

Richmond  
Valley  
Council



# **AGENDA**

## **Ordinary Council Meeting**

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

**Date: Tuesday, 16 August 2022**

**Time: 6pm**

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

**Vaughan Macdonald  
General Manager**

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## ORDER OF BUSINESS

<b>1</b>	<b>ACKNOWLEDGEMENT OF COUNTRY.....</b>	<b>5</b>
<b>2</b>	<b>PRAYER.....</b>	<b>5</b>
<b>3</b>	<b>PUBLIC ACCESS AND QUESTION TIME .....</b>	<b>5</b>
<b>4</b>	<b>APOLOGIES .....</b>	<b>5</b>
<b>5</b>	<b>MAYORAL MINUTES.....</b>	<b>5</b>
	Nil	
<b>6</b>	<b>CONFIRMATION OF MINUTES .....</b>	<b>6</b>
6.1	Minutes Ordinary Meeting held 19 July 2022.....	6
<b>7</b>	<b>MATTERS ARISING OUT OF THE MINUTES .....</b>	<b>7</b>
<b>8</b>	<b>DECLARATION OF INTERESTS .....</b>	<b>7</b>
<b>9</b>	<b>PETITIONS.....</b>	<b>7</b>
	Nil	
<b>10</b>	<b>NOTICE OF MOTION .....</b>	<b>7</b>
	Nil	
<b>11</b>	<b>MAYOR'S REPORT .....</b>	<b>8</b>
11.1	Mayoral Attendance Report 12 July - 10 August 2022.....	8
<b>12</b>	<b>DELEGATES' REPORTS.....</b>	<b>9</b>
12.1	Delegates Report - National Saleyards Expo July 2022 .....	9
<b>13</b>	<b>MATTERS DETERMINED WITHOUT DEBATE .....</b>	<b>14</b>
13.1	Matters to be Determined Without Debate.....	14
<b>14</b>	<b>GENERAL MANAGER .....</b>	<b>15</b>
14.1	Redetermination of Organisation Structure and Confirmation of Senior Staff .....	15
<b>15</b>	<b>ORGANISATIONAL SERVICES .....</b>	<b>19</b>
15.1	Councillor Expenses and Facilities Policy.....	19
15.2	Financial Analysis Report - July 2022.....	21
<b>16</b>	<b>COMMUNITY SERVICE DELIVERY .....</b>	<b>24</b>
16.1	Employment Zone Reforms - Post Exhibition Report on DPE's Phase 2 Implementation and Proposed Amendments to the Richmond Valley LEP .....	24
<b>17</b>	<b>PROJECTS &amp; BUSINESS DEVELOPMENT .....</b>	<b>35</b>
17.1	Local Government Recovery Grants Nomination of Projects .....	35
17.2	Stronger Country Communities Fund - Round Five .....	40
17.3	Regional Road Transfer and Road Classification Review.....	43
<b>18</b>	<b>GENERAL BUSINESS .....</b>	<b>54</b>
	Nil	
<b>19</b>	<b>MATTERS FOR INFORMATION .....</b>	<b>54</b>
19.1	Delivery Program Progress Report 1 January 2022 - 30 June 2022 .....	54
19.2	Grant Application Information Report - July 2022 .....	56

19.3	Northern Rivers Livestock Exchange Statistics as at 30 June 2022.....	60
19.4	Richmond-Upper Clarence Regional Library Annual Report 2021/2022 .....	65
19.5	Development Applications determined under the Environmental Planning and Assessment Act for the period 1 July 2022 to 31 July 2022.....	66
19.6	Rock Fishing Safety Update .....	75
<b>20</b>	<b>QUESTIONS ON NOTICE .....</b>	<b>77</b>
20.1	Cr Robert Hayes, Question on Notice - Rate Assistance .....	77
<b>21</b>	<b>QUESTIONS FOR NEXT MEETING (IN WRITING).....</b>	<b>78</b>
<b>22</b>	<b>MATTERS REFERRED TO CLOSED COUNCIL .....</b>	<b>78</b>
22.1	Internal Audit and Risk Committee Positions - Expression of Interest.....	78
22.2	Write-Off Of Monies Under Delegation - Flood Impacted Water Accounts.....	78
<b>23</b>	<b>RESOLUTIONS OF CLOSED COUNCIL .....</b>	<b>78</b>

**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 19 JULY 2022**

**Director:** Vaughan Macdonald

**Responsible Officer:** Julie Clark

**RECOMMENDATION**

That Council confirms the Minutes of the Ordinary Meeting held on 19 July 2022.

