

Richmond
Valley
Council



AGENDA

Ordinary Council Meeting

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

Date: Tuesday, 19 July 2022

Time: 6pm

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

**Angela Jones
Acting General Manager**

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1 ACKNOWLEDGEMENT OF COUNTRY

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

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

2 PRAYER**3 PUBLIC ACCESS AND QUESTION TIME****4 APOLOGIES****5 MAYORAL MINUTES**

Nil

6 CONFIRMATION OF MINUTES

6.1 MINUTES ORDINARY MEETING HELD 28 JUNE 2022

Director: Vaughan Macdonald

Responsible Officer: Julie Clark

RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting held on 28 June 2022.

REPORT

Refer attached Minutes.

ATTACHMENT(S)

- 1. Unconfirmed Minutes Ordinary Meeting 28 June 2022 (under separate cover)**

7 MATTERS ARISING OUT OF THE MINUTES

8 DECLARATION OF INTERESTS

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

9 PETITIONS

Nil

10 NOTICE OF MOTION

Nil

11 MAYOR'S REPORT**11.1 MAYORAL ATTENDANCES 21 JUNE - 11 JULY 2022**

Author: Cr Robert Mustow

RECOMMENDATION

That Council receives and notes the Mayoral Attendance Report for the period 21 June – 11 July 2022.

REPORT**June**

- 21st Casino Memorial pool upgrade inspection
- 22nd Lions Changeover dinner
- 24th Northern Rivers Resilience Initiative meeting
- 28th Richmond Valley Council Ordinary meeting
- 29th Northern NSW Health District Board Chair
- 30th Rous Water commitment
- 30th NSW Police Force Youth Command BBQ

July

- 1st Black and White Ball - Casino
- 4th NAIDOC week celebrations
- 4th NAIDOC family fun day
- 7th Casino Chamber of Commerce meeting
- 9th Casino Rotary Annual Changeover Dinner

ATTACHMENT(S)

Nil

12 DELEGATES' REPORTS

Nil

13 MATTERS DETERMINED WITHOUT DEBATE

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

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

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

That items identified be determined without debate.

14 GENERAL MANAGER

14.1 FLOOD RELIEF - DEVELOPMENT AND CONSTRUCTION FEES

Author: Angela Jones

EXECUTIVE SUMMARY

Council resolved at its June 2022 Ordinary meeting to consider options for offering fee relief for rebuilding works on flood affected properties and called for a further report on the matter. This report considers the extent of flood damage to properties in the Richmond Valley and notes that the majority of flood-affected homes will not require development approval (with associated application/inspection fees) to complete flood damage repairs. However, Council may wish to consider options to assist owners whose homes will require demolition and reconstruction due to flood damage, similar to the support offered to bushfire victims following the 2019 fires.

RECOMMENDATION

That Council:

1. Receives and notes the information in the report.
2. Continues to advocate for NSW Government support for voluntary house raising programs for flood-affected properties.

BUDGET IMPLICATIONS

Council has not allocated funding in the 2022-23 budget for providing flood assistance through reduced or waived development charges, neither does it have access to specific Government funding for this purpose. Should Council wish to offer some form of assistance, it would require a budget reallocation.

REPORT

Council resolved at its June 2022 Ordinary meeting:

That the General Manager prepares a report for the July Ordinary meeting, addressing the following items:

- *Council's ability to reduce or waive development and construction certificate fees and charges for any property rebuilds from flood damage;*
- *The financial impact on Council of any support program;*
- *The program that was offered to residents impacted by the 2019 Black Summer Bushfires and the financial impact on Council;*
- *Information on what neighbouring flood affected Councils are offering their residents to support their property rebuilds.*

This report addresses these issues, noting that the full extent of flood damage to properties within the Richmond Valley is still being assessed.

Determining the full extent of flood damage

The devastating floods of February/March 2022 affected some 3000 properties within the Richmond Valley, to varying degrees. Following the floods, emergency services personnel conducted an initial assessment of properties to determine the extent of damage to structures, including homes, businesses and outbuildings. These assessments were designed to provide an early understanding of the impacts of the disaster and the scale of assistance that may be

required. As such, they were not detailed building inspections, but a general assessment of condition. Under the program, 2332 buildings were assessed, with 1171 being found to have suffered some degree of flood damage – ranging from minor impacts to destruction of the building.

The results of the initial assessments are summarised below:

Total buildings inspected	2332
Total buildings classified as flood damaged	1171
Homes classified as flood damaged	806
Damaged homes classified as uninhabitable	440
Homes classified as destroyed	27
Businesses classified as flood damaged	44

Council then followed up with more detailed building inspections of 150 properties in high impact areas of the Mid-Richmond. These inspections were conducted with support from Lake Macquarie Council's building inspection team. The building inspections provided differing results from some of the original assessments. For example, of the total 31 buildings originally assessed as destroyed, the building inspections found that only 11 of these structures would actually require demolition.

It is possible that flood damaged properties were missed in both the early and follow-up inspection programs and the final damage count may be higher. The NSW Government has also since introduced the Property Assessment Scheme, providing free inspection and assessment services to flood affected properties. Information from this program will help to inform the final flood damage figures.

The extend of flood damage to businesses is more challenging to assess and may range from minor impacts to multi-million-dollar investment. Council has not undertaken detailed building inspections of damaged business premises to date but has been working with affected owners and advocating for Government assistance to help businesses recover and maintain local jobs.

How many properties will require a DA?

Although the initial assessments suggest more than 1000 buildings have been flood damaged, not all of these properties will require a Development Application to complete the necessary repairs.

For example, where repair work is "like for like" – such as replacing damaged wall sheeting or replacing damaged kitchen cupboards with new cupboards – a development application is not required. Inspections so far suggest that the majority of flood damaged homes will fall into this category and will not require development approval for their repair work.

Cases where a development application may be required for a damaged property include:

- Replacing a home that required demolition;
- Altering or adding to the original property – such as moving walls, or adding additional rooms, balconies or entertaining areas; and/or
- Raising the building to improve flood resilience.

Rebuilding after demolition

Based on Council's building inspections, it is expected that no more than 15 homes may require demolition and replacement due to flood damage. Council has the option of using the Orders provisions under the *Local Government Act 1993* to enable demolition, rather than requiring a development application, and it is currently applying this option wherever possible.

The following fees would apply to a proposed home rebuild, assuming the Orders provisions were applied to support demolition:

Application	Action	Cost	Comment
DA	Assessment & determination	Depending on the value of the building. Assuming \$400,000 value: \$1,945	
CC	Assessment, determination & inspections	Estimated cost: \$2,322	
Section 138 Driveway Application	Assessment, determination & inspections	Bond \$1,000 Minimum 2 inspections \$370	This may not be required, depending on circumstances
Section 64	No assessment required	No charge	This charge would have been paid on original development approval
Section 7.12		Depending on the value of the building Assuming \$400,000 value: \$2000	There is provision within the contributions plan to waive this charge
Section 68	Plumbing permit & inspections	3 x inspections \$555 minimum cost	
Total cost for DA, CC & s68		\$ 4,822 per property X 15 properties = \$72,330	

Should Council decide to introduce a program of fee relief for flood damaged homes that require demolition/rebuild, the estimated cost would be approximately \$72,330. However, this estimate could vary considerably if owners took the opportunity to undertake betterment/resilience works as part of the rebuild process.

Supporting owners whose homes have been destroyed would align with the program applied by Council following the 2019 bushfires, where the majority of development applications were for demolition/rebuild works. Following the fires, Council determined 16 bushfire DAs, 4 modifications and issued the required CC's. The combined cost of these waived DA/CC fees was over \$46,000. As most of the applications did not involve complex considerations, Council was able to commit to a 5-day turnaround for the bushfire rebuilds. However, issues regarding flood rebuilds may involve greater complexity and may require longer assessment times.

Alterations and betterment works

Owners whose homes have been flood damaged may wish to take the opportunity of improving the building as part of their repair program. This could include removing walls to support open-plan living or adding additional rooms such as an office, extra bedroom, or outdoor entertaining areas. Works of this scale would require a development application; however it is unknown, at this stage, how many owners would choose to pursue this option. As these works would aim to improve liveability and property value, rather than just repair flood damage, Council may wish to consider whether offering fee relief, subsidised by other ratepayers, would be appropriate in this case.

Flood resilience works – house raising

Since the floods, Council has received some 70 enquiries regarding house raising options for flood-affected properties. House raising is a complex matter and the requirements and costs vary significantly from case to case, depending on the type of building, the manner in which it was constructed and its current location. Because of these variations, it is difficult to estimate an average cost. However, as a guide, a recent house raising application received by Council, included an estimated \$100,000 cost of works, attracting development and construction charges of \$1,897. Assuming the other 69 potential proposals went ahead, and had similar costs, then the total cost of waiving fees would be \$132,090.

As previously noted, Council currently does not have a Voluntary House Raising Scheme to provide financial assistance for these projects. Council resolved at its May Ordinary Meeting to write to the NSW Government requesting that it implement a regional scheme that would benefit Richmond Valley residents but is yet to receive a response to this letter. However, Northern Rivers Reconstruction Corporation Chief Executive, David Witherdin, has recently announced that the Corporation will be looking at the data, principles and strategic design for a housing program that may include buyback, house raising, resilient rebuilding and the potential for land swaps as a priority action. In this regard, Council may wish to await the introduction of the program before considering fee relief options for house raising proposals.

Response by other Northern Rivers councils

Discussion with other Northern Rivers councils indicates they are largely still considering their position on possible support for property rebuilds. Lismore City Council, Byron Shire Council and Tweed Shire Council have not made a determination on the matter. Ballina Council has chosen not to waive development/construction fees and Clarence Valley Council did not consider fee relief, as the limited number of properties affected did not require a DA for their repair work.

Options to assist rebuilding work

As previously noted, the majority of flood damaged properties in the Richmond Valley will not require development approvals to complete basic flood repair work, replacing like for like.

However, should Council wish to consider fee relief for those properties requiring development consent, then it may be appropriate to provide an assistance program for properties that require demolition and rebuild due to extensive flood damage. This would most closely reflect the assistance offered by Council following the 2019 bushfires. Although it is difficult to estimate the cost of such a program, due to variations in development costs, it is anticipated that some \$72,330 would be required. There is currently no budget allocation for an assistance program, however a further report on funding options could be brought forward, should Council wish to proceed.

CONCLUSION

The catastrophic floods of February/March 2022 have caused significant damage to homes, farms and businesses in the Richmond Valley, with the final damage figure still unknown, as property assessment continues. Early assessments and inspections indicate that the majority of flood damaged properties will not require development approval to complete essential flood repairs, replacing like for like materials. Development approval will be required where homes are demolished and replaced due to major flood damage, or where owners seek to undertake property improvement or alteration works. Should Council wish to pursue a flood assistance program for development fee relief, offering support for demolition/rebuild projects would most closely align with the relief program introduced following the 2019 bushfires.

ATTACHMENT(S)

Nil

15 ORGANISATIONAL SERVICES

15.1 CODE OF MEETING PRACTICE

Director: Ryan Gaiter

Responsible Officer: Kate Alder-Conn

EXECUTIVE SUMMARY

The Code of Meeting Practice (the Code) is made under section 360 of the *Local Government Act 1993* (the Act) and the Local Government (General) Regulation 2021 (the Regulation).

The Code applies to all meetings of councils and committees of which all the members are councillors.

Councils must adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Meeting Code within 12 months of the local government elections, held in December 2021. Councils must exhibit a draft of the Code for a period of at least 28 days and provide members of the community at least 42 days in which to comment on the draft Code.

RECOMMENDATION

That Council:

1. Adopts the Richmond Valley Council Code of Meeting Practice 2022
2. Notes that no community submissions were received in response to the public exhibition of the draft Code.

BUDGET IMPLICATIONS

Nil

REPORT

The Code of Meeting Practice is made under section 360 of the *Local Government Act 1993* (the Act) and the Local Government (General) Regulation 2021 (the Regulation).

The Code applies to all meetings of councils and committees of which all the members are councillors. Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

Under the requirements of the Act, Councils must adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Meeting Code within 12 months of the local government elections, held in December 2021. The Code to be adopted can also incorporate the non-mandatory provisions, together with additional provisions, provided they are not inconsistent with the mandatory provisions.

Councils must exhibit a draft of the Code for a period of at least 28 days and provide the community at least 42 days in which to comment on the draft Code.

Following the May Ordinary Meeting, the draft Code was placed on public exhibition, commencing 18 May 2022, concluding at 4.30pm on 14 June 2022.

No submissions were received during the 42-day exhibition and feedback period, concluding 28 June 2022.

CONSULTATION

Following presentation to the May 2022 Ordinary Meeting, community consultation was undertaken for a 28-day public exhibition period, together with an additional 14-days to enable feedback to be received.

CONCLUSION

Following the consultation period, wherein no submissions were received, it is recommended that the Code of Meeting Practice be adopted by Council.

ATTACHMENT(S)

1. **Final Draft - Code of Meeting Practice (under separate cover)**

15.2 FINANCIAL ANALYSIS REPORT - JUNE 2022**Director:** Ryan Gaiter**Responsible Officer:** Rylee Vidler**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 30 June 2022 is shown below:

Bank Accounts	Term Deposits	Floating Rate Notes	Fixed Rate Bonds	TCorp IM Funds	Total
\$18,664,637	\$39,000,000	\$4,750,390	\$2,000,000	\$14,329,094	\$78,744,121

The weighted average rate of return on Council's cash and investments as at 30 June 2022 was negative (5.08%) which was below the Bloomberg AusBond Bank Bill Index for June of 0.05%, which is Council's benchmark.

RECOMMENDATION

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

BUDGET IMPLICATIONS

As at 30 June 2022, Council has earned \$354,493 in interest and \$1,027,795 in fair value losses for total interest and investment income of negative (\$673,303) This equates to a current loss of 79.21% against the annual budget for interest and investment income of \$850,000. Council currently receives a net return of 0.55% on its Macquarie CMA Account after Council's financial advisors receive their commission of 0.05%. Commissions for the 2021/2022 financial year to 30 June 2022 total \$4,545.

The fair value losses are in medium and long term products and exiting these products in the current market conditions is not recommended by the fund manager, NSW Treasury Corporation. However, this is ultimately a matter for Council to determine. Future fair value gains or losses will continue to be monitored and reported to Council.

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

The RBA raised the cash rate to 0.85% per annum at its June meeting.

Rate of Return

The weighted average rate of return on cash and investments in June 2022 was negative (5.08%) a decrease of 396 basis points from the previous month. The rate of return is 513 basis points below the Bloomberg AusBond Bank Bill Index of 0.05% which is Council's benchmark.

Council's NSW Treasury Corporation IM Funds returned net losses of \$418,287 during June 2022, bringing the total losses for the 2021/2022 financial year at 29 June 2022 to \$1,027,795.

The Medium-Term Growth Fund (MTGF) returned a loss of \$297,189 and the Long-Term Growth Fund (LTGF) returned a loss of \$121,097.

