a rezoning review and the council has not accepted this role.

14.3 Independent proposal reviews

Independent proposal reviews give Local Aboriginal Land Councils an opportunity for an independent body to give advice on planning proposals for land subject to a development delivery plan, or interim development delivery plan, that is shown in the Aboriginal Land SEPP.

The process for an independent proposal review is similar to that outlined for rezoning reviews.

When a Planning Panel is undertaking an independent proposal review in determining the strategic merit of a proposal it will also need to consider the consistency of the planning proposal with the relevant development delivery plan for the land (or interim development delivery plan) shown in the Aboriginal Land SEPP and when determining the site-specific merit of the proposal it will also need to have regard to the social and economic benefit to the Aboriginal community facilitated by the proposal.

The review and determination should be in accordance with the Planning Circular PS 19-003 (or as updated).

Each Planning Panel has delegated authority to direct itself to be the planning proposal authority where a proposal has been subject to an independent proposal review and the council has not accepted this role.

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14.4 Planning Proposal Authority (PPA)

A Planning Panel may be directed to be the PPA for planning proposal by the Minister. Generally, a Planning Panel has delegation from the Minister to act as PPA if it has recommended that a planning proposal proceed to Gateway and the council has declined to remain as the PPA.

As PPA, the Planning Panel performs all the functions that a council normally would in preparing LEPs. This includes:

- submitting a planning proposal to Gateway,
- undertaking any necessary agency consultation prior to public exhibition of the proposal,
- endorsing the public exhibition of a planning proposal that has received a Gateway determination and met all of the Gateway conditions,
- exhibiting the planning proposal in accordance with the terms of the Gateway determination,
- considering a recommendation report, addressing submissions received during public exhibition,
- holding a public briefing meeting (at the Panel chair's discretion) following public exhibition, to listen to any person wishing to speak, and
- submitting a request to the Department, as delegate of the Minister, that the LEP be legally drafted and made.

The Minister (or delegate) remains responsible for determining and making the LEP.

14.5 Support provided to the Planning Panel in its role as PPA

When a Planning Panel is acting as PPA the secretariat arranges any necessary agency and community consultation (public exhibition) and the Department provides technical support and briefings to the Planning Panel.

14.6 Availability of Planning Panel decisions and advice

The Planning Panel needs to make a number of decisions throughout the plan-making process when undertaking reviews or acting as PPA. Decisions of the Planning Panels will be made publicly available on the Planning Panels website within 3 business days of any decision.

14.7 Community consultation

There is no requirement for a Planning Panel meeting to be held prior to determining a rezoning review. The Gateway determination details requirements, if any, for community consultation on planning proposals. The Planning Panel may hold Planning Panel meetings at any time, at the discretion of the chair.

Submissions received as part of the public exhibition of a planning proposal for which a Planning Panel is the PPA are made publicly available on the Planning Panels website.

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15. Site compatibility certificates

Planning Panels determine applications for SCCs made under the Seniors SEPP and the Education SEPP.

Written applications are to be lodged with the Department. The Department prepares an assessment of the application and a recommendation for the relevant Planning Panel. The Planning Panel considers the application and the Department's assessment report and those matters set out within clause 25 of the Seniors SEPP, or clause 15 of the Education SEPP as relevant. The Panel may determine an application by issuing a SCC or refusing to do so.

The Planning Panel may request a briefing and/or a site visit to assist in its considerations.

A briefing or site visit will be attended by the Planning Panel and Department staff and follow the procedures set out in Schedule 1.

Decisions on SCCs will generally be made by a resolution following a circulation of papers in accordance with the procedures set out in Schedule 1.

Should a DA be supported by an SCC issued by the Planning Panel come before the Planning Panel for determination, the Planning Panel will be comprised of different members to the members that issued the SCC.

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Schedule 1: Procedures for briefings, meetings and decisions.

1 Briefings and site visits

The chair may agree to a site visit or a briefing prior to a Planning Panel making a decision or providing advice on a matter.

A site visit or briefing is solely to identify and clarify issues with the proposal. Planning Panel members will not offer opinions on the merits of the proposal or ask those involved with the assessment of the proposal for their opinion or recommendations at site visits or briefings.

However, the Panel may identify issues that it expects to be addressed or clarified in any assessment report.