**REPORT**

Refer attached Minutes.

**ATTACHMENT(S)**

- 1. Unconfirmed Minutes Ordinary Meeting 19 July 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 ATTENDANCE REPORT 12 JULY - 10 AUGUST 2022****Author: Robert Mustow****RECOMMENDATION**

That Council receives and notes the Mayoral Attendance Report for the period 12 July – 10 August 2022.

**REPORT****July**

- 13<sup>th</sup> – CSIRO Northern Rivers Resilience Initiative
- 14<sup>th</sup> – Red Cross Morning Tea, Casino
- 16<sup>th</sup> – AFL Lions, Casino
- 19<sup>th</sup> – Richmond Valley Council Ordinary Meeting
- 20<sup>th</sup> – Rous County Council Workshop, Lismore
- 24<sup>th</sup> – Casino Rescue Squad Open Day, Casino
- 27<sup>th</sup> – NSW Agriculture Minister, Dugald Saunders, visit to NRLX
- 27<sup>th</sup> – Launch of Northern Rivers Safe Haven Hub, Woodburn
- 28<sup>th</sup> – Minister Kevin Anderson, Ballina
- 29<sup>th</sup> – Community Morning Tea, Council Chambers Casino
- 30<sup>th</sup> – Meeting with Special Envoy for Disaster Recovery, Senator Tony Sheldon, Lismore City Council
- 30<sup>th</sup> – All Breeds Bull Sale, NRLX

**August**

- 2<sup>nd</sup> – Councillor Information Session
- 4<sup>th</sup> – Deadly Futures, Windara
- 5<sup>th</sup> – Casino Truck Show Sponsor Event
- 6<sup>th</sup> – Casino Truck Show
- 8<sup>th</sup> – Beef Week Annual General Meeting, Casino RSM
- 9<sup>th</sup> – Platypus Day Club, Casino Community & Culture Centre

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



**12 DELEGATES' REPORTS****12.1 DELEGATES REPORT - NATIONAL SALEYARDS EXPO JULY 2022****RECOMMENDATION**

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

**REPORT**

Council delegates are required to report on meetings/forums attended on Council's behalf.

**National Saleyards Expo, 26-28 July 2022**

Cr Stephen Morrissey, Cr Sandra Humphrys and Cr Robert Hayes attended the National Saleyards Expo held over the period 26-28 July 2022 in Cairns QLD. The attached report provides feedback on the content of the Expo.

**ATTACHMENT(S)****1. Delegates Report - National Saleyards Expo 2022**

**National Saleyards Expo Cairns 26 – 28 July 2022**

hosted by the **Australian Livestock Markets Association (ALMA)**

ALMA is the peak national body for the saleyard industry, representing and promoting the interests of saleyard owners and operators. ALMA's purpose is to be industry's voice at all levels of government and stakeholder engagement. ALMA addresses key issues that have the potential to impact on the viability of the saleyard and lairage industry. It does this with the support of the industry and is recognised by government and industry as the united single national voice that speaks for and on behalf of the industry.

At this year's conference there were approximately 80 attendees representing a broad spectrum of industry at all levels. There were over 10 councils represented and other stakeholders that included;

- council owned saleyard operators
- privately owned saleyard operators
- State government agencies
- corporate owned saleyard operators
- Federal government agencies
- Industry suppliers

**President Ken Rogers Report:**

Ken advised that ALMA had a positive influence on the decisions and actions of industry and industry related groups and bodies in the development and roll out of the National Animal Welfare in Saleyards and Lairages Regulations and Guidelines and the National Livestock Traceability Enhancement Project.

**Executive Officer Kate McGilvray's Report:**

included the following - that the proactive work carried out by ALMA to secure the right for saleyard businesses to operate during the COVID pandemic raised ALMA's profile and clearly cemented its role within the red meat industry.