The markets throughout June were volatile with global growth concerns and risks of a US and global recession mounting, leading to a disappointing result in June. However, it is important to note that these are long term investments with returns being subject to market volatility, particularly in times of economic uncertainty. The MTGF has a recommended investment timeframe of 3-7 years (original investment was October 2018) and the LTGF has a recommended investment timeframe of 7 years or greater (original investment was June 2021). The life to date returns for the medium-term growth fund are a gain of \$561,324 so even though the year-to-date result is a negative return, the overall investment has remained positive. The long-term growth fund has a life-to-date return of negative \$187,087 however as mentioned above, this product is designed to be held for the life of the investment in order for the benefits to be realised which is up to 10 years.

Term deposits and floating rate notes continue to offer increasing rates of return which is positive, however markets indicate this could slow with some economic uncertainty mounting, as mentioned above. Some banking institutions are still limiting the number of deposits they will accept, and others are not accepting any deposits at present.

Council's Cash and Investments Portfolio

Council held cash and investments of \$78,744,121 at 30 June 2022. This was made up of Council's Business Online Saver Account (\$7,635,000), Macquarie Cash Management Account (\$10,006,466), Term Deposits (\$39,000,000), Floating Rate Notes (\$4,750,390), Bonds (\$2,000,000), NSW Treasury Corporation Investments (\$14,329,094) and other bank accounts (\$1,023,171).

Council's investment portfolio had maturity dates ranging from same day up to 1,742 days. Term deposits, floating rate notes and bonds of \$40,750,390 represented 58.10% of the total portfolio as at 30 June 2022.

Council made the following new investments during June 2022:

Banking Institution	Investment Type	Environmentally Sustainable Investment	Amount Invested	Investment Term	Interest Rate
Southern Cross Credit Union	Term Deposit	Y	\$2,000,000	3 months	1.90%
Coastline Credit Union	Term Deposit	Y	\$2,000,000	3 months	2.00%
ME Bank	Term Deposit	Y	\$1,000,000	6 months	2.45%
Illawarra Credit Union	Term Deposit	Y	\$1,000,000	3 months	2.15%
Coastline Credit Union	Term Deposit	Y	\$2,000,000	3 months	2.45%
Southern Cross Credit Union	Term Deposit	Y	\$1,000,000	3 months	2.60%
Transport Mutual Credit Union	Term Deposit	Y	\$1,000,000	3 months	3.00%
Total			\$10,000,000		

Council had the following investment maturities during the month of June 2022:

Banking Institution	Investment Type	Environmentally Sustainable Investment	Amount Invested	Interest Earned
Judo Bank	Term Deposit	Y	\$1,000,000	\$1,973
Judo Bank	Term Deposit	Y	\$1,000,000	\$1,973
Coastline Credit Union	Term Deposit	Y	\$2,000,000	\$4,537
Southern Cross Credit Union	Term Deposit	Y	\$1,000,000	\$2,219
Total			\$5,000,000	\$10,701

Council had \$14,329,094 in longer term investments being the MTGF and LTGF held with NSW Treasury Corporation as at 30 June 2022. The investment values and fair value returns are shown below:

Investment Holding	Fair Value 30 June 22	Fair Value Gain/(Loss) at 30 June 22	Fair Value Gain/(Loss) YTD	Fair Value Gain/(Loss) Life of Investment
Medium Term Growth Fund	\$11,544,346	(\$297,189)	(\$792,958)	\$539,317
Long Term Growth Fund	\$2,784,748	(\$121,097)	(\$234,837)	(\$215,252)
Total	\$14,329,094	(\$418,287)	(\$1,027,795)	\$324,065

As can be seen, these investments have experienced significant fair value losses over the past year, however it should be noted that when considering RVC's investment with TCorp as a whole, Council still has not lost any principal. These products will be continually monitored and further advice sought in relation to the long term outlook for these investments. As these investments have seen continuing losses since February of this year, Council may wish to consider the potential risks and benefits of alternative investment options. A further report could be brought forward on this these options, if required.

Environmentally Sustainable Investments (ESI's)

Council's cash and investments portfolio of \$78,744,121 at 30 June 2022 includes \$56,079,094 or 71.2% with no direct investment in the fossil fuel industry. All investments in June were in ESI products.

These percentages include Council's investments with NSW Treasury Corporation and Northern Territory Treasury Corporation.

NSW Treasury Corporation has a stewardship approach to ESIs which focuses on managing environmental, social and governance (ESG) risks and opportunities, particularly climate change which is expected to impact portfolios over the long term. The stewardship policy states NSW Treasury Corporation believes incorporating these principles into investment decisions results in better risk-adjusted financial outcomes. Even though NSW Treasury Corporation takes this stewardship approach, its monthly reporting only highlights the different asset classes, not individual investments, and the level of investment in the fossil fuel industry.

Northern Territory Treasury Corporation utilises funds to assist with its infrastructure requirements such as housing, transport, health, and education services. While no statement has been provided on its investment strategy, it has been assumed that providing funding towards its own infrastructure will not involve direct investment in the fossil fuel industry.

CONCLUSION

During the month of June 2022 Council's investments have been made in accordance with the Act, the Regulations and Council's Investment Policy.

As at 30 June 2022 Council's cash and investments totalled \$78,744,121 with \$18,664,637 of this being funds held in bank accounts. The weighted average rate of return was negative (5.08%) for the month of June 2022 and total investment revenue equals negative (79.21%) of budgeted revenue for the year to 30 June 2022.

ATTACHMENT(S)

1. **RVC Investment Pack - June 2022 (under separate cover)**

16 COMMUNITY SERVICE DELIVERY**16.1 PLANNING PROPOSAL - ASSESSMENT REPORT - RURAL RESIDENTIAL REZONING CNR REARDONS & DARKE LANES SWAN BAY**

Director: Angela Jones

Responsible Officer: Tony McAteer

EXECUTIVE SUMMARY

Council has received a Planning Proposal application (PP2022/0001) (Portal Case No. PP-2022-502) seeking to amend the *Richmond Valley Local Environmental Plan 2012* (the LEP) by rezoning about 43ha of land at 395 Reardons Lane (corner of Darke Lane) Swan Bay to enable its subdivision into potentially 43 rural residential lots (Zone R5 Large Lot Residential) having a minimum lot size of 7500m². The residual part of the property (about 83ha) would retain Zone RU1 Primary Production with a minimum lot size of 40ha.

This proposal is supported by Council's Rural Residential Development Strategy which identifies a corridor of potential large lot residential development along sections of Reardons Lane, including this land.

Council's support for the Planning Proposal is required prior to seeking a Gateway Determination from the Department of Planning and Environment (DPE). Council may at the same time seek Local Plan-making Authority which grants Council and/or its nominee Ministerial plan making delegations to finalise the LEP Amendment subject to meeting Gateway conditions.

RECOMMENDATION

That:

1. Council supports Planning Proposal PP2022/0001 (Portal Case No. PP-2022-502), which proposes to amend the *Richmond Valley LEP 2012*, as it applies to 395 Reardons Lane (corner of Darke Lane) Swan Bay, being Lots 831, 832 & 833 DP847683, by rezoning the land to facilitate a rural residential development;
2. PP2022/0001 be submitted to the Department of Planning and Environment for a Gateway Determination; and
3. Council seeks Local Plan-making authority for this Planning Proposal and delegate this to the General Manager.

BUDGET IMPLICATIONS

Nil

REPORT

Council has received a Planning Proposal application (PP2022/0001) (Portal Case No PP-2022-502) prepared by consultancy firm Newton Denny Chapelle and lodged on behalf of Enviro Safe Products Pty Ltd the owner of 395 Reardons Lane (corner of Darke Lane) Swan Bay comprising Lots 831, 832 & 833 DP847683 (figure 1). The planning proposal seeks to rezone the land so that part of it can be developed for rural residential purposes (figure 2).

The property currently has a Land Zone of RU1 Primary Production (figure 3) under the *Richmond Valley LEP 2012*, with a minimum lot size of 40ha. To facilitate its development for rural residential development an amendment of the LEP will be required under Part 3 of the *Environmental Planning and Assessment Act 1979*. This process is known as the Gateway Planning process and involves assessment of proposed LEP amendments against a number of State, regional and local

plans, policies, and strategies, including Section 9.1 Ministerial Plan Making Directions and consultation with relevant Government Authorities and the community.

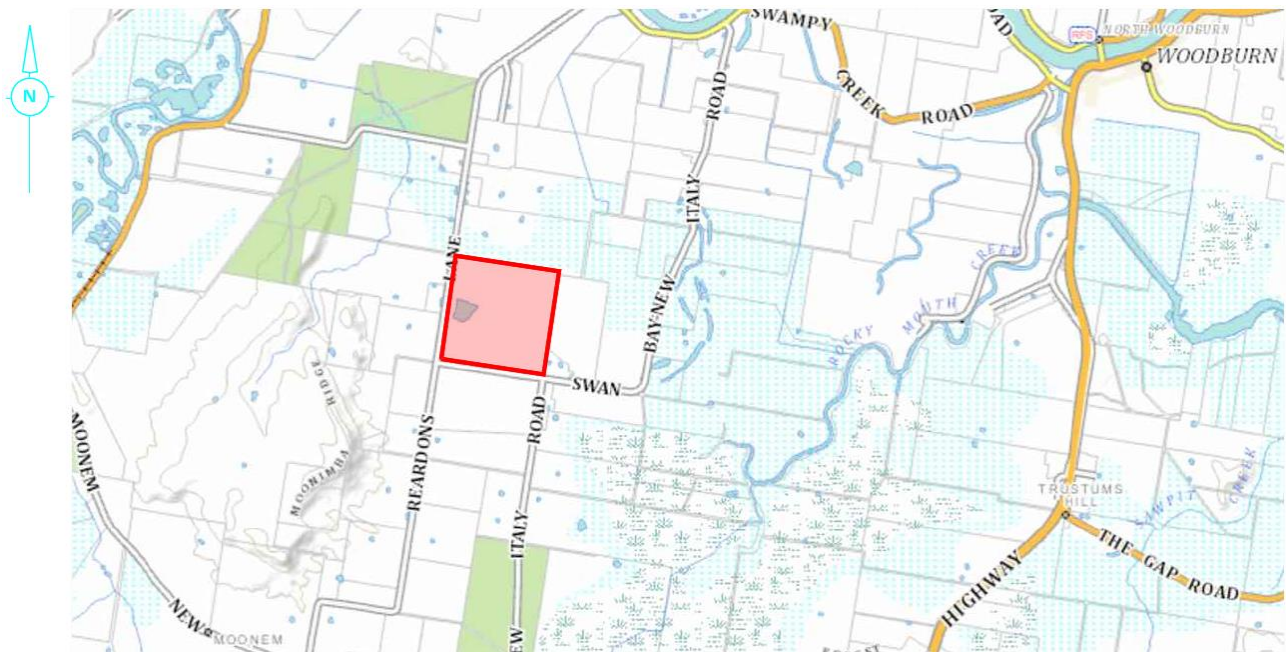


Figure 1 – Locality Plan identifying the subject land (outlined in red with shading) to the west of Woodburn on Reardons Lane Swan Bay.

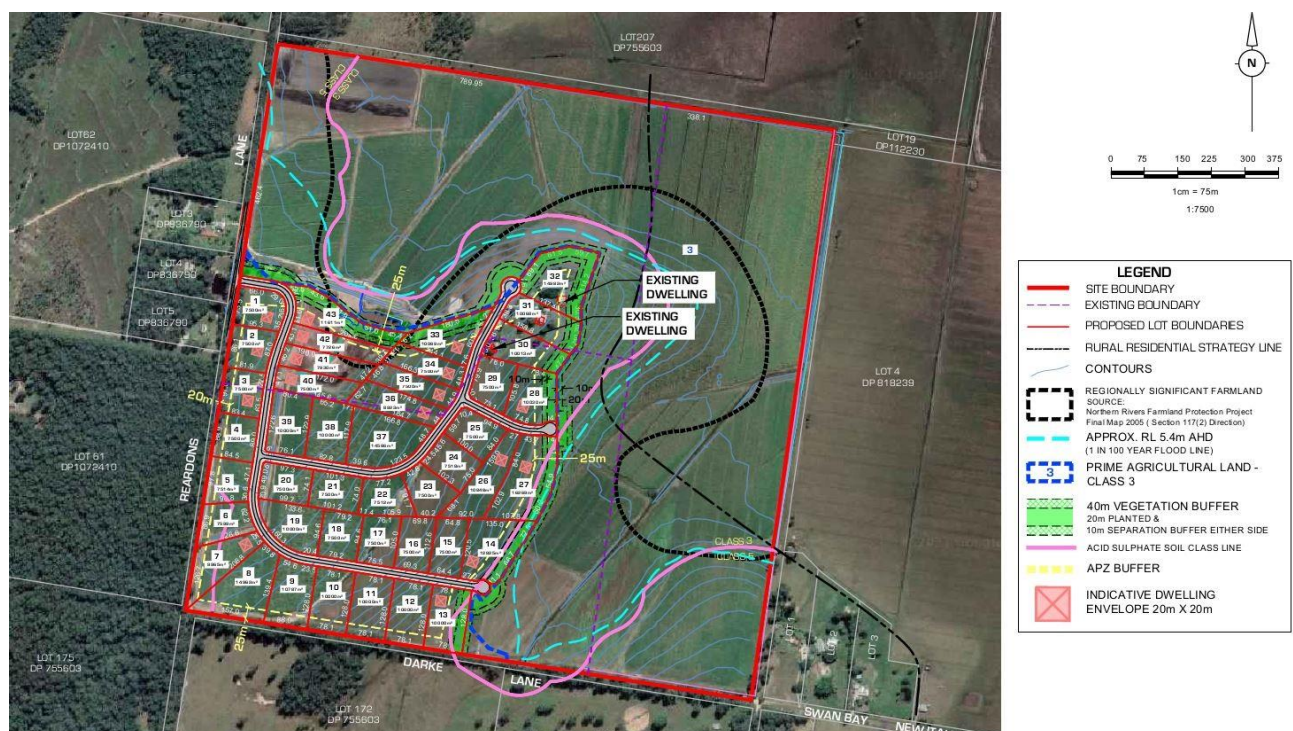


Figure 2 – Concept subdivision layout extracted from Planning Proposal PP2022/0001

Note. Layout will require changes to accommodate buffer requirements from DPI-Ag and road access requirements of NSW RFS. These can be done at the DA stage.

LEP Amendment

Planning Proposal PP2022/0001 proposes to amend the *Richmond Valley LEP 2012* by:

- amending the Land Zone Map by changing the Land Zone for about 43.3ha from Zone RU1 Primary Production to Zone R5 Large Lot Residential, and
- amending the Lot Size Map by changing the minimum lot size (MLS) for the R5 area from 40ha to 7,500m²,
(see figure 3).