A site visit or briefing will be attended by the Planning Panel and relevant council or Department assessment staff or other persons engaged in the assessment of the DA or matter to be determined by the Planning Panel. In some circumstances other parties, including the applicant or people who made submissions on an application or matter may also be invited to attend a site visit or briefing. The invitation of parties is at the discretion of the chair.

Briefings on DAs may include a presentation by council assessment staff on key elements of the proposal and the planning controls that affect it (such as zoning), and an overview of issues of concern arising through the Council's assessment or raised in submissions. The timing of the submission of the assessment report and tentative date for a determination may also be discussed.

The assessment officer briefing the Planning Panel should have available a set of large-scale plans at the briefing.

Only Planning Panel members who will sit on the Planning Panel to determine the matter should attend the briefing.

Briefings and site visits on planning proposals and site compatibility certificates follow the same format, with Departmental staff briefing the Planning Panel.

It is not mandatory that the Planning Panel be briefed prior to considering a matter. Where there is a briefing, it should take place within four weeks of the close of any public exhibition period, and before council makes any major request for further information from the applicant (although council can request further information before the exhibition). The assessment of a DA should not be delayed for a briefing to occur.

Planning Panel members may identify further issues where they need clarification or more information. A Planning Panel may request briefings with council or Department staff to clarify any element of the proposal and the assessment report prior to the Planning Panel making its decision.

Briefings are not determination meetings and Planning Panel members should not make any comment that would indicate pre-determination of the matter.

The chair should take into consideration the availability of all members of the Planning Panel and any other necessary persons when deciding to conduct a site visit.

Entry to any private land may only take place with the express permission of the owner of the land, and it is the responsibility of council staff, in relation to a DA, or Department staff in relation to a planning proposal, to seek owner's consent when required.

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A written record of the briefing or site visit is made including time, date, attendees, any declarations and key issues discussed and is published on the Planning Panels website within 7 days. Site visits or briefings are not recorded by audio/ video record, an audio record or a transcription record.

It may be appropriate to invite the applicant or proponent to attend the briefing when:

- the Planning Panel could benefit from additional technical explanation on a complex matter,
- the development or other options are still being considered (e.g. if a major re-design has been requested by the council), or if
- material to be presented may be commercially sensitive or confidential.

The Planning Panel will publish clearly documented reasons why a briefing by an applicant was necessary so that there is no apprehension of bias.

Site inspections and briefings are not public meetings of the Planning Panel.

2 Meetings

Public briefing meetings

If the matter before the Planning Panel attracts significant community interest, the Planning Panel may consider calling a public briefing meeting.

Public briefing meetings are held to hear submissions in a public forum and to meet with key stakeholders to discuss unresolved issues. Community groups and individuals may register to speak to the Planning Panel at the public briefing meeting. Public briefing meetings are held at the discretion of the Planning Panel.

Planning Panel members should not make any comment that would indicate pre-determination of the application at a public meeting.

Determination meetings

Prior to determining a DA or other matter, a Planning Panel may call a public determination meeting. The purpose of a public determination meeting is to hear those who wish to express their view on the proposal before the Planning Panel makes its determination in public.

Notice of a public determination meeting is given at least 7 days before the meeting. Notice of the meeting (including the time, date and venue for the meeting) are:

- notified on the Planning Panels website, and
- given to every person who made a submission to the council (in the case of petitions, only the head petitioner).

The meeting agenda, any business papers, assessment reports and attachments (including any representations made by council) are distributed to members of the Planning Panel and uploaded on the Planning Panels website in advance of the meeting.

People wishing to address the Planning Panel must register prior to the meeting.

The chair determines the order of presentations to the Planning Panel and the amount of time given to each speaker. At the meeting, it is acceptable to provide the Planning Panel with written material which summarises the matters to be presented to the panel by the speaker. However, written material must be kept to a minimum.

3 Meeting procedures for Public Briefings and Determinations

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Planning Panel meetings are to be conducted in public.

Meeting dates and agendas

A regular schedule of proposed meeting dates is determined at the beginning of each year by the secretariat in consultation with the chair. The meeting dates are listed on the Planning Panels website and are reserved for public briefing meetings, Planning Panel briefings and site visits, or Planning Panel meetings. Planning Panel public determination meetings are generally arranged within 14 days of receiving council's assessment report.

Additional meetings of a Planning Panel may be organised at the discretion of the chair. These additional dates are posted on the website as soon as they become available.