- that saleyards staff may be required to play an important role in livestock standstills and preparedness should FMD and lumpy skin disease enter the country and that with the threat of FMD so close to Australia ALMA will be advocating for the best outcomes in the development and rollout of a fully national electronic traceability system that adds sheep and goats to the current cattle system.
- the Social Value of Saleyards (SVOS) project found that saleyards are critical to the social fabric of regional communities. Research confirmed that saleyards create a sense of belonging and connection amongst users and reduce social isolation and loneliness. The findings recommending that owners and operators should place high importance on planning for and creating spaces within saleyards that allow for meaningful connections to occur.
- Referring to National Vendor Declaration (NVD), stated that the welfare of livestock on route to and from saleyards, still on occasion leaves the industry open to criticism. ALMA's request to strengthen wording and legal declarations in the NVD has now been endorsed.

The next NVD edition will now require: vendors to legally declare that the livestock they are selling; and transporters who are moving the listed livestock to declare that the livestock 'are fit to load and fit for the intended journey'. Saleyard staff will still need to be vigilant when it comes to livestock that are on site, noting that the hard conversations with saleyard users will still be needed to ensure positive animal outcomes.

**The expo included the following sessions:**

**Current threats to Australian biosecurity & the potential impacts on industry**

Allison Crook, General Manager Animal Biosecurity & QLD Chief Veterinary Officer:

Allison spoke about the likely impacts of FMD and lumpy skin disease on food supply, tourism and social events and the economy (\$80bil). She urged managers and operators to review biosecurity planning to ensure that it is current, up-to-date and visible to ensure an immediate response. An Action Plan should include measures to be taken for:

Quarantine, destruction and disposal of animals, how to feed and water animals during restrictions, movement restrictions, tracing and surveillance, public awareness etc.

**Understanding animal welfare regulations – keeping the livestock industry productive, profitable and sustainable:**

Helen Schaefer Team Leader Animal Welfare Policy & Programs, NSW DPI

Helen advised that she has had conversations with agents focused on animal welfare explaining that "it's not like it used to be". There is increased community sentiment, media attention and political scrutiny and that everyone is responsible to ensure the welfare of the animals in their care. Reactions range from oppositional defiance to being proactive. She closed her session by advising that when considering an animal's welfare – "if in doubt, leave it out" and "feed well or sell, only sell when well"

**Parallels of managing livestock and their welfare in live export lairages**

**Mark Harvey-Sutton** – CEO Australian Livestock Exporters Council

Australia's largest live export markets for cattle are, Indonesia, Vietnam and China.

Our largest live export markets for sheep are Kuwait, Jordan and UAE

Goats are predominately air freighted to Malaysia.

Live export numbers have significantly reduced in recent years. The welfare standards have significantly increased for live export resulting in a much lower rate of loss of animals while at sea. The Labor government has announced its commitment to ban the live export of sheep however not before 2025.

**Dealing with unacceptable saleyard behaviour**

Cye Travers CEO Livestock Exchanges and Amber Campbell Legal Counsel AAM Investment Group

Cye talked about unacceptable behaviour as being a legacy issue, a result of a lack of behavioural management, an attitude of entitlement and that Saleyards had failed to transition to a modern workplace.

Cye stated that if unacceptable behaviour isn't addressed it becomes a risk. It is important to be very clear about the fact that bad culture and attitude are not acceptable. Unacceptable behaviour includes: verbal and physical abuse, name calling, sexual harassment, and lack of respect for the facility e.g. leaving rubbish around, breaking things and not reporting it as this could become a safety risk. He described disgusting treatment endured by a young staff member from people who considered their verbal harassment acceptable.

He made the following statements: A saleyard is a business, in many cases it is a public asset – it is not a community service, it is not an entitlement and the attitude of entitlement had to be changed. However, conflict doesn't fix a conflict problem and therefore mutual respect and consideration of others is necessary to make positive progress.

The saleyard must be a safe place and maintain a safe working environment. There is a massive risk to the business if procedures are not implemented to defend against litigation and the paperwork in place must be right. There must be documentation that is:

- Contracts with all stakeholders
- Conditions of entry written in terms so as to apply to everyone,
- including the right to refuse entry and eviction if necessary, specifying what it is that would justify exclusion or eviction. The conditions to be placed on display at entry points.
- Ensure there are licences in place with agents and key users specifying conditions of use, obligations to control their people (workers, truck drivers).
- Include broader provision of rights to suspend a person/s if it likely their actions will interfere with the operation of the facility.
- Termination suspension provision is a last resort but it is important to include.
- Keep records of incidents and it is important to record the examples of repeated behaviour.
- Conduct regular induction audits

Cye finished his address saying that times have changed. WH&S of staff is paramount now. Empowering staff and having mechanisms in place to support staff is essential.