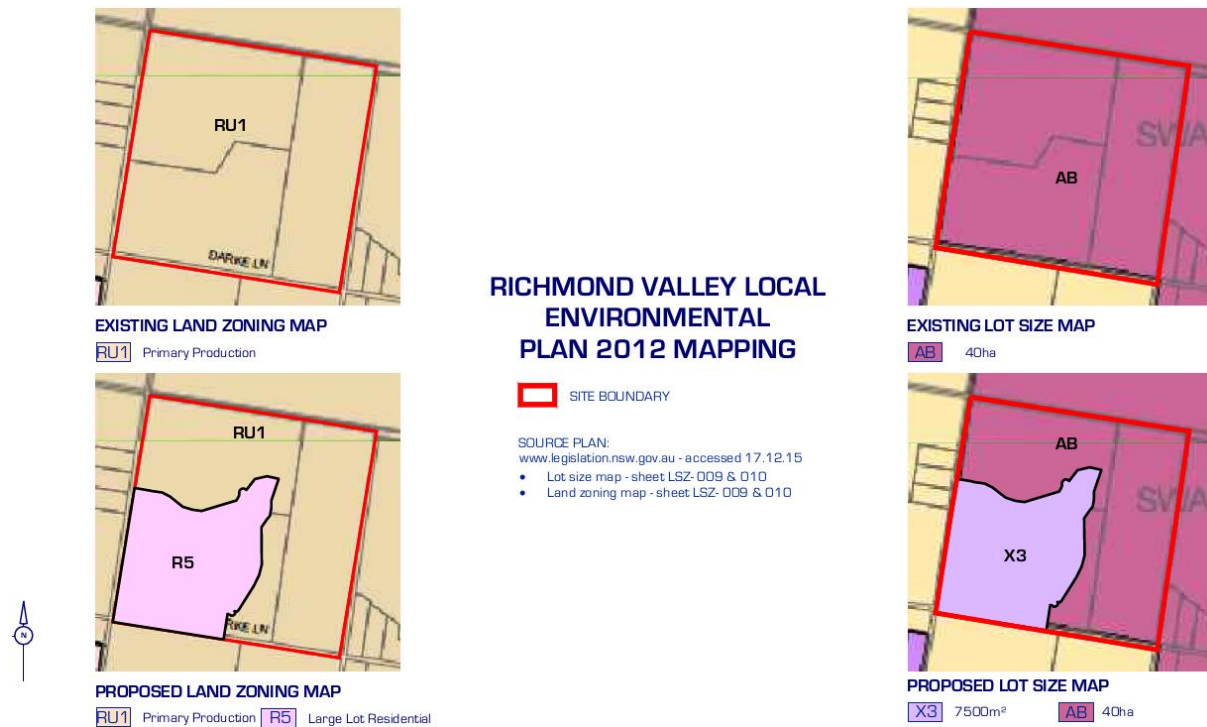


Figure 3 – Maps showing the existing Land Zone (upper left) and Lot Size (upper right) for the subject land (outlined in red) with the proposed Zone R5 Large Lot Residential and Minimum Lot Size X3 representing 7500m² (bottom left and bottom right respectively)

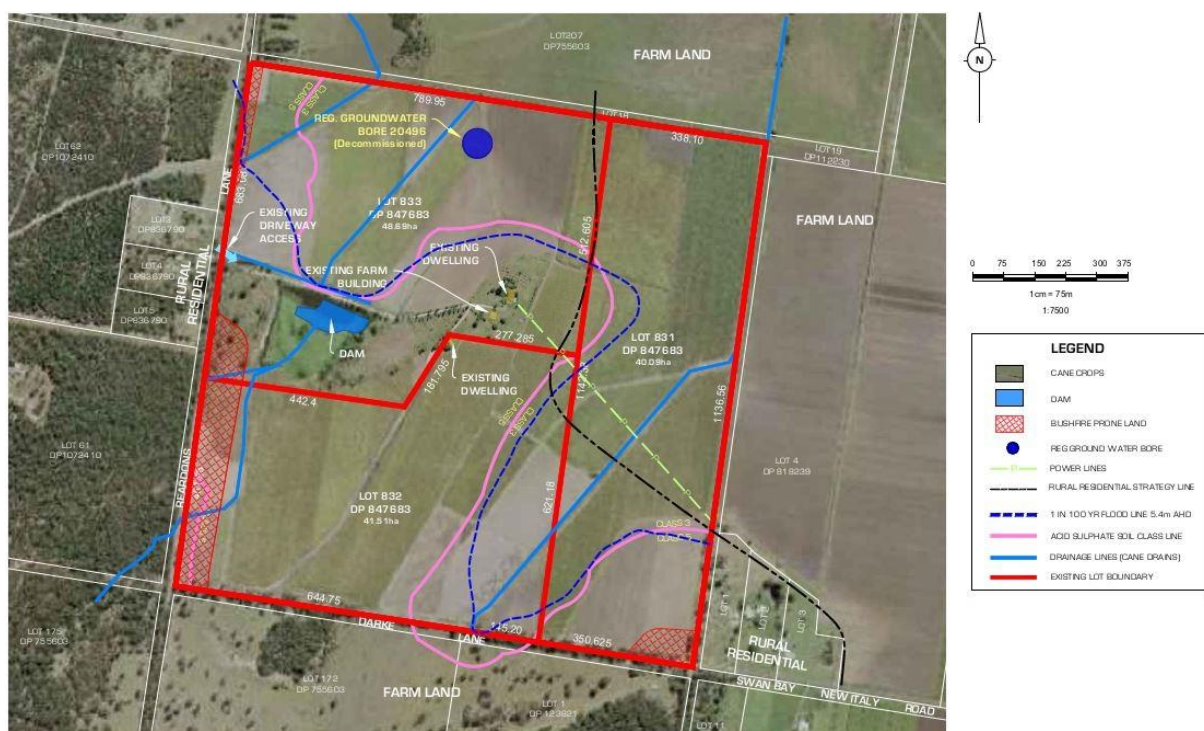


Figure 4 – Site Analysis for 395 Reardons Lane Swan Bay, extracted from Planning Proposal.

Consideration of Strategic Policies and Land Suitability

The Planning Proposal has been prepared in accordance with the DPE *Local Environmental Plan Making Guideline (2021)*. In preparing the planning proposal, consideration was given to the land's suitability against State, regional and local plans, policies and strategies, and Section 117 Ministerial Plan Making Directions. No inconsistencies were found in this regard.

Richmond River Rural Residential Development Strategy

Most of the land is mapped within the boundary of a potential rural residential release area under the *Richmond River Shire Rural Residential Development Strategy* (figure 5). Notwithstanding, areas mapped as having rural residential development potential are required to avoid constrained land. The following table provides commentary on constraints to be avoided by the Strategy-

Constraint	Comments
<ul style="list-style-type: none"> land classified as prime crop or pasture land, 	<p>The land has historically been cropped for sugar cane. Furthermore, a large part of the land is mapped as Significant Farmland under the DPE's Farmland Protection Project.</p> <p>There is potential for all or part of this land to be considered prime crop or pasture land. The proponent engaged Allen & Associates (Agricultural & Property Management Consultants) to evaluate the land's agricultural potential. Areas of significant farmland and prime crop or pasture land were identified, and the proposed development footprint was reduced to avoid those areas.</p> <p>The proponent engaged with the Department of Primary Industries-Agriculture and has obtained in-principle approval for the modified development footprint.</p>
<ul style="list-style-type: none"> flood prone land, 	<p>Part of the land, outside the proposed development footprint, is known to be flood prone. The 1%AEP flood level (1 in 100 year ARI flood level) + Climate Change is 5.4m AHD over this land. Therefore, the Flood Planning Area (FPA) is that area below 5.9m AHD (ie this level is the minimum level for dwelling habitable floor levels).</p> <p>The development footprint and potential dwelling envelopes are all proposed to be outside (above) the Flood Planning Area.</p>
<ul style="list-style-type: none"> land with steep slopes, 	<p>The LEP Land Slip Risk Map does not identify any slopes greater than 15 degrees (30%) on the property.</p>
<ul style="list-style-type: none"> land susceptible to coastal erosion and inundation, 	<p>The property is outside the coastal zone.</p>
<ul style="list-style-type: none"> difficult land for effluent disposal, 	<p>A wastewater assessment by Tim Fitzroy & Associates was supplied with the Planning Proposal.</p> <p>The report describes soils in the development footprint as being typically duplex in nature predominantly being a medium clay (A horizon) over a medium to heavy clay (B horizon). The heavy clays make the soils unsuitable for traditional trench disposal systems as permeability is extremely low and effluent disposal fields would be excessive in length making distribution very difficult.</p> <p>Assessment of the land's effluent disposal capabilities using (as a minimum standard) a low-tech secondary treatment solution (a baffled septic tank fitted with an outlet filter, reedbed (or sand filter) and sub surface irrigation area) was undertaken. The results of this assessment indicate that a 5 bedroom household would require a Land Application Area (LAA) of 461m², and that the smaller lot size (7,500m²) will</p>

Constraint	Comments
	<p>have sufficient area to effectively assimilate this wastewater and have sufficient land area available for a secondary (reserve) area should the primary disposal area fail.</p> <p>Unfortunately, the report has not assessed whether there could be effluent disposal issues for the 4 lots located over what was a former farm dam, and which has been drained and filled in recent years.</p> <p>In the main, the report demonstrates the land's capability for effluent disposal on a reduced lot size of 7,500m². Therefore, this reduced minimum lot size is supported. The farm dam constraint will require additional consideration by the proponent, but this can be done concurrent with other post Gateway assessments.</p>
<ul style="list-style-type: none"> land identified for future urban release, 	<p>There are no future urban growth areas within the vicinity of this property.</p>
<ul style="list-style-type: none"> land close to existing intensive land-uses and contaminated sites 	<p>There are no intensive land-uses or contaminated sites within the vicinity of this property although the development footprint adjoins sugar cane cropping. A Land Use Conflict Risk Assessment has recommended a minimum 200m buffer between rural dwellings and sugar cane cropping, however, advocates for the use of a 40m wide environmental buffer to reduce the separation to about 50m. This reduced environmental buffer has been used in the concept subdivision layout.</p> <p>Land Use Conflict and buffering will be referred to the Department of Primary Industries-Agriculture for comment. In the past, DPI-Ag has indicated 50m buffers are insufficient for cropping land. They have instead suggested a minimum buffer of 300m as referenced in the <i>Buffer Zones to Reduce Land Use Conflict with Agriculture – An Interim Guideline 2018</i>. As such the subdivision layout provided may need to be amended at the DA stage to accommodate greater buffers if required by DPI-Ag.</p>
<ul style="list-style-type: none"> land having environmental significance. 	<p>There are no identified environmentally sensitive areas or areas of High Environmental Value (HEV) habitat on the property.</p> <p>A Bushfire Assessment was prepared for the development. It recommends minimum Asset Protection Zones (APZ for 29kW/m²) ranging from 20 to 25m around nominated dwelling envelopes, although all lots are to be managed as APZs.</p> <p>RFS has provided comments to the proponent on the subdivision layout and requires a second access to be provided to a public road. Provision has been made for a fire trail to Darke Lane from the south-eastern cul-de-sac. The subdivision layout may need to be further modified at the DA stage to incorporate RFS requirements.</p> <p>No acid sulphate soil has been identified within the footprint of the development.</p>

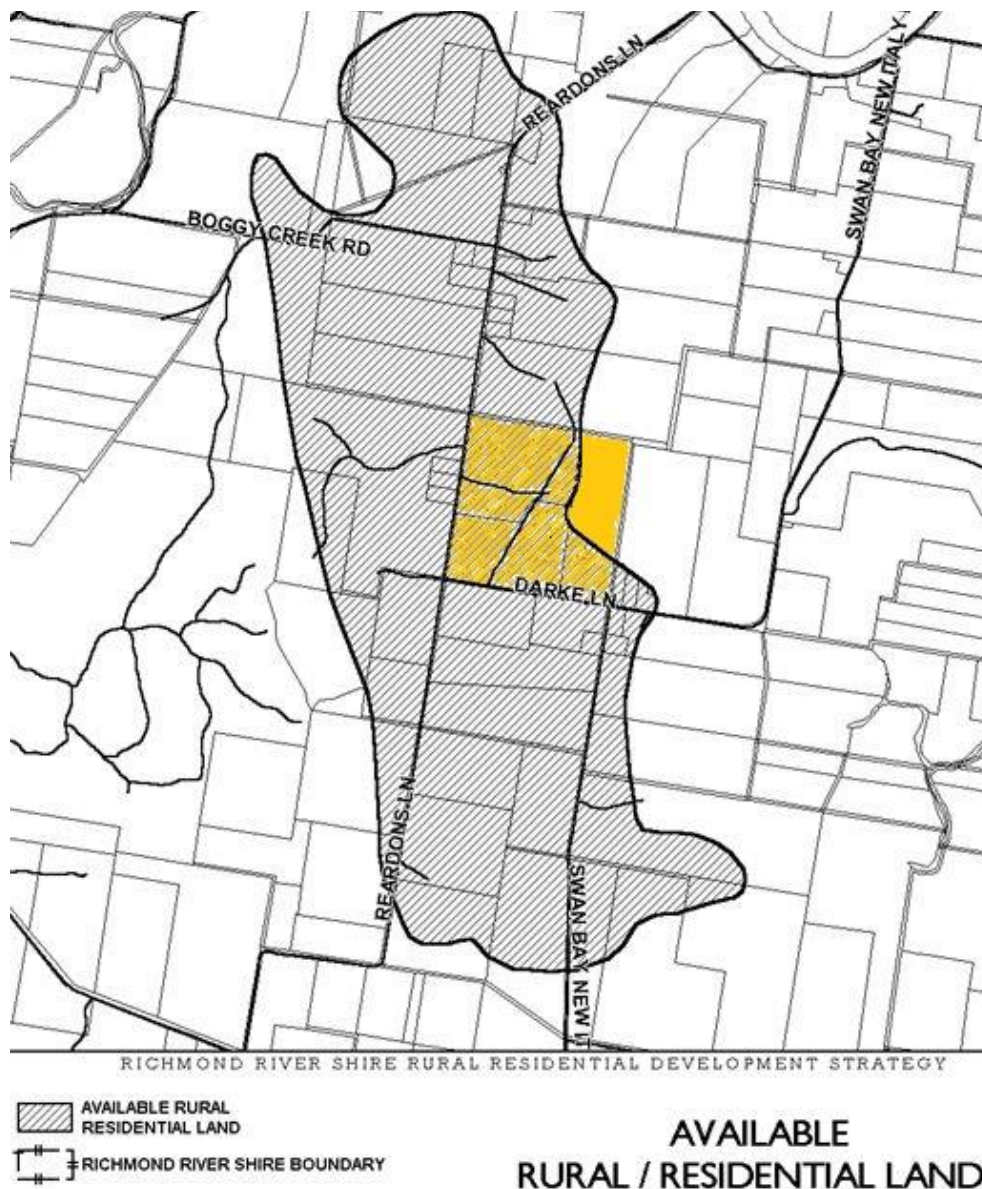


Figure 5 – Extract from Rural Residential Development Strategy for the Woodburn Catchment.