The chair may consult with the general managers (or their nominee) of the relevant councils when approving the agenda for each meeting.

The council notifies the secretariat of any revised date for completion of the assessment report as soon as it is aware of any delay and advises of the reasons for the delay.

The meeting time and venue

The meeting time and venue is determined by the chair in consultation with relevant councils, and taking into account:

- the location of the proposed developments to be considered at the Planning Panel meeting,
- the number of persons who have expressed an interest in the different matters to be considered at the Planning Panel meeting,
- the availability of a suitable venue and the accessibility of the proposed venue for those persons, and
- local considerations and logistics.

The meeting time and venue should:

- maximise accessibility to people who have expressed an interest in the matters to be considered at the meeting, and
- facilitate the open exchange of information between the Planning Panel members and other parties.

Items from a number of different LGAs might be considered at one meeting provided the venue is reasonably accessible to most interested parties.

In regional areas, the chair may need to convene meetings in a number of locations to ensure they are accessible to the greatest number of people with an interest in the application being considered.

Notice of meeting

Notice of a Planning Panel meeting is to be given by the secretariat at least 7 days before the meeting. Notice is given to Planning Panel members, the general managers (or their nominee) of the councils in that region or district, every person who made a submission to the council (in the case of petitions, only the head petitioner) in respect of an item to be considered at the meeting and the applicants for those items. A notice is placed on the Planning Panel website and may be placed in the local newspaper.

The notice is to include details of:

- the time and date of the meeting,
- the venue for the meeting,
- the matter under consideration (DA/s or planning proposal),

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- the availability of agenda and business papers, which will include the assessment report and recommendations, and
- other matters to be considered at the meeting.

Distribution of meeting agenda and business papers

The meeting agenda, business papers/assessment reports and attachments, including any representations made by councils, are to be distributed to members of the Planning Panel and uploaded on the Planning Panels website by the secretariat no less than 7 days prior to the meeting.

A hard copy of the agenda and business papers are posted via express post to those Planning Panel members who have a decision-making role on the matter.

Opening and closing meetings

The chair will open the meeting by introducing the Panel and its members, state the purpose of the meeting, read out any apologies and call for declarations of interest following the declarations of interest procedures.

The chair will note any site visits or briefings the panel has had the benefit of and describe the order of proceedings and time limits for speakers.

The chair may also request council staff to briefly summarise the key issues that have arisen in the assessment report.

The panel will then listen to those wishing to address the panel. After the presentations the panel will make its determination and the chair will read out the decision of the panel before closing the meeting.

Declarations of interest procedures

The declarations of interest procedures set out below follow the requirements of the Planning Panels Code of Conduct (Code):

1. The chair calls on Planning Panel members to complete and sign written declarations of interest forms prior to the meeting for each panel matter (under clause 4.1 of the Code). Any verbal declarations must be recorded in writing.

Note: Under the Code, a panel member should declare the following interests:

- a. an actual, potential or reasonably perceived conflict of interest (see clause 3.1 of the Code),
 - b. a pecuniary interest listed under clauses 3.10 – 3.12 of the Code,
 - c. a non-pecuniary interest (see clause 3.14 of the Code),
 - d. a conflict of duties listed under clauses 3.18 – 3.25 of the Code,
 - e. a pecuniary interest or non-pecuniary interest arising from a political contribution or donation (see clause 3.26 of the Code),
 - f. a position and pecuniary interest in corporations, partnerships or other businesses that may be relevant to the activities of the Planning Panel in accordance with the Department of Premier of Cabinet's Guidelines 'Conduct Guidelines for Members of NSW Government Boards and Committees' (see clause 4.3 of the Code),
 - g. a personal dealing with council (see clause 5.1 of the Code), and
 - h. a gift or benefit listed under clauses 5.2 – 5.6 of the Code.
2. The chair reviews the written and signed declarations and the management measures put in place for any declared interests.
 3. If the chair is satisfied that reasonable and appropriate management measures are consistent with those set out in the Code, then a note to this effect is to be made on the meeting record.

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4. Should the chair have concerns, the chair is to raise these concerns with the member and suggest additional reasonable and appropriate management measures including, if warranted, that the member not take part in the determination for the matter (see clause 3.8 of the Code).
5. The chair is to provide the member an opportunity to respond.
6. The chair is to consider any response prior to making a final decision on the reasonable and appropriate management measures and note the response, the decision, and the chairs reasons for the decision in the meeting record.