#### **Looking over the fence... utilizing saleyards during natural disasters** by Brad Willis

Operations Manager, NRLX Casino

Brad's presentation held everyone's attention for its duration. The video footage from the floods, although distressing supported the presentation during which Brad talked about the decision to use the NRLX facility to assist the community and the challenges associated with rehoming the displaced cattle following the floods.

#### **What to expect if an emergency animal disease response needs to be implemented**

Peter Dagg – Head of Program, Ausvetplan, Animal Health Australia



Animal Health Australia (AHA) manages the Emergency Animal Disease Response Agreement (EADRA), a unique contractual arrangement between Australia's governments and industry groups to collectively reduce the risk of disease incursions and manage a response if an outbreak occurs.

- Under an emergency response it is NOT business as usual.
- 72 hour initial national livestock standstill for tracing
- Declared areas and movement controls
- Stamping out infected premises
- FMD is highly infectious but easily killed
- Vaccine bank is available
- Pigs are amplifiers – wild pigs are very much an unknown metric
- There is compensation for animal losses (controlled by state legislation) can include restocking top up payments
- EAD training available online.

*Thank you for the opportunity to attend.*

**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 REDETERMINATION OF ORGANISATION STRUCTURE AND CONFIRMATION OF SENIOR STAFF**

**Author:** Vaughan Macdonald

**EXECUTIVE SUMMARY**

Under section 333 of the *Local Government Act 1993* (the Act), councils must review their organisational structure within 12 months of the December 2021 local government election. Council last undertook a comprehensive review of its organisational structure in February 2021, to prepare for the next stage of growth, strengthen its leadership and ensure that RVC continued to operate as one progressive and community-focused team.

The new structure has proved very effective in delivering council's strategic objectives, improving efficiency and enabling the organisation to respond quickly and effectively to a series of natural disasters, culminating in the 2022 floods. It is proposed to maintain this structure for the 2022-24 Council term, with some minor operational adjustments.

**RECOMMENDATION**

That Council:

1. Adopts the organisational structure, as presented in this report;
2. Notes that the structure is the same as that adopted on 16 February 2021 by the previous Council, with some operational adjustments to respond to changing circumstances, and that no adjustments are required to the adopted 2022/2023 budget as a result of these changes;
3. Designates two positions as 'senior staff', being the General Manager and Director Community Service Delivery.

**DELIVERY PROGRAM LINKS**

Sustain - Objective 11: Manage community resources and provide great service

11C Strengthen Council's role as a leading local employer

11C1 Implement the Richmond Valley Council Workforce Strategy

**BUDGET IMPLICATIONS**

Nil

**REPORT****Review of Organisation Structure**

Under section 333 of the *Local Government Act 1993* (the Act), councils must review their organisational structure within 12 months of the December 2021 local government election. Council last undertook a comprehensive review of its organisational structure in February 2021, to prepare for the next stage of growth, strengthen its leadership and ensure that RVC continued to operate as one progressive and community-focused team. This included expanding the leadership team to three Director positions, one of which was designated as a Senior Staff position.

Under the requirements of the Act, councils may redetermine the organisational structure, following the election, but are not required to do so. They may choose to retain the existing structure.

In determining the organisational structure, the governing body must, after consulting with the General Manager, determine:

- Senior staff positions
- Roles and reporting lines of holders of senior staff positions, and
- Resources to be allocated towards the employment of staff.

A council cannot determine a position to be a senior staff position unless, the:

- Responsibilities, skills and accountabilities of the position are generally equivalent to those applicable to the Executive Band of the Local Government (State) Award, and
- Total remuneration package payable is equal to or greater than the minimum remuneration package, within the meaning of Part 3B of the *Statutory and Other Offices Remuneration Act 1975* (payable within respect to senior executives whose positions are graded Band 1 under the *Government Sector Employment Act 2013*).

The General Manager must, after consulting the Council, determine the positions (other than senior staff positions) within the organisation structure of the council. This must be determined to give effect to the priorities set out in the Community Strategic Plan and Delivery Program.