A number of supporting documents have been prepared by specialist consultants to support the planning proposal. These reports included-

- Onsite Wastewater Land Capability Assessment – produced by Tim Fitzroy & Associates (10 February 2022)
- Bush Fire Assessment Report – produced by Bushfire Certifiers (8 December 2021)
- Land Use Conflict Risk Assessment – produced by Tim Fitzroy & Associates (10 February 2022)
- Acid Sulphate Soils Assessment – produced by Tim Fitzroy & Associates (10 February 2022)
- Preliminary Site Contamination Report – produced by Tim Fitzroy & Associates (10 February 2022)
- Agricultural Land Assessment – produced by Allen & Associates (30 November 2017)

In addition to the above studies the following documents were supplied to support the Planning Proposal-

- Aboriginal Heritage Information Management System (AHIMS) search results – showing there to be no recorded items or places of Aboriginal Cultural Heritage on this land
- Correspondence from Bogal Local Aboriginal Land Council (15 March 2017) - declaring that a physical search of the property was undertaken by representatives of Bogal. Due to disturbance caused by past and present land activities the area assessed provided limited opportunity to find anything of cultural significance.

CONSULTATION

This Planning Proposal has been in the scoping phase since 2016. During that time the proponent has engaged with the Department of Primary Industries–Agriculture (re significant farmland and prime crop or pasture land concerns) and NSW Rural Fire Service (re bushfire planning) and obtained their in-principle support.

Formal engagement with these agencies plus Transport for NSW (re traffic generating developments), Biodiversity Conservation Division (re flooding & biodiversity) and NSW Heritage (re Aboriginal Cultural Heritage) will be required during the engagement phase of the Planning Proposal, along with community engagement as per conditions contained within the Gateway Determination.

CONCLUSION

Planning Proposal PP2022/0001 has been lodged with Council seeking to rezone 395 Reardons Lane Swan Bay to facilitate a 43-lot rural residential development plus a residual lot that will continue to be cropped.

The Planning Proposal is supported by the *Richmond River Shire Rural Residential Development Strategy* and is consistent with State, regional and local plans, policies and strategies, as well as Section 9.1 Ministerial Plan Making Directions.

It is recommended that Council supports the planning proposal to commence the Gateway Planning process. It is further recommended that Council seeks Local Plan-making Authority to assume the Minister's Plan Making functions for this planning proposal, and delegate that authority to the General Manager.

ATTACHMENT(S)

Nil

17 PROJECTS & BUSINESS DEVELOPMENT

Nil

18 GENERAL BUSINESS

Nil

19 MATTERS FOR INFORMATION**RECOMMENDATION**

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

19.1 NATIVE TITLE MANAGER

Director: Ryan Gaiter

Responsible Officer: Kate Alder-Conn

RECOMMENDATION

That:

1. Council gives notice to the relevant Minister, in accordance with the *Crown Land Management Act 2016* requirements (s.8.8), that Council's Manager Asset Planning, Mr Andrew Leach, has been retained as Council's Native Title Manager.
2. A copy of the resolution be provided to the Department of Planning and Environment.

REPORT

Council is required to give notice each year to the Department of Planning and Environment of the name and contact details of any person the council has engaged as a Native Title Manager. Council's Manager Asset Planning, Andrew Leach, has attended the training required for qualification as a Native Title Manager. Mr Leach has been a Native Title Manager since November 2018 and it is proposed to continue this appointment.

The *Crown Land Management Act 2016* (the Act) includes a requirement that Crown Land vested in local councils be subject to any native title rights and interests existing in the land prior to the vesting, as well as any stated reservations and exceptions.

Under the Act, Council is responsible for compliance with native title legislation in relation to vested land. To ensure that Council meets its responsibilities, it is required to employ or engage at least one Native Title Manager.

Council's Manager Asset Planning attended a training session jointly provided by the Crown Solicitor's Office and the (then) Department of Industry (Crown Lands Office) and attained the native title manager qualification.

Section 8.8 of the Act requires each Council to give notice to the Minister of the name and contact details of any person the Council has engaged or employed as a Native Title Manager. The notice must be given as soon as practicable after 30 June (but not later than 31 October) of each year. Section 377 of the *Local Government Act 1993* requires that the giving of a notice to the Governor or Minister is a non-delegable function which requires a resolution of council. Notification will be provided to the Department of Planning and Environment with a copy of the resolution.

ATTACHMENT(S)

Nil

19.2 WRITE-OFF OF MONIES UNDER DELEGATION**Director: Ryan Gaiter****Responsible Officer: Kate Flynn****RECOMMENDATION**

That Council receives and notes the information provided within this report.

REPORT

At Council's Ordinary Meeting held on 21 April 2015 it was resolved that where the General Manager exercises his delegation in regard to write-offs that exceed \$1,000 an information summary report be submitted to Council on a bi-annual basis.

This summary report covers the period commencing 1 January 2022 – 30 June 2022. The General Manager has exercised his delegation to write-off monies over \$1,000 twice during the period as noted below:

- Water - Property ID 123360 \$1,418.87 write-off due to a concealed water leak; and
- Rates - Property ID 151145 \$2,359.83 write-off due to a long-term outstanding debt and financial hardship negotiations.

ATTACHMENT(S)

Nil

19.3 CORRESPONDENCE - PREMIER OF NSW, INDEPENDENT FLOOD INQUIRY SUBMISSION

Director: Vaughan Macdonald

Responsible Officer: Julie Clark

RECOMMENDATION

That Council receives and notes the correspondence received from the Premier of NSW, the Hon Dominic Perrottet, following Council's submission to the Independent Flood Inquiry.

SUMMARY OF CORRESPONDENCE

A copy of the correspondence received from the Premier of NSW, the Hon Dominic Perrottet follows.

ATTACHMENT(S)

- 1. NSW Premier - RVC Submission**



Dominic Perrottet MP
Premier of New South Wales

SCANNED

24 JUN 2022

Doc. No.

Ref: 00003406

Councillor Robert Mustow
Mayor
Richmond Valley Council
Locked Bag 10
CASINO NSW 2470

Mr Vaughan Macdonald
General Manager

Dear Mayor Mustow and Mr Macdonald,

I wanted to thank you for providing me with a copy of your submission.

I am aware of your Council's work in the aftermath of the floods and have also ensured a copy of your submission has been sent to the Independent Flood Inquiry, which will report to me in a matter of weeks on how we work with local communities to build for the future and ensure the long term recovery of the entire Northern Rivers region.

Noting they have met with your Council, I anticipate they will address some of your suggestions in their report and will aim to meet with Councils following the report being made available to me.

I will also send a copy of your correspondence to the Hon Stephanie Cooke MP, Minister for Emergency Services and Resilience and Minister for Flood Recovery, for her reference as well.

Thank you for taking the time to bring this matter to my attention.

Yours sincerely,

Dominic Perrottet MP

Premier

18/6/22

CC: The Independent Flood Inquiry

The Hon Stephanie Cooke MP, Minister for Emergency Services and Resilience and Minister for Flood Recovery

19.4 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 JUNE 2022 TO 30 JUNE 2022

Director: Angela Jones

Responsible Officer: Georgia Campbell

RECOMMENDATION

That Council receives and notes the Development Application report for the period 1 June 2022 to 30 June 2022.

REPORT

This report provides a summary of development activity on a monthly basis. All Development Applications determined in the month are outlined in this report, including Section 4.55 approvals, applications which were refused and withdrawn, and applications with no development value, such as subdivisions.

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

The total number of Development Applications and Complying Development Applications determined within the Local Government area for the period 1 June 2022 to 30 June 2022 was 27, with a total value of \$4,635,079.30. One of these applications was for a bushfire affected property.

Following a review of outstanding DAs this month, two long-standing applications have been withdrawn as the requests for additional information were unsuccessful. These being DA2011/0316.02 – 175 Reynolds Road Casino - Section 96 Modification - 2 Silos, Storage Warehouse & Increase Production of Stockfeed and DA2022/0021 – 570 Woodburn Evans Head Road, Doonbah - Upgrade of advertising signage to front boundary.

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

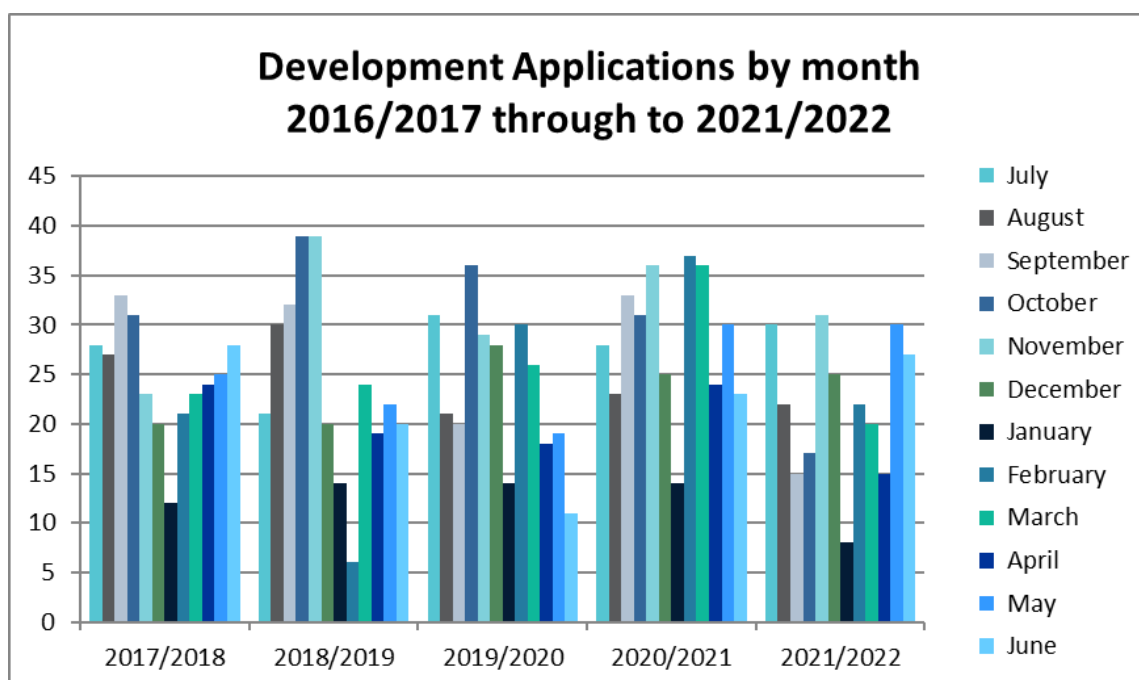


Figure 1: Monthly number of development applications processed by Council over five financial years.

Figure 2 graph provides the annual value of Development Consents issued by Council over five financial years and Figure 3 provides a detailed review of the value for the reporting month of June 2022.

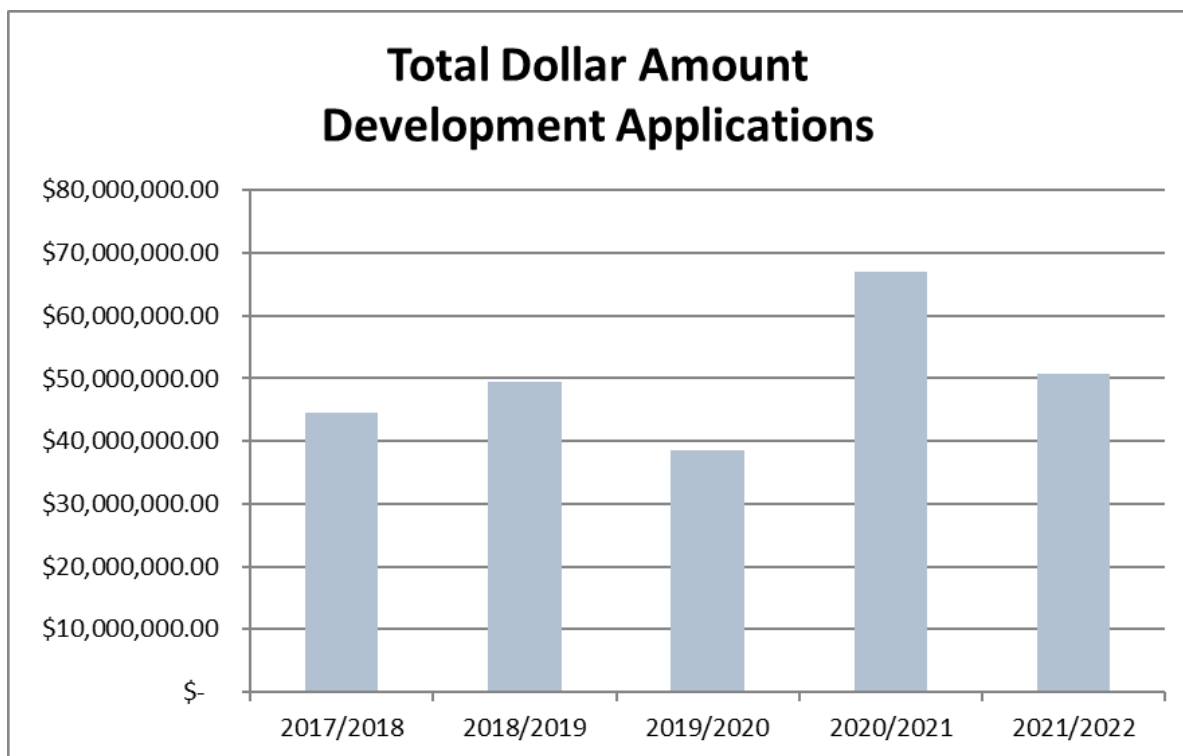


Figure 2: Annual value of development.