Presentations at a Planning Panel meeting

The chair determines the order of presentations to the Panel. Panel members may ask questions of those making presentations. The amount of time given to each speaker is at the discretion of the chair.

At the Planning Panel meeting, it is at the chairs discretion whether to accept written material which summarises the matters to be presented to the Planning Panel by the speaker. Any allowed written material must be kept to a minimum.

By registering to speak at a meeting, speakers agree to being audio recorded and to the publication of that recording on the Planning Panels website.

a) Presentation by the assessment officer

The chair may request that the assessing officer responsible for preparing the assessment report (or a representative) presents a summary of the DA or planning proposal, as the case may be, and outline any relevant assessment issues at the start of the presentations. The assessment officer should have available at the Planning Panel meeting a set of large-scale plans (including any amended plans).

Generally, it is council's professional planning and assessment staff that prepare DA assessment reports for the Panel's consideration.

Where a Planning Panel is acting in the role of the PPA for a planning proposal matter the Department provides technical assistance, which may include the provision of an assessment report for the Planning Panel.

The assessment officer (or representative) should inform the chair of any late submissions received, and of any issues raised which may not have been addressed in the assessment report.

The assessment officer (or representative) should be present throughout the Planning Panel meeting, so that the chair can seek clarification where necessary of assessment issues that may arise during the course of the meeting. Other technical experts from the council/Department may also be present (such as traffic engineers) and the chair may ask for clarification of specific issues. Any questions to council/Department staff can only be made by Planning Panel members and are to be directed through the chair.

b) Presentation by the applicant or proponent

The applicant, in the case of a DA, or the proponent, in the case of a planning proposal, will be given the opportunity to outline the proposal and respond to the assessment report. The applicant/proponent may also be required to respond to submissions made at the meeting. The time allocated to the applicant/proponent, including their consultant(s), is at the discretion of the chair, but is generally 15 minutes. Additional time may be allocated

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where professional consultants have been engaged by the applicant/proponent to present at the meeting.

c) Presentation by people or groups who made submissions

Planning Panel meetings enable people or groups to make a presentation to the Panel meeting. People who wish to address the Planning Panel must register with the secretariat prior to the meeting by contacting the secretariat by telephone or email within the timeframe specified in the notification letter (generally two days before the Panel meeting).

For those people who are of the view that they would not be appropriately or adequately represented by any groups, they may register to speak to the Planning Panel as individuals.

The chair will advise on the time allocated for verbal submissions which will vary from meeting to meeting depending on a number of considerations such as the number of registered speakers.

As a guide:

- individual submitters will have 3 minutes to speak,
- a speaker for a community organisation/group will have 10 minutes to present. Additional time may be allocated where professional consultants have been engaged by community groups to present at the meeting.

In addition, where a large group of people have common issues to raise at the meeting, the chair may ask that a spokesperson be appointed to speak on behalf of the group. In such cases, the spokesperson will generally be allocated more time than individual speakers.

The chair seeks to ensure that all groups or individuals who request to address the Planning Panel are heard. Any requests for extending time limits should be made to the Planning Panel at the meeting and may be granted at the discretion of the chair.

Speakers should focus their oral presentations on the assessment report and its recommendation rather than re-stating information outlined in their earlier written submissions. The Planning Panel has been provided with all submissions and associated documents before the Planning Panel meeting.

d) Presentation by people or groups that have not made a submission

The chair has the discretion to allow any member of the public to address the Planning Panel, even if they have not made a submission or registered to speak by the relevant deadline. Considerations may include the number of persons that made submissions and have requested to address the meeting and the available time.

e) Presentation by an expert engaged by the Planning Panel

For the purpose of making a decision on a matter, such as a DA or a planning proposal, a Planning Panel may obtain independent assessment reports, advice and assistance that the Planning Panel may require, particularly in relation to complex technical matters. This would be in addition to any assessment report or other information provided by the relevant council/Department in assessing the application.

Selection of such experts is to be determined by the chair in consultation with the other Panel members.

Depending on the circumstances, the expert may submit a report with recommendations directly to the Planning Panel. In addition, the expert may

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be invited to present the outcomes of their report at the Planning Panel meeting.