Following consultation with Council, it has been determined that the current organisational structure, adopted on 16 February 2021 (as depicted in the below chart), remains appropriate and should therefore remain in place. The structure has proved effective in delivering Council's strategic objectives and improving efficiency. It has also allowed the General Manager to focus more time on building key relationships with Government and advocating for funding and support, following the 2022 floods, while the three Directors take greater responsibility for the day to day running of the business. The structure will also ensure that Council is well placed to capitalise on the opportunities for employment and housing arising from the Regional Jobs Precinct initiative and the Richmond Valley Growth Management Strategy.

### **Senior Staff**

The Act outlines the nature of the appointment requirements for senior staff, noting that senior staff are to be employed under performance-based contracts (section 338). Under section 337 of the Act, the General Manager may appoint or dismiss senior staff only after consultation with the Council.

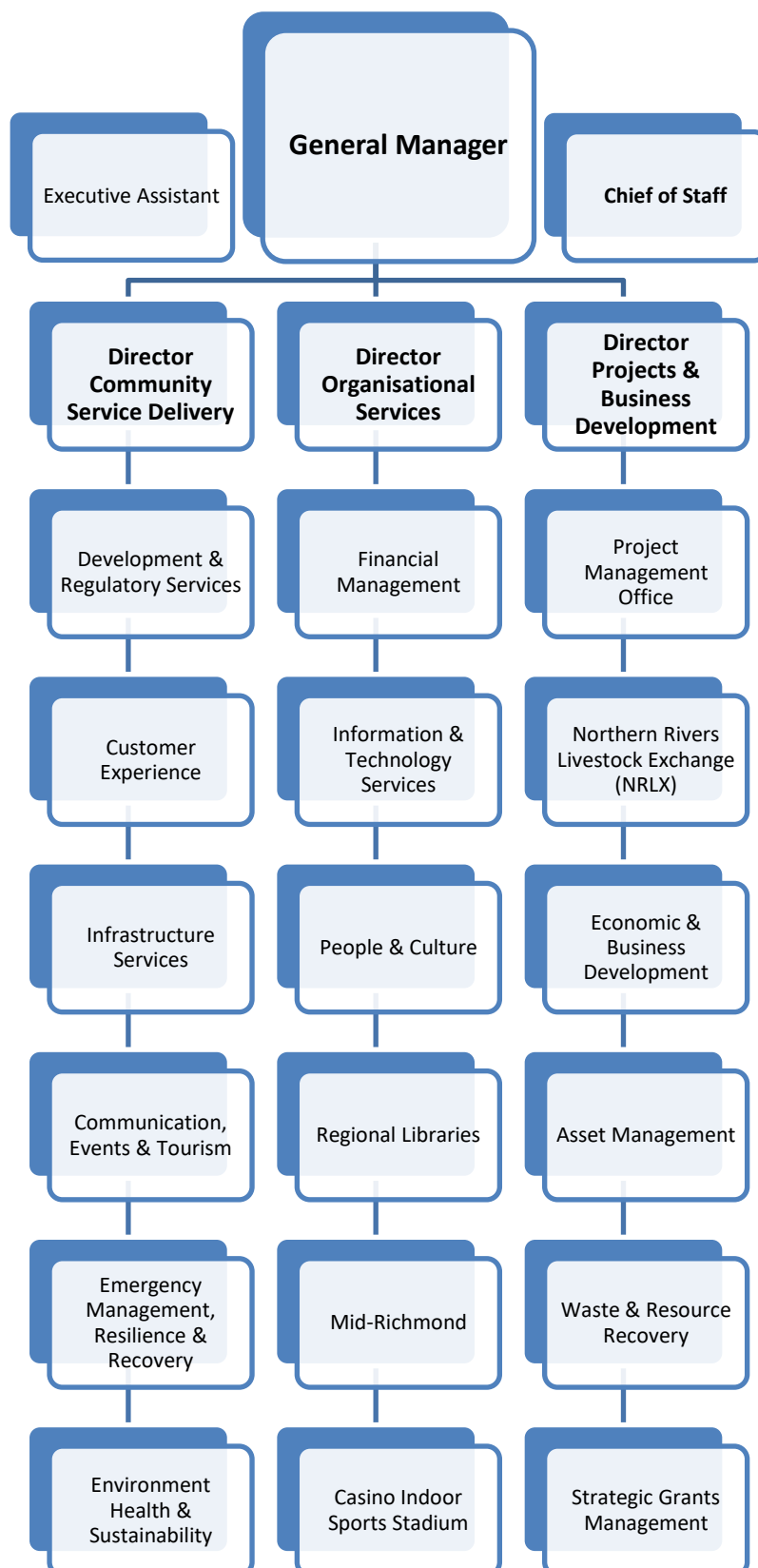
Under Clause 217 Local Government (General) Regulation 2021 (the Regulation), Council is required to provide in its Annual Report, a statement of the total remuneration of all senior staff employed during the year, expressed as the total remuneration of all the senior staff members (not of the individual senior staff members). Reporting for the General Manager is required to be listed separately from any other senior staff. Reporting must include totals for salary components of their packages, bonus payments, superannuation contributions, non-cash benefits and fringe benefits tax payable by the council.