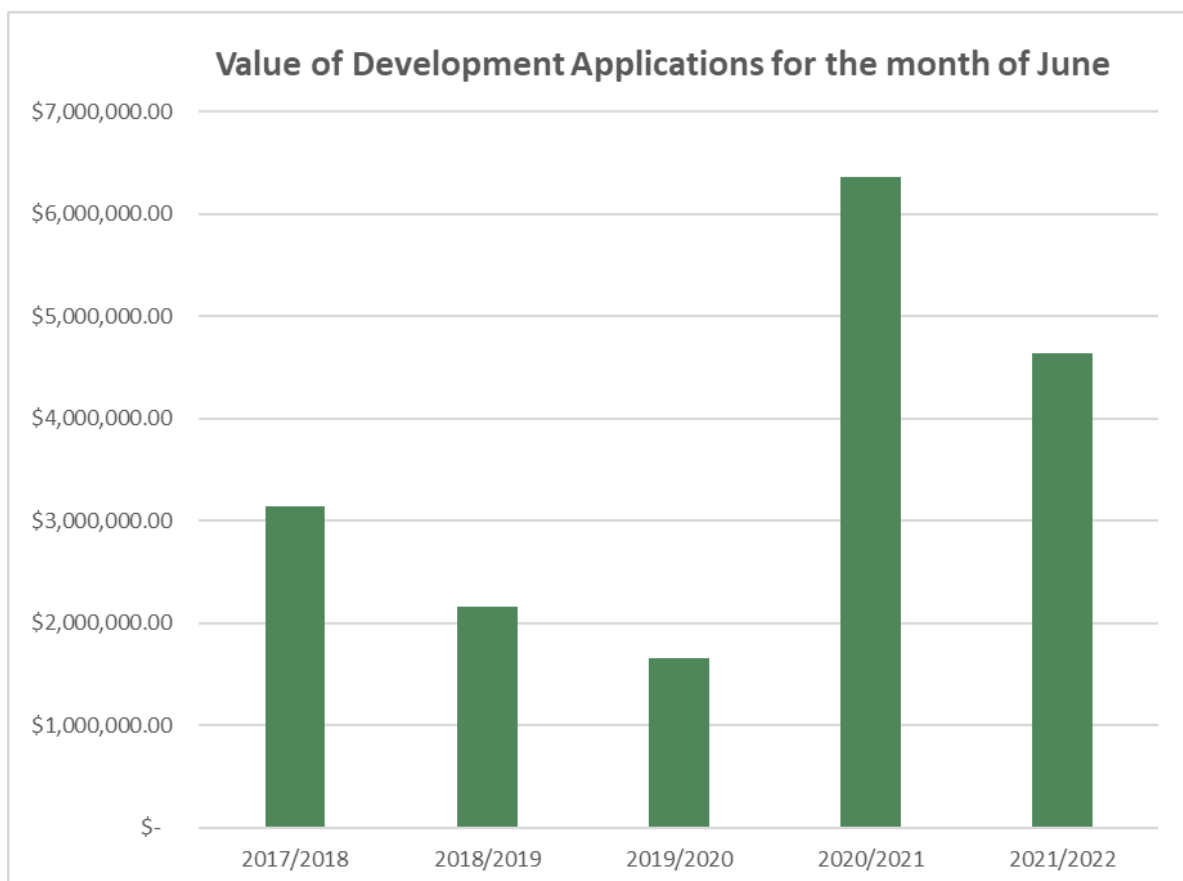


Figure 3: Value of development for the month of June 2022.

Number of Development Applications

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

Figures 4 and 5 detail the number of applications determined by Council over the past five years.

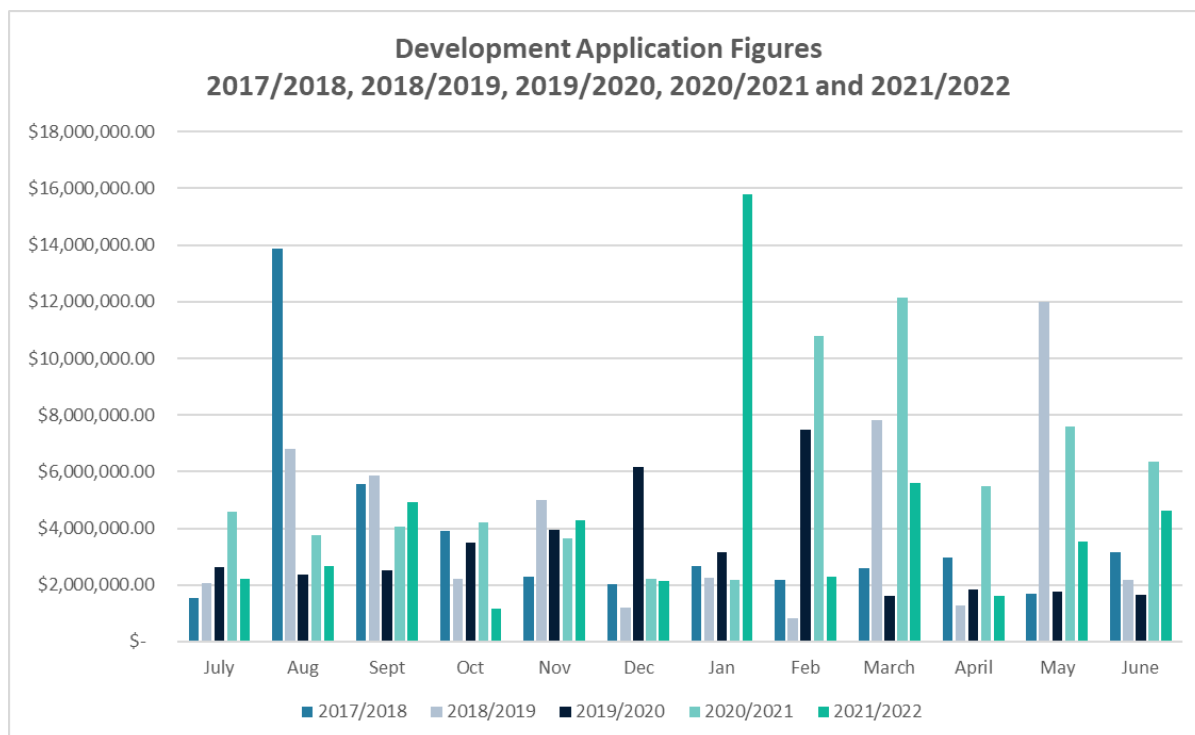


Figure 4: Value of development applications per month over five financial years.

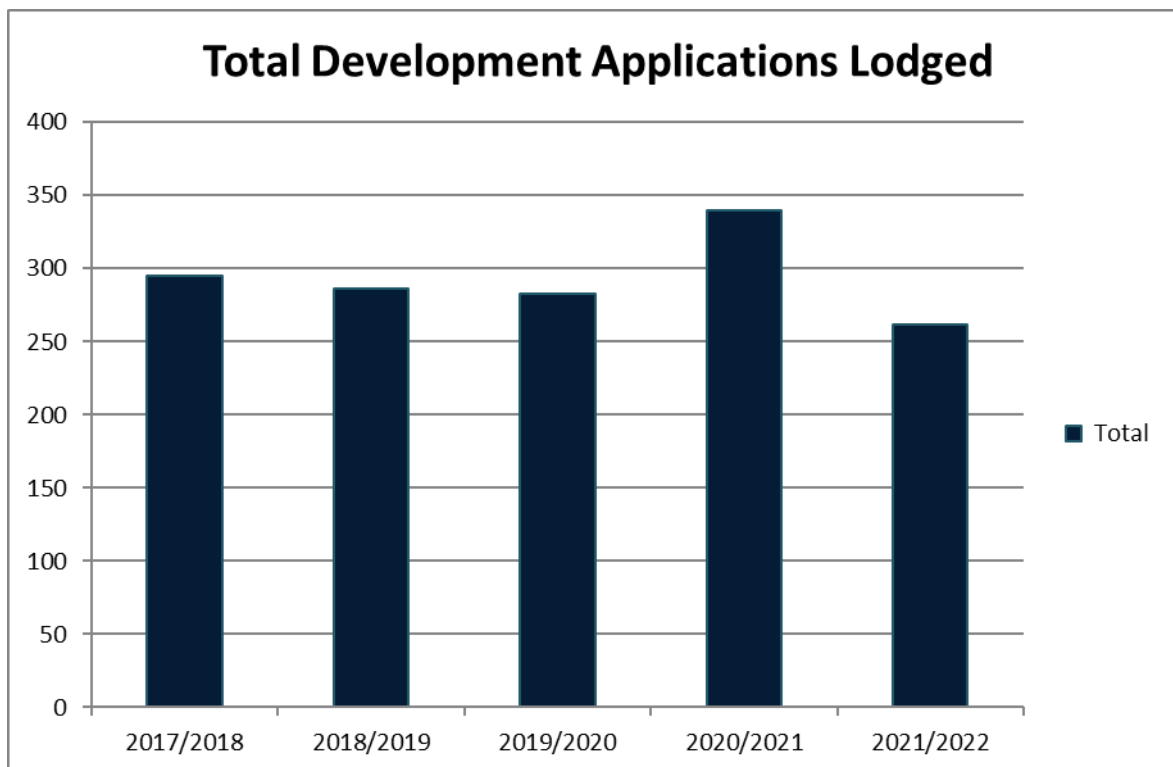


Figure 5: Number of Development Applications per annum over five financial years.

Activity for the month of June 2022

General Approvals (excluding Subdivisions, Section 4.55)	17
Section 4.55 amendments to original consent	4
Subdivision	3
Refused	-
Rejected	1
Withdrawn	3
Complying Development (Council Approved)	1
Complying Development (Private Certifier Approved)	2
TOTAL	27
Average assessment days for applications determined in June 2022	65
No. of Integrated development applications determined in June 2022	1
No. of Designated development applications determined in June 2022	-
No. of building/ compliance inspections undertaken in June 2022	102

BUDGET IMPLICATIONS

Nil

CONSULTATION

Nil

Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 June 2022 to 30 June 2022							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2016/0182.01	AS Johns	AS Johns & LR Sheppard	42 Simpson Parade, Casino	S4.55 (2) Modification - change in roof line, replacement of wall with addition of office & deck	14/12/2021	23/06/2022	\$0.00
DA2022/0122	RPS Group	Wombat Development No1 Pty Ltd	Lennox & Hare Street, Casino	Subdivision to create 46 residential lots including site filling, construction of roads and associated infrastructure	20/12/2021	2/06/2022	\$2,992,000.00
DA2022/0138	Third & Public Pty Ltd	TM Norwell & KC Scurr	600 Swan Bay Road, East Coraki	10m x 4.5m rectangular-shaped, reinforced concrete pool, with a pebblecrete finish including bench to one side	20/01/2022	1/06/2022	\$49,600.00
DA2022/0155	S Gaiter	S Gaiter	14 Wharf Street, Broadwater	Deck at front of property and extension (carport) of shed roof for caravan	11/02/2022	27/06/2022	\$49,000.00
DA2022/0165	Newton Denny Chapelle	DJ MacRae	4095 Casino Coraki Road, Greenridge	Subdivision to create three lots being a proposed Rural Land Lot 1 (29.56ha) (Clause 4.2 RVLEP), and Lot 2 (1.49ha) & Lot 3 (3.3ha) (Clause 4.1 RVLEP)	17/02/2022	16/06/2022	\$0.00

Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 June 2022 to 30 June 2022							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2022/0166	Newton Denny Chapelle	TP & SG Serone	950 Spring Grove Road, Spring Grove	Proposed consolidation and rural subdivision to create 2 lots being proposed lot 1- 1.477ha (Clause 4.1(4A)(b)) and lot 2 - 37.229ha proposed rural land lot (Clause 4.2)	17/02/2022	23/06/2022	\$0.00
DA2022/0174	S Lloyd	KL & MW Rees	89 Richmond Street, Woodburn	Carport with a variation of 625mm from side boundary	23/02/2022	10/06/2022	\$30,000.00
DA2017/0054.05	Manage-Design-Engineer Pty Ltd	Serenitas Communities Holdings Pty Ltd	74 Currajong Street EVANS HEAD NSW 2473	S4.55(2) Modification application for internal site planning amendments which include reducing the number of dwelling sites to provide 164 with 52 visitor parking spaces; redesigning the Club House and installing concrete acoustic barrier instead of a landscaped mound	24/02/2022	23/06/2022	\$0.00
DA2022/0177	Want's Constructions	TL Lawlor	1340 Wyan Road, Wyan	New dwelling to replace original dwelling destroyed from bushfire and proposed new shed	25/02/2022	7/06/2022	\$439,980.00
DA2022/0185	The Shed Company	PA Thomas	6 Richmond Street, Casino	7x12m colorbond shed with 2.35m x 8.35m awning	15/03/2022	27/06/2022	\$43,000.00

Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 June 2022 to 30 June 2022							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2022/0187	R & S Contracting	RG & SL McKenzie	1465 Bentley Road, Bentley	Remediation of an area excavated within the road reserve and associated works on Bentley Road, adjacent to Lot 2 DP1196757, 1465 Bentley Road, Bentley	21/03/2022	2/06/2022	\$10,000.00
DA2022/0201	AGS Commercial Pty Ltd	Richmond Valley Council	Rappville Oval Reserve - 9 Pearse Street, Rappville	Storage shed for bus	21/04/2022	7/06/2022	\$31,035.00
DA2022/0205	Trueline Patios & Extensions Northern Rivers	MC Eastman	72 Sextonville Road, Casino	Construction of a carport and a variation to the DCP for the side setback	28/04/2022	15/06/2022	\$23,000.00
DA2022/0207	RJS Rae	RJS Rae & MLM Williams	6 Ferrier Court, Casino	Shed	2/05/2022	30/06/2022	\$19,992.00
DA2022/0208	The Shed Company	BJ & SA Gooley	53 Verulam View, Spring Grove	Color bond shed with attached carport	3/05/2022	15/06/2022	\$98,000.00

Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 June 2022 to 30 June 2022							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2022/0209	Evoke Pools	CL O'Neill	1 Verulam View, Spring Grove	Swimming pool and associated fencing	3/05/2022	7/06/2022	\$51,675.00
DA2022/0210	Ballina Pool Shop	R & LJ Endres	4045 Casino Coraki Road, Greenridge	Inground fibreglass swimming pool with associated fencing	3/05/2022	2/06/2022	\$46,730.00
DA2022/0211	The Shed Company	RA & JL White	13 Rodeo Drive, North Casino	Gable roof carport with variation to building line setback from 15m to 7.5m	4/05/2022	23/06/2022	\$9,430.00
CDC2022/0017	Certifiers2U	ZE & KM Winters	41 Jersey Drive, North Casino	Inground swimming pool and associated fencing	5/05/2022	1/06/2022	\$56,000.00
DA2022/0212	Clarence Valley Mineral Pools Pty Ltd	KA Casey & AM Powell	6 Coral Street, Evans Head	Inground concrete swimming pool with associated fencing	5/05/2022	21/06/2022	\$43,305.00
DA2020/0144.01	Certified Building Approvals	SJ & KJ Knight	10 Forest Grove, Fairy Hill	S4.55(1A) modification - new location of shed and reduction in size from 10.5m x 7.5m to 10m x 7m	5/05/2022	28/06/2022	\$0.00
DA2022/0213	NL Lammers	RA & NL Lammers	41 Cypress Street, Evans Head	Demolition of water tower	5/05/2022	15/06/2022	\$80,000.00

Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 June 2022 to 30 June 2022							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2022/0216	M Singh	M & CR Singh	16 Thompson Close, Casino	Installation of a fiberglass composite inground swimming pool and associated fencing	11/05/2022	15/06/2022	\$47,400.00
DA2022/0225	Ballina Pool Shop	CJ & CM Robinson	46 Bottlebrush Crescent, Evans Head	Construction of an inground fibreglass swimming pool and associated fencing	24/05/2022	24/06/2022	\$44,000.00
Summary of Bushfire Affected Development Applications determined under the Environmental Planning and Assessment Act for the period 1 June 2022 to 30 June 2022							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2022/0152.01	Professional Planning Group - PPlan	MR & J Small	2560 Old Tenterfield Road, Wyan	*** BUSHFIRE AFFECTED **** S4.55(1A) Modification - Increase in the pad and slab by 400m from 67.2m AHD and 67.6m AHD respectively to 67.6m AHD and 68m AHD.	26/05/2022	3/06/2022	\$0.00

Summary of Privately Certified Applications determined under the Environmental Planning and Assessment Act for the period 1 June 2022 to 30 June 2022							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
CDC2022/0019	Building Certificates Australia Pty Ltd	Nicandan Pty, RJ Parker, LC Parker, PA Simeoni & J Simeoni	46 Hickey Street, Casino	Change of use for the specified purpose of a commercial premises (business premises) plus associated internal building alterations	2/06/2022	1/06/2022	\$93,943.30
CDC2022/0020	Professional Certification Group Pty Ltd	CW Lynes & PB Townsend	429 Naughtons Gap Road, North Casino	Single storey dwelling with attached double garage	8/06/2022	7/06/2022	\$376,989.00
Summary of Development Applications Withdrawn or Rejected under the Environmental Planning and Assessment Act for the period 1 June 2022 to 30 June 2022							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2011/0316.02	Riverina (Australia) Pty Ltd	Riverina (Australia) Pty Ltd	175 Reynolds Road, Casino	Section 96 Modification - 2 Silos, Storage Warehouse & Increase Production of Stockfeed	13/03/2017	1/06/2022	\$0.00
DA2022/0021	Riverside Village Management Pty Limited	Riverside Village Management Pty Limited	570 Woodburn Evans Head Road, Doonbah	Upgrade of advertising signage to front boundary	27/07/2021	14/06/2022	\$10,000.00
DA2022/0140	The Shed Company	MJ & AE Moss	133 Woodburn Street, Evans Head	Garage 4m x 8m x 2.8m high in all colorbond finish	20/01/2022	29/06/2022	\$16,620.00
DA2022/0254	VP Breen	VP & DH Breen	8 Cassino Drive,Casino	Extension and fit out of existing industrial shed	29/06/2022	30/06/2022	\$129,600.00

19.5 CUSTOMER EXPERIENCE REPORT 1 APRIL - 30 JUNE 2022**Director:** Angela Jones**Responsible Officer:** Sharon Banning**RECOMMENDATION**

That Council receives and notes the Customer Experience Report for the period 1 April – 30 June 2022.