The independent assessment report should be made available on the Planning Panels website prior to the meeting, except where this information includes legal advice provided to the Planning Panel and is subject to legal professional privilege.

Adjourning during a Planning Panel meeting

A Planning Panel may adjourn a meeting where:

- a briefing is required to hear confidential or sensitive information, and/or
- the panel wishes to confer amongst itself before reconvening the meeting for voting and determination.

Before the adjournment the panel chair publicly states the reasons for the adjournment which are recorded in the audio and written record of the meeting.

If the meeting is adjourned so that the panel may confer amongst themselves prior to making a decision, the chair briefly summarises the matters discussed in the adjournment after reconvening the meeting. The panel may discuss the matter further in the meeting and/or make its determination.

Planning Panel discussions during adjournments are not recorded.

Deferring a decision at a Planning Panel meeting

A Planning Panel may defer its determination of the matter for a subsequent meeting or it may be determined electronically by a circulation of papers. A decision may be deferred for any reason including to obtain additional information or advice.

The chair informs the meeting of the reasons for the deferral of a decision (i.e. why the decision cannot be made at the meeting) and advises of the procedures and timeframes to be followed for the determination of the matter.

A written record of the Planning Panel meeting, including the reasons for deferral, is placed on the Planning Panels website, and a copy is provided to the council.

It is the council's responsibility to follow up on any requests for additional information or amendments from the applicant, to determine whether re-exhibition is required, and to provide a supplementary assessment report to the Planning Panel.

The Planning Panel may hold further briefings following a determination meeting if it requires further information to make its determination or where there is commercially sensitive or confidential material that needs to be considered before the matter can be determined.

4 Decisions and determinations

The Planning Panel will strive to make its decisions unanimously. Where a decision cannot be made by unanimously, the decision will be made by majority vote. The chair will have a second or casting vote if required because of an equality of votes.

Quorum for a Planning Panel decisions

A quorum is a majority of the Planning Panel's members, including the chair, i.e. a total of three members. The decision of the Planning Panel will be deferred if a quorum is not present.

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Where conflicts of interest are known before a decision is to be made, alternate members will be used to make a quorum.

The Planning Panel's consideration

In addition to the assessment report, the Planning Panel is to take into account all written submissions, as well as the views expressed by those addressing the Planning Panel at its public meeting/s.

The Planning Panel's reasons

The Planning Panel must provide reasons for its decisions, which are to be recorded in the 'Determination and Statement of Reasons' template provided by the secretariat.

The Planning Panel may rely on the conclusions and recommendations within the assessment report, however, the Planning Panel must identify where it has its own reasons for making the decision and where it adopts the reasons from any assessment report of Council or the Department. As part of setting out its reasons the Planning Panel is to:

- provide a summary of the main issues raised in submissions,
- demonstrate how the Panel considered the community's concerns, and
- demonstrate how the Panel dealt with the issues raised, should they have been found to have merit i.e. requested further studies, applied appropriate conditions or, agreed with council recommendation that the applicant had satisfactorily addressed the concerns.

Determinations on DAs

The determination must clearly state whether a DA is unconditionally approved, approved with conditions, or refused.

Any new conditions of consent or changes to the recommended conditions of consent must be recorded.

If the Planning Panel resolves to approve an application that is recommended for refusal, the Planning Panel may seek a further report from the council's planning officer providing recommended conditions of consent. The Planning Panel may request without prejudice conditions of consent before a Planning Panel meeting if council's report recommends refusal.

The determination and statement of reasons must include the following:

- the decision of the Planning Panel,
- the date of the decision,
- the reasons for the decision (having regard to any statutory requirements applying to the decision), and
- how community views were considered in making the decision.

DA determinations must be publicly notified in accordance with clause 20 Schedule 1 of the EP&A Act.

The decision of the Planning Panel is not subject to a 'Rescission Motion' as in local government.

Decisions of Decision Review Panels are called a 'Review of Decision' Determination and Statement of Reasons.

Determinations on matters other than DAs

Decisions made by the Planning Panels on SCCs, Rezoning Reviews and where the Planning Panel is the Planning Proposal Authority will include the following:

- the decision of the Planning Panel,
- the date of the decision, and

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- the reasons for the decision (having regard to any statutory requirements applying to the decision).