Under the current organisation structure, senior staff positions are identified as the General Manager and the Director Community Service Delivery, Angela Jones. No change is proposed to this structure.



**RVC Organisation Structure**

While maintaining the overall structure adopted in February 2021 which is shown below, some operational refinements have been made to ensure efficiency, ability to deliver services and to provide succession opportunities.



**CONSULTATION**

Consultation as required under the Local Government (State) Award has been carried out with staff impacted by the changes.

**CONCLUSION**

In line with the requirements of the Local Government Act, Council has reviewed the effectiveness and applicability of its existing organisational structure. Minor alignments have been made to ensure ongoing efficiencies and succession planning, however it is proposed that the overarching structure, as adopted in February 2021, remains unchanged. There is no change to the current appointment of senior staff, with the positions continuing to be held by the General Manager and Director Community Service Delivery.

**ATTACHMENT(S)**

Nil

**15 ORGANISATIONAL SERVICES****15.1 COUNCILLOR EXPENSES AND FACILITIES POLICY**

**Director:** Ryan Gaiter

**Responsible Officer:** Kate Alder-Conn

**EXECUTIVE SUMMARY**

Under Section 252 of the *Local Government Act 1993* (the Act), Councils must adopt a new policy on the payment of expenses and the provision of facilities to the Mayor and Councillors within 12 months of the local government election held in December 2021.

A review of the current Payment of Expenses and Provision of Facilities to Councillors Policy, adopted in November 2016, has been carried out.

**RECOMMENDATION**

That the draft Councillor Expenses and Facilities Policy be placed on public exhibition for a period of not less than 28 days, with a further report to be presented to Council at the conclusion of the exhibition period.

**DELIVERY PROGRAM LINKS**

Sustain - Objective 10: Lead and advocate for our community

10D Lead with integrity

10D1 Provide representative and accountable community governance

**BUDGET IMPLICATIONS**

No changes are proposed that would impact upon Council's budget.

**REPORT**

Under Section 252 of the *Local Government Act 1993* (the Act), Councils must adopt a new policy on the payment of expenses and the provision of facilities to the Mayor and Councillors within 12 months of the local government election held in December 2021.

A review of the current Payment of Expenses and Provision of Facilities to Councillors Policy, adopted in November 2016, has been carried out. The review was carried out, as recommended by the Office of Local Government (OLG), to ensure the current provisions remain adequate and appropriate.

The revised draft policy is based upon the template provided by the OLG, with the following changes:

- The policy has been renamed from Payment of Expenses and Provision of Facilities to Councillors Policy, to a streamlined title of Councillor Expenses and Facilities Policy.
- In line with a requirement under Clause 403 of the Local Government (General) Regulation 2021 (the Regulation), consideration was given to the need to ensure that adequate and reasonable provision was made for reimbursement of expenses for carer responsibilities. In this regard, the draft policy is based upon the provisions outlined in the OLG's suggested template.

- Information relating to superannuation has been expanded upon following Council's resolution in May 2022 to commence payment of superannuation guarantee payments from 1 July 2022.
- The principles suggested by the OLG have been incorporated (Section 3), together with a clearer outline of private and political benefit (Section 4).

The review of the existing policy did not identify the need for any major amendments. Therefore, the revised policy simply aligns the formatting and content with that provided by the OLG.

Councils are required to give public notice of their intention to adopt the policy, with at least 28 days allowed for the making of public submissions. Councils must comply with this requirement even if they propose to adopt the same policy as the existing policy.