Council is committed to providing a high level of customer service to the community. The Customer Service Charter and Standards were adopted by Council at the 25 June 2019 Ordinary Meeting and reviewed at the 19 April 2022 Ordinary Meeting. As a result, quarterly reporting on Council's performance against the Customer Service standards is prepared and tabled for Council. This report also contains details on the resolution of customer requests made through the Contact Centre. Analysis is undertaken to determine what strategies or areas of improvement may be required.

The reporting period has presented many challenges, including increased volumes of calls and requests for assistance following the floods, combined with heightened emotions from customers who are dealing with loss of their homes, the overwhelming task of clean-up and the frustrations of applying for relief funding grants. The Customer Experience team are the front line, listening, comforting and supporting our residents during this traumatic time.

REPORT**Customer Service Contact Centre Data - Key Statistics****Call Statistics**

A total of 9566 calls were received during the reporting period which is a 23.3% increase from the same period the previous year, and a 12.3% decrease on the previous quarter's volumes. The Contact Centre has exceeded all service targets for the report period, including 86.86% of calls answered within 20 seconds, average time each caller spends in the queue is 16.0 seconds and the percentage rate for calls abandoned is less than .5%.

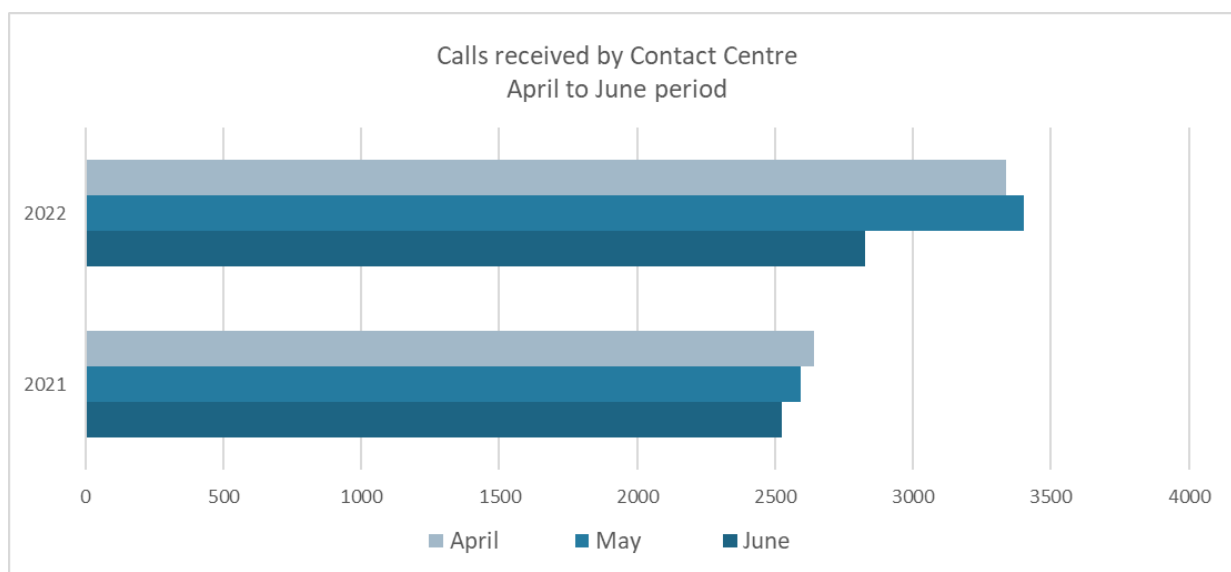


Figure 1: Calls received through the call centre, comparison year on year

Receipt and Administration Statistics

A total of 3123 receipts were processed for the reporting period which is a decrease of 12.9% for the same period of the previous year of 3123 receipts. The month of May did see an increase in number of receipts processed, which can be attributed to the rates instalment period. Data indicates our customers are utilising alternate methods of payment, as demand for face-to-face receipting interactions decreases consistently year on year.

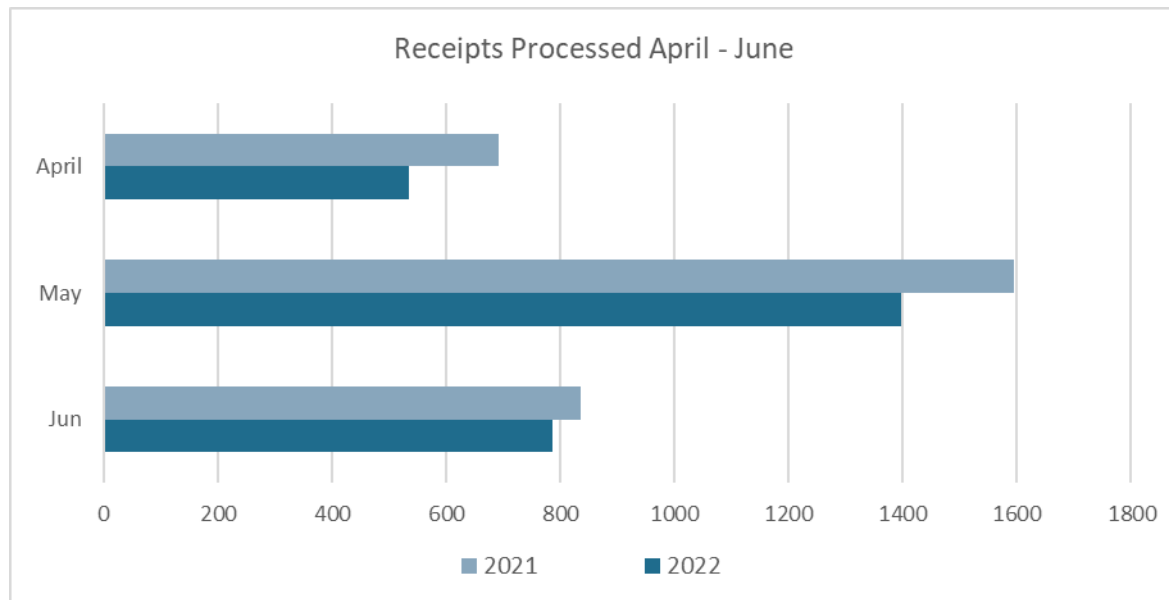


Figure 2: Total number of receipts

Certificates and Customer requests

98.6% of Section 735A, 10.7, 603 certificates were completed within set timeframes in accordance with Council's service standards. Of the 348 certificate applications received, 54.02% were 10.7 certificates, this indicates a 27% reduction in buyer enquiry from the previous quarter which could be attributed to the impact of recent natural disasters and an increase in interest rates.

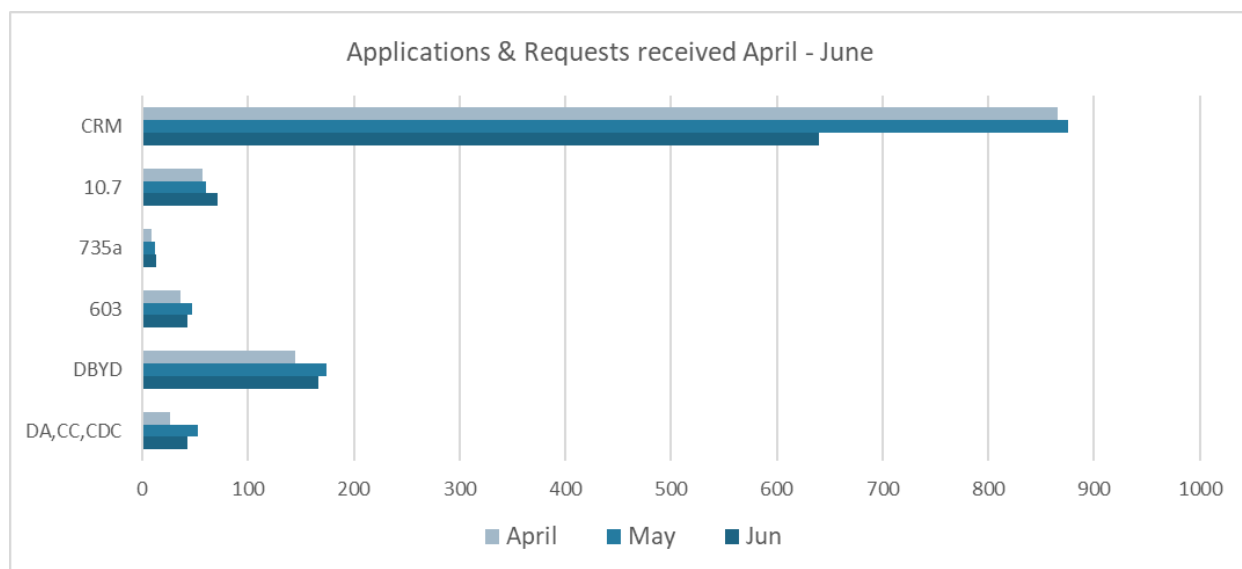


Figure 3. Administration statistics

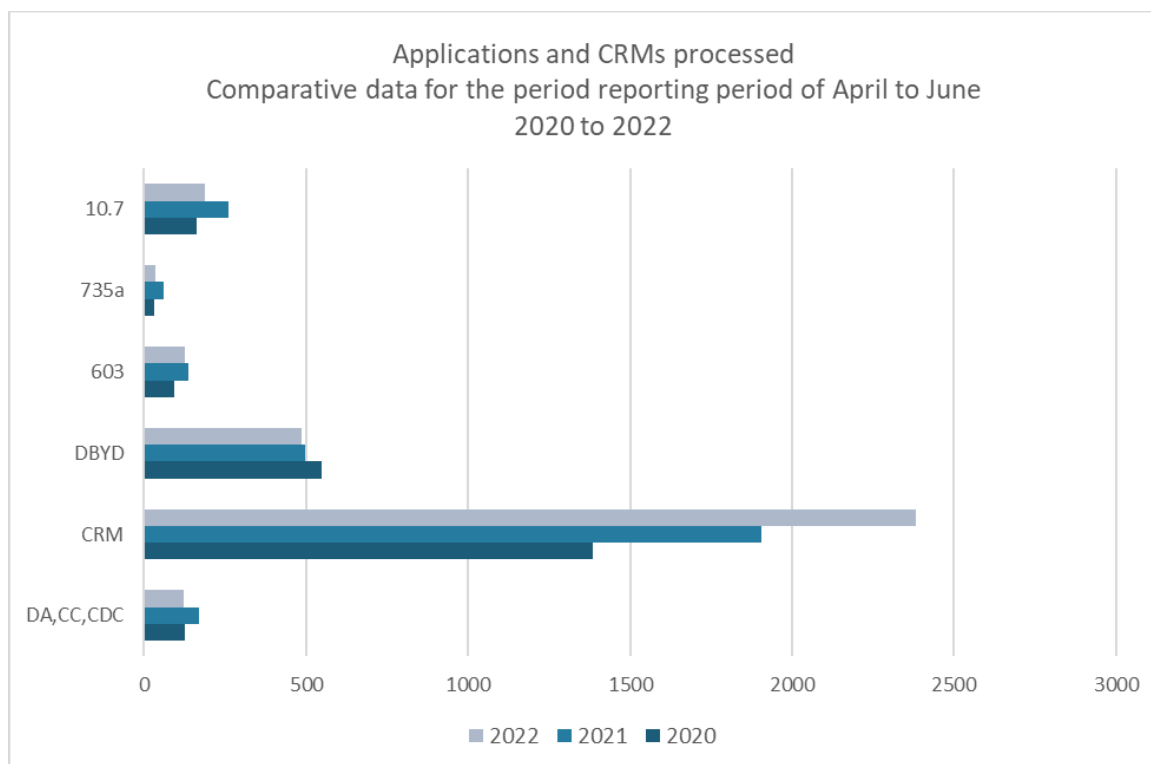


Figure 4. Applications and requests comparison

Customer Request Management System - Key Statistics

During the reporting period, a total of 2429 requests were logged, a decrease of 6.0% compared to the previous quarter but a 27% increase on the same reporting period of the previous year.

Of the total requests received during the reporting period, 21.7% related to waste and 32.6% directed to roads and drainage for assistance, increases all attributed to the floods. Since March the roads and drainage team have amassed approximately 1200 requests from across the LGA.