Resolutions of the Planning Panels

The Planning Panels may from time to time make resolutions to do or not to do certain things, e.g. to authorise the chair to provide instruction in relation to legal appeals on behalf of the Planning Panel.

Resolutions of the Planning Panel will be published on the Planning Panels website.

Dissenting views

If the decision (and reasons for the decision) is not unanimous, all members of the Planning Panel (i.e. including the minority) still need to give reasons.

Timing of Determination and Statement of Reasons

It is preferable that the Planning Panel record both its decision and its reasons at the time of the determination.

Signatures

All members of the Planning Panel must sign the Determination and Statement of Reasons. Where one or two members are in dissent, they must still sign, as the reasons will set out their dissenting views.

5 Transactions of business outside meetings

A Planning Panel can transact its business by the circulation of papers or at a meeting at which members participate by telephone or other electronic means (known as an electronic determination) (see Schedule 2, Clause 25(4) and Clause 26 of the EP&A Act).

The chair may decide that it is unnecessary to hold a determination meeting to consider a DA or other matter. The Planning Panel can complete its business through an electronic determination. These circumstances may arise when:

- the assessment report recommends approval and there are no submissions by way of objection,
- the Planning Panel has held a public meeting and deferred its decision to request specific additional information from an applicant or council (such as amended drawings) and if council, after having accepted the amended drawings, has decided that re-exhibition of is not required,
- the Planning Panel is voting on a procedural matter, or
- the Planning Panel is voting on a decision following a briefing in relation to a Rezoning Review, Planning Proposal or site compatibility certificate.

When an electronic determination for a DA is proposed, the council report and recommendation is made available on the Planning Panels website seven days prior to the DA being determined.

The secretariat distributes business papers (including the assessment report and attachments) to Planning Panel members for consideration and advise that the determination is made via electronic means.

Following consideration of the business papers, the Planning Panel advises the secretariat of its decision on the DA and a record of decision is completed and endorsed by all members.

The chair and each Planning Panel member has the same voting rights as they have at public determination meetings.

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Resolutions approved by circulation of papers are recorded in writing and made publicly available on the Planning Panels website within 7 days. The circulation of papers is generally done electronically and are not recorded by audio/ video record, an audio record or a transcription record.

6 Records of proceedings

The chair is responsible for ensuring that full and accurate records are kept of the proceedings of Planning Panel meetings, briefings and other business.

An audio recording will be made for all public briefing meetings and determination meetings and will be published on the Planning Panels website. By registering to speak at a meeting, speakers agree to being recorded and to the publication of that recording. Where a speaker has not registered to speak but wants to make a submission at the meeting it is at the chair's discretion and the speaker is asked to agree to being recorded and that recording being published.

Document templates for written records of proceedings are provided by the secretariat.

Secretariat or council staff will assist in the preparation of draft written records. A copy of the unconfirmed written record is provided to all Planning Panel members who participated in the proceedings. Planning Panel members may submit any proposed corrections to the unconfirmed record to the secretariat for confirmation by the chair.

Alternatively, a Planning Panel may choose to complete and endorse the final record immediately after completing the meeting or briefing. In this case, draft records are not circulated.

When the written records have been confirmed and endorsed by the chair the written record is placed on the Planning Panels website.

The confirmed written record is available within 7 days of the Planning Panel meeting or briefing.

Any written record for a Planning Panel meeting details:

- the opening and closing times of the meeting,
- the details of the matter considered by the Planning Panel,
- the names of all members of the Planning Panel, including the chair,
- any disclosure of interest made by a member, the reason for that disclosure of interest and whether the member making the disclosure participated in the discussion or determination of the matter,
- any adjournments and reasons for the adjournment,
- the names of each person heard by the Planning Panel in respect of a matter,
- any decision of the Planning Panel,
- reasons for the decision,
- the names of each member who voted for or against the decision, and reasons for dissent, where the decision is not unanimous, and
- the signatures of all the members making the decision.

A written record of briefings or site visits are made including time, date, attendees, any declarations and key issues discussed and are published on the Planning Panels website within 7 days. Site visits or briefings are not recorded by audio/ video record, an audio record or a transcription record.

The secretariat, with assistance from the relevant council, is responsible for recording decisions for Planning Panel meetings.

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Planning Panel members are required to provide any notes made during a meeting, briefing or site inspection to the secretariat for registration as a record. This includes hand written or electronic notations.