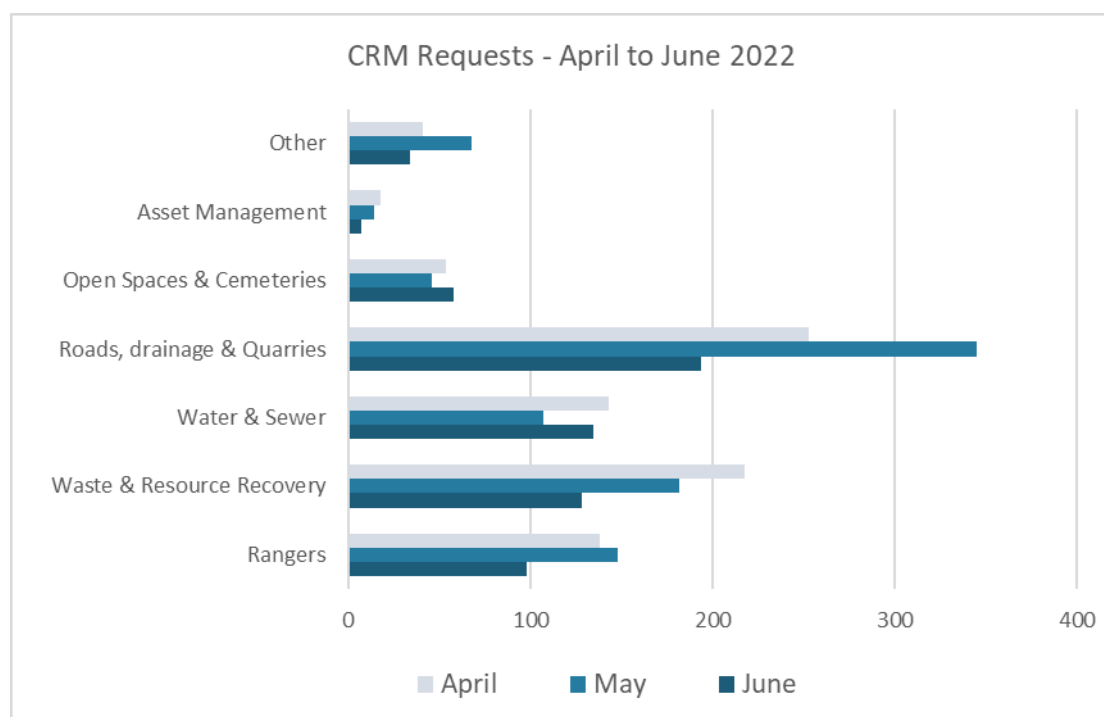


Figure 5: Number of requests

Development Concierge – Key Statistics

Enquiries to the Development Concierge have seen a rise in rebuilding enquiries mainly being house raising. During the reporting period, the Concierge has assisted in various enquiries, with subdivisions and dual occupancies still continuing to attract interest.

Council is still receiving high volumes of calls in relation to homeowners requiring assistance with the e-Planning Portal. Council is still assisting customers with this process and have had many happy customers with the service level provided by our First Responders.

e-Planning Portal – Key Statistics

Applications received through the planning portal have remained constant during the reporting period, despite our LGA being heavily impacted by the recent floods. The extreme weather events saw almost double the normal call volumes into contact centre requiring the e-planning team to assist with customer phone enquiries. Despite this break in pre-assessment processing, our self-imposed benchmark of 9-10 days was only pushed out to 12 days during this time. The e-planning team pride themselves on building strong customer relations and being willing to assist and educate applicants.

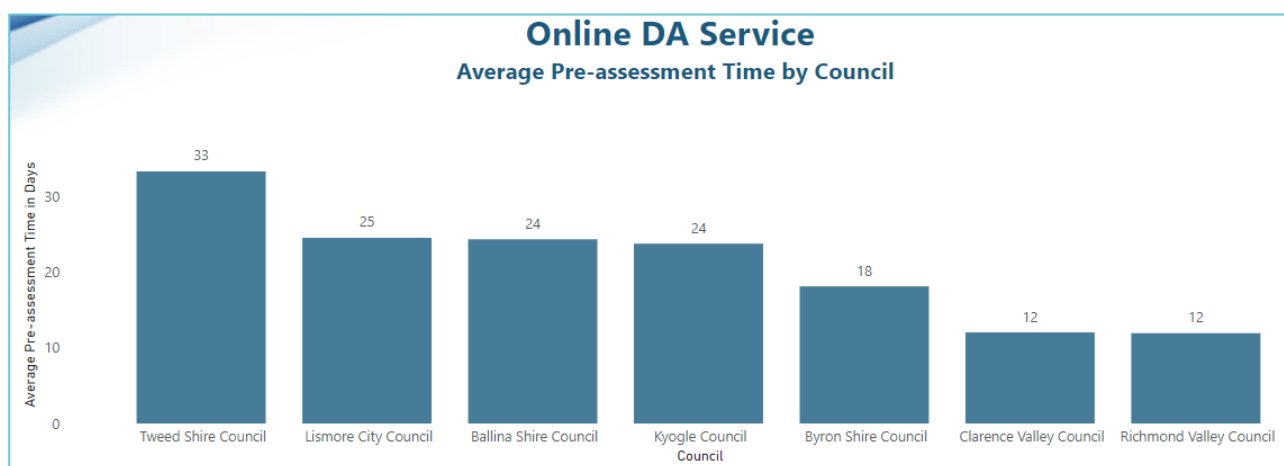


Figure 6: Average pre-assessment time by Council

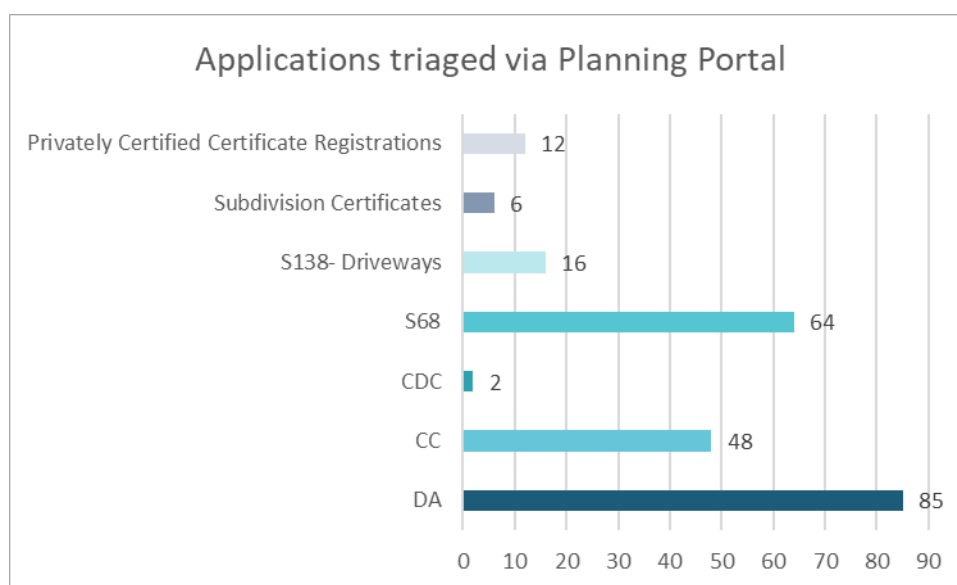
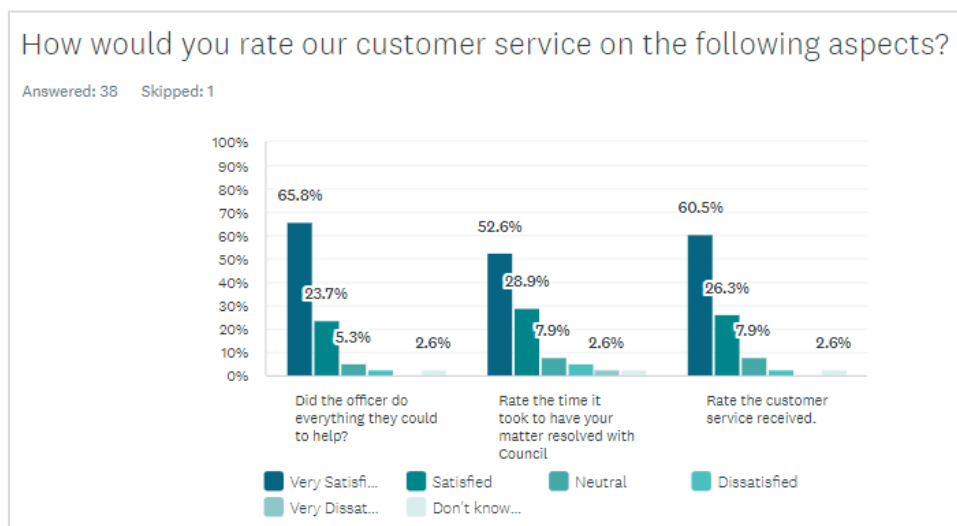
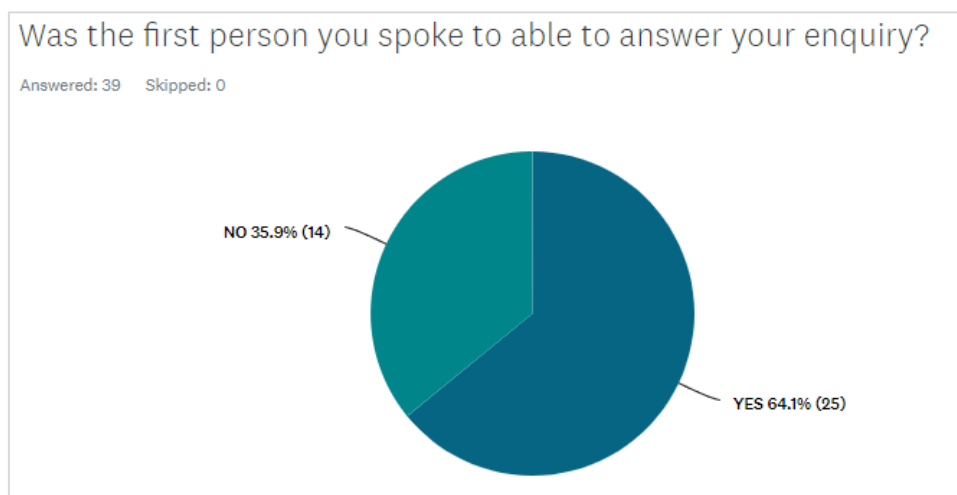
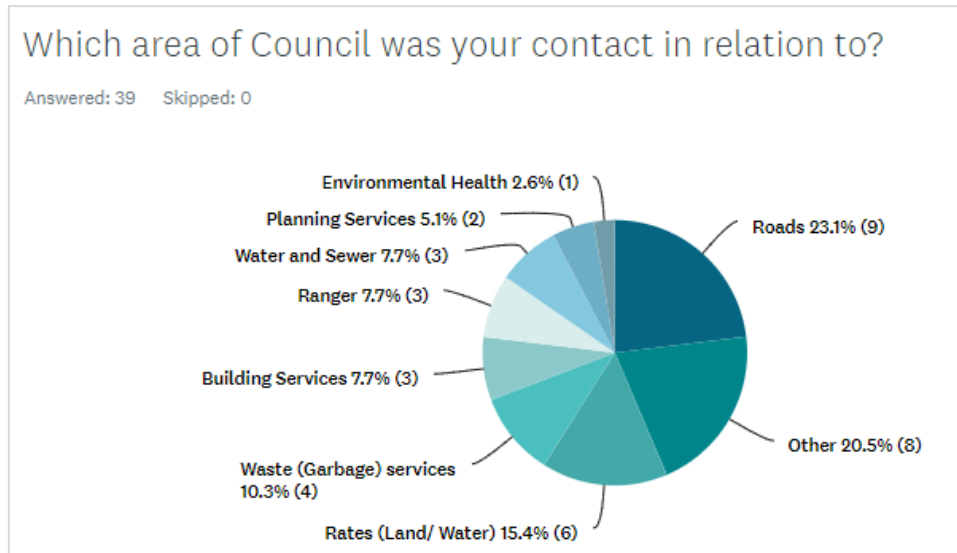


Figure 7: Applications received via the NSW Planning Portal

Customer Service Customer Satisfaction Survey – Analysis

The 6 monthly customer service feedback survey was conducted during June with over 80% of respondents being very satisfied or satisfied with the Customer Service received when dealing with Richmond Valley Council.

Over 20% of the respondents contacted Council for assistance with roads and drainage which is directly attributable to the damage by heavy rain and flood waters.



Opportunities for Improvement

Following a review of the report results, an opportunity for improvement has been identified. These areas as highlighted below will be the focus of the customer experience team in the coming months.

- Continue to work closely with customers lodging applications via the e-planning portal to ensure submission to lodgement timeframes are maintained to our standard.
- Continue to provide training and upskilling of our newer inexperienced staff to increase their ability to achieve first contact resolution of 80%
- Continue to provide training to staff in the upgraded customer request module (CRM). Seek feedback from key users and review upgrade functionality and implement changes to ensure continuous improvement of corporate systems.

CONCLUSION

The information contained in this report demonstrates the significant volume of tasks and actions which are required to be completed by Council's frontline Customer Experience staff. The Customer Service standards are generally met and more often than not, exceeded.

Analysis of Customer Service Contact Centre data, Customer Request Management System (CRM) and the Development Concierge statistics enables identification of opportunities to improve Council's customer service and ensure processes are efficient and effective.

In accordance with Council's Customer Service Framework, staff continue to strive for high standards of customer service to the community, to monitor performance and implement efficiencies and improvements to process.

ATTACHMENT(S)

Nil

19.6 GRANT APPLICATION INFORMATION REPORT - JUNE 2022

Director: Ryan Gaiter

Responsible Officer: Rylee Vidler

RECOMMENDATION

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

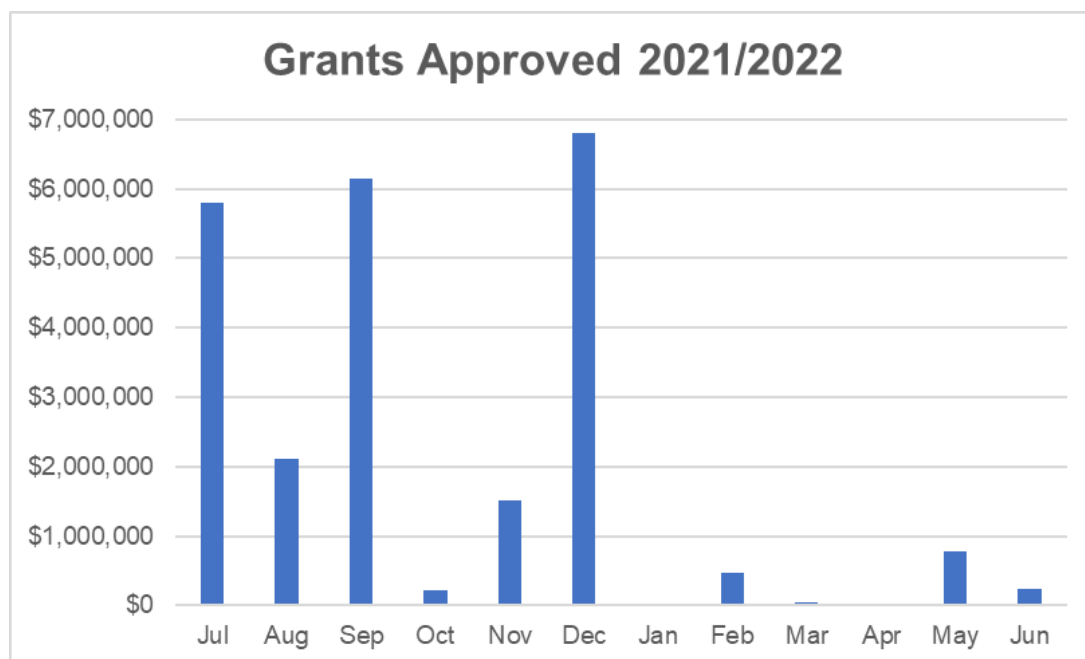
REPORT

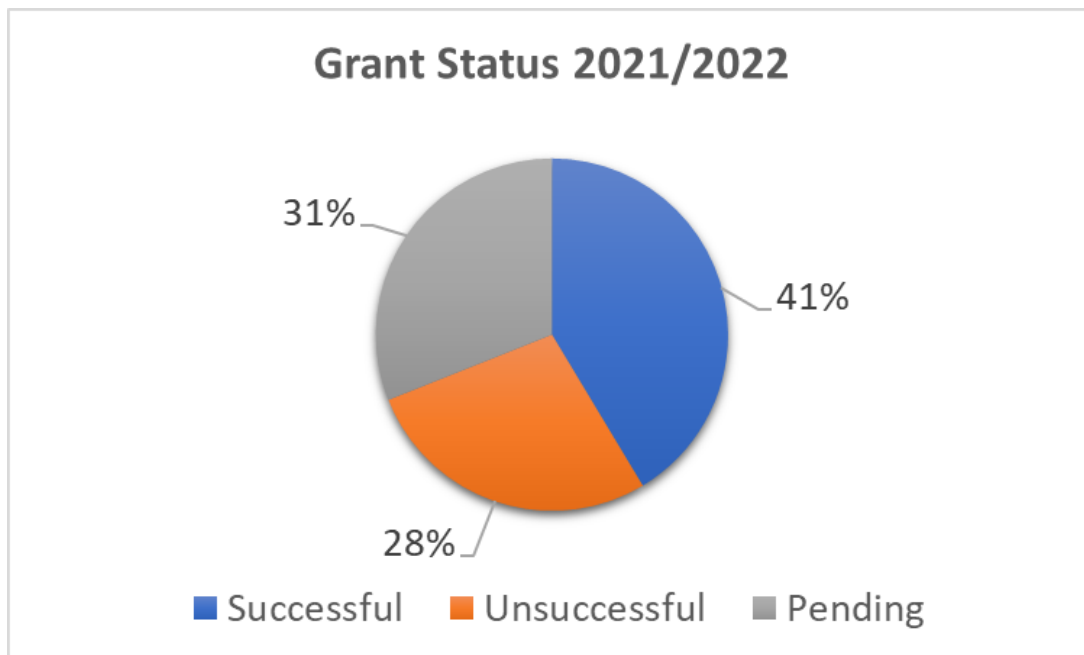
This report provides information on grant applications that have been approved, grants that have been received, grant applications that were unsuccessful and grant applications that were submitted for the month of June 2022.

During the reporting period, there were four grants approved.

Council received funding for twelve grants totalling \$4,029,989. Council was not notified of any unsuccessful applications and submitted four grant applications during the period.

A summary of grants approved and received as well as the status of applications for the financial year to 30 June 2022 is shown below:





Grants that have been approved

Project Name	Funding Body	Funding Name	Project Value	Grant Funding	Council Funding	Application Submitted	Date Approved
Casino Showground: Flood Repair Works	Department of Planning and Environment (State)	Flood Recovery Works	\$ 45,000	\$ 45,000	\$ -	N/A	26 May 2022
Comment: This grant will be used to repair flood damage at the Casino Showgrounds.							
Flood Response Planning Grant	Department of Planning and Environment (State)	Flood Response Planning	\$ 166,666	\$ 166,666	\$ -	N/A	1 June 2022
Comment: This grant will allow Council to engage new staff and consultants to undertake flood-response planning.							
National Backyard Cricket	Friends of Libraries (State)	Inaugural Country Libraries Grants Program	\$ 1,000	\$ 1,000	\$ -	29 April 2022	2 June 2022
Comment: This grant will be used to purchase resources that will enhance programs to support those living with a disability or development delay.							
NSW Crown Land Severe Weather and Flooding Clean-up Program 2022	Department of Planning and Environment - Crown Lands (State)	NSW Crown Land Severe Weather and Flooding Clean-up Program 2022	\$ 31,429	\$ 31,429	\$ -	N/A	2 June 2022
Comment: This grant will be used to clean-up flood affected Crown Lands.							

Grants that have been received

Project Name	Funding Body	Funding Name	Project Value	Grant Funding	Council Funding	Application Submitted	Date Received	Total Received
NSW Severe Weather and Flooding 22 Feb 22 - AGRN1012	Transport for NSW (State)	Disaster Recovery Funding Arrangements (DRFA)	\$5,000,000	\$5,000,000	\$ -	N/A	\$ 2,500,000 3 June 2022	\$5,000,000
Comments: This is an advance payment to facilitate the emergency work required to clean up and make damaged roads safe and trafficable.								
Drought Recovery Project	Department of Industry, Innovation and Science (Federal)	Drought Communities Programme (DCP)	\$1,000,000	\$1,000,000	\$ -	N/A	\$ 200,000 3 June 2022	\$ 900,000
Comment: This funding will be used on Casino Showground upgrades, Paddock to Plate Collaborative and Tourism facilities road access improvements.								

Project Name	Funding Body	Funding Name	Project Value	Grant Funding	Council Funding	Application Submitted	Date Received	Total Received
Richmond Valley Council Heritage Advisory Service 2022 and 2023	Heritage NSW (State)	2021-23 Community Heritage - Local Government Advisors	\$ 12,000	\$ 12,000	\$ -	N/A	\$ 5,375 7 June 2022	\$ 5,375
Comment: This funding will be used to offer a heritage advisory service to the community.								
Casino Showground: Flood Repair Works	Department of Planning and Environment - Crown Lands (State)	Flood Recovery Works	\$ 45,000	\$ 45,000	\$ -	N/A	\$ 45,000 9 June 2022	\$ 45,000
Comment: This funding will be used to repair any flood damage at the Casino Showgrounds.								
Flood-response Planning	Department of Planning and Environment (State)	Flood-response Planning Grant	\$ 166,666	\$ 166,666	\$ -	N/A	\$ 166,666 15 June 2022	\$ 166,666
Comment: This funding will allow Council to engage new staff and consultants to undertake flood-response planning.								
NSW Crown Land Severe Weather and Flooding Clean-up Program 2022	Department of Planning and Environment - Crown Lands (State)	NSW Crown Land Severe Weather and Flooding Clean-up Program 2022	\$ 31,429	\$ 31,429	\$ -	N/A	\$ 31,429 17 June 2022	\$ 31,429
Comment: Richmond Valley Council was selected to receive this funding to assist in the clean-up effort following the February floods.								
National Backyard Cricket	Friends of Libraries (State)	Inaugural Country Libraries Grants Program	\$ 1,000	\$ 1,000	\$ -	29 April 2022	\$ 1,000 17 June 2022	\$ 1,000
Comment: This funding will be used to purchase resources that will enhance programs to support those living with a disability or developmental delay. This will involve setting up sensory kits to be made available to Library users including fidget tools, sensory toys and sensory seating.								
Emergency Services Levy	Office of Local Government (State)	Grant to Fund Increase in Emergency Services Levy	\$ 440,433	\$ 440,433	\$ -	N/A	\$ 440,433 20 June 2022	\$ 440,433
Comment: This funding was announced as a contribution towards the increase in the Emergency Services Levy for 2022/2023 (the statutory contributions towards the NSW Rural Fire Service, NSW State Emergency Service and Fire and Rescue NSW).								

Project Name	Funding Body	Funding Name	Project Value	Grant Funding	Council Funding	Application Submitted	Date Received	Total Received
Casino Drill Hall Upgrades and Walk, Coraki Caravan Park Facility Block Upgrades, Ellangowan Rd Bridge and Razorback Lookout	Department of Infrastructure, Transport, Regional Development and Communications (Federal)	Local Roads and Community Infrastructure Grants (LRCI).	\$2,289,963	\$2,287,177	\$ 2,786	N/A	\$ 400,886 22 June 2022	\$1,544,475
Comment: Progress payment for works completed at Coronation Park and Ellangowan Road Bridge.								
Elliot's Road Timber Bridge Replacement	Transport for NSW (State)	Fixing Country Bridges Round One 2020	\$ 315,942	\$ 315,942	\$ -	2 October 2020	\$ 72,448 27 June 2022	\$ 122,143
Comment: Progress payment for works completed on Elliot's Road Timber Bridge.								
Willox Bridge MR145 Redhill Section	Transport for NSW (State)	Fixing Country Bridges Round One 2020	\$ 815,888	\$ 482,988	\$ 332,900	2 October 2020	\$ 74,752 27 June 2022	\$ 144,896
Comment: Progress payment for works completed on Willox Bridge.								
Traffic Route Lighting Subsidy 2021/2022	Transport for NSW (State)	Traffic Route Lighting Subsidy 2021/2022	\$ 92,000	\$ 92,000	\$ -	N/A	\$ 92,000 27 June 2022	\$ 92,000
Comment: Annual payment to subsidise street lighting								

Grant Applications Submitted

Project Name	Funding Body	Funding Name	Project Value	Grant Funding	Council Funding	Application Submitted
Upgrade internal access road and drainage improvements at Casino Showgrounds	NSW Department of Planning, Industry and Environment (State)	Crown Reserves Improvement Fund Program	\$ 249,755	\$ 249,755	\$ -	3 June 2022
Comment: If successful, this funding will be used to upgrade the internal access road and provide improved drainage at Casino Showgrounds.						

Project Name	Funding Body	Funding Name	Project Value	Grant Funding	Council Funding	Application Submitted
Upgrade overnight campground area	NSW Department of Planning, Industry and Environment (State)	Crown Reserves Improvement Fund Program	\$ 138,339	\$ 138,339	\$ -	3 June 2022
Comment: If successful, this funding will provide an all-weather campground area for overnight camping at Casino Showgrounds.						
Local Roads Community Infrastructure Program of Works	Department of Infrastructure, Transport, Regional Development and Communications (Federal)	Local Roads Community Infrastructure Program	\$2,004,428	\$2,004,428	\$ -	7 June 2022
Comment: If successful, this funding will allow works to be performed at Casino Memorial Pool, Evans Head Aquatic Centre, Coraki Public Pool, Woodburn Public Pool and Colley Park.						
South Casino Sewage Transfer System	NSW Department of Planning, Industry and Environment (State)	Regional Housing Fund	\$1,200,000	\$1,200,000	\$ -	23 June 2022
Comment: If successful, this funding will allow planning and construction of the South Casino Sewage Transfer Station.						

19.7 IRON GATES DEVELOPMENT UPDATE

Director: Angela Jones

Responsible Officer: Tony McAteer

RECOMMENDATION

That Council receives and notes the information provided within the Iron Gates Development Update report.

REPORT

Integrated Development Application DA2015/0096 was lodged with Richmond Valley Council on 27 October 2014 for a residential subdivision of the “Iron Gates” at 240 Iron Gates Drive, Evans Head. The application initially proposed to create 186 lots (comprising of 178 residential lots, 3 public reserves, 2 fire trail lots & 3 residue lots) but before consent could be granted it required the Minister to adopt a Master Plan, under *State Environmental Planning Policy No. 71 – Coastal Protection*. The development is also declared to be Regionally Significant Development whereby the Northern Regional Planning Panel (the Panel) assumes Council’s Part 4 functions as the consent authority and therefore is responsible for making the final application determination.

During the subsequent 7.5 years, the applicant has attempted to negotiate with the Department of Planning and Environment to have a Master Plan adopted. This resulted in the development application being amended/varied a number of times to ensure the DA and draft Master Plan were consistent.

On the 19 July 2019 the Master Plan application was withdrawn by the applicant and an amendment/variation to the development application was lodged to make it a two-stage concept development. Noting that a concept development application can substitute for a Master Plan as long as it can satisfactorily demonstrate compliance with the Master Plan heads of consideration. The concept DA amendment was accepted by the Panel on 13 September 2022.

The Concept Development Application currently proposes-

Stage 1 –

- Subdivision of land to create 147 lots - including 135 residential lots (Lots 1 to 135), 4 public reserves (Lots 139 to 142), 1 sewer pump station lot (Lot 144), 1 drainage reserve lot (Lot 143), 3 “Super Lots” (Lots 145 to 147), 1 residue lot (Lot 138) and 2 rainforest lots (Lots 136 & 137)
- Embellishment of the proposed public reserves adjacent to the Evans River
- Upgrading of Iron Gates Drive, including vegetation clearing work
- Subdivision works for Stages 1 and 2 including, but not limited to: clearing and earthworks; roadworks and drainage; sewer and water supply (including service connections to Stage 1 lots and Stage 2 lots); and electricity and communications (including service connections to Stage 1 lots and Stage 2 lots).

Stage 2 – Subject to a further Development Application

- Subdivision of the “Super Lots” (Lots 145 to 147) to create 40 residential lots (Lots 148 to 187) (no subdivision work is required for Stage 2 as all subdivision infrastructure will be provided within Stage 1).

The application has been publicly exhibited 5 times (in 2014, 2015, 2019, 2021 & 2022), and the following submission numbers were received (*note this does not include exhibition of the Master Plan nor submissions received by the Department on the Master Plan*)-

- Objections –
 - 656 public submissions
 - 947 petition signatures
 - 23 'postcards'
- Supportive – 249 submissions

Because development of the Iron Gates has a long and controversial history and the application assessment process would be resource intensive, Council took steps to engage an independent town planning consultant to assess the application. An assessment report was submitted to the Panel on 30 June 2022 and it has since been published on its Portal - <https://www.planningportal.nsw.gov.au/planning-panel/iron-gates-subdivision> . The Portal contains the consultant's assessment report, the development application and all supporting documentation.

The independent consultant town planner has concluded that in his opinion the proposed development is not a good planning outcome having regard to the environmental sensitivity of the land and locality. The design of the subdivision is not of a contemporary standard and does not reflect or embrace accepted urban design principles which seek to generate a high-quality living environment.

The Panel is the determining authority for this application. Council does not determine the outcome. The Panel may form an alternate view to the independent consultant town planner on the application. Council has not been informed of a determination date for the application, however it is likely the Panel will conduct a hearing/public meeting in coming weeks. It is customary for the Panel to give at least 2 weeks public notice of a hearing and to notify all submitters and offer an opportunity for them to speak at the meeting.

ATTACHMENT(S)

Nil

20 QUESTIONS ON NOTICE

Nil

21 QUESTIONS FOR NEXT MEETING (IN WRITING)

22 MATTERS REFERRED TO CLOSED COUNCIL**RECOMMENDATION**

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

22.1 Tender VP308256 Design and Construct Amenities Block at Casino Showgrounds

This matter relates to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

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.

22.2 Tender VP284690 Nammoona Waste and Resource Recovery Facility Cell 6A Construction

This matter relates to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

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.

23 RESOLUTIONS OF CLOSED COUNCIL