Under the Act, before adopting the policy, Councils must consider any submissions and make any appropriate changes to the draft policy.

### **CONSULTATION**

Following public exhibition of the draft policy, community feedback will be considered prior to the final plan being presented to Council for adoption.

### **CONCLUSION**

The Councillor Expenses and Facilities Policy has been reviewed, in accordance with the Act, and minor amendments are proposed. These incorporate updated advice from OLG, changes to regulation and the introduction of superannuation payments for Councillors. It is recommended that Council endorses the draft policy for exhibition, with a further report to be presented at the conclusion of the exhibition period.

### **ATTACHMENT(S)**

1. **Draft Councillor Expenses and Facilities Policy (under separate cover)**

**15.2 FINANCIAL ANALYSIS REPORT - JULY 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 31 July 2022 is shown below:

Bank Accounts	Term Deposits	Floating Rate Notes	Fixed Rate Bonds	TCorp IM Funds	Total
\$17,522,259	\$37,000,000	\$4,750,390	\$2,000,000	\$14,779,429	\$76,052,077

The weighted average rate of return on Council's cash and investments as at 31 July 2022 was 7.18% which was above the Bloomberg AusBond Bank Bill Index for July of 0.12%, 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 July 2022.

**DELIVERY PROGRAM LINKS**

Sustain - Objective 11: Manage community resources and provide great service

11A Manage resources responsibly

11A1 Undertake long-term financial and asset management planning

**BUDGET IMPLICATIONS**

As at 31 July 2022, Council has earned \$40,471 in interest and \$450,335 in fair value gains for total interest and investment income of \$490,807. This equates to 54.13% of the annual budget for interest and investment income of \$906,782. Council currently receives a net return of 1.25% on its Macquarie CMA Account after Council's financial advisors receive their commission of 0.05%. Commissions for the 2022/2023 financial year to 31 July 2022 total \$374.

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 1.35% per annum at its July meeting.

**Rate of Return**

The weighted average rate of return on cash and investments in July 2022 was 7.18% an increase in 1227 basis points from the previous month. The rate of return is 706 basis points above the Bloomberg AusBond Bank Bill Index of 0.12% which is Council's benchmark.

Council's NSW Treasury Corporation IM Funds returned net gains of \$450,335 during the month of July.

The Medium-Term Growth Fund (MTGF) returned a gain of \$348,125 and the Long-Term Growth Fund (LTGF) returned a gain of \$102,210.

The markets throughout July remain volatile with global growth concerns and risks of a US and global recession continuing, however, equity markets performed strongly leading to a favourable result in July. These results are reflective of the types of ups and downs that occur with long term investments, which are 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) during which time it is expected that there will be ups and downs in fair value gains. However, it should be noted that, despite the variation in returns, there has been no impact on the principal sum originally invested by Council.

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 \$76,052,077 at 31 July 2022. This was made up of Council's Business Online Saver Account (\$6,620,000), Macquarie Cash Management Account (\$10,009,479), Term Deposits (\$37,000,000), Floating Rate Notes (\$4,750,390), Bonds (\$2,000,000), NSW Treasury Corporation Investments (\$14,779,429) and other bank accounts (\$892,781).

Council's investment portfolio had maturity dates ranging from same day up to 1,742 days. Term deposits, floating rate notes and bonds of \$43,750,390 represented 57.53% of the total portfolio as at 31 July 2022.

Council made the following new investments during July 2022:

Banking Institution	Investment Type	Environmentally Sustainable Investment	Amount Invested	Investment Term	Interest Rate
Australian Unity Bank	Term Deposit	Y	\$2,000,000	2 months	2.45%
Judo Bank	Term Deposit	Y	\$1,000,000	3 months	2.70%
ME Bank	Term Deposit	Y	\$2,000,000	6 months	3.60%
<b>Total</b>			<b>\$5,000,000</b>		

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

Banking Institution	Investment Type	Environmentally Sustainable Investment	Amount Invested	Interest Earned
AMP Ltd	Term Deposit	N	\$2,000,000	\$9,863
Australian Unity Bank	Term Deposit	Y	\$2,000,000	\$4,932
Judo Bank	Term Deposit	Y	\$1,000,000	\$2,589

ME Bank	Term Deposit	Y	\$2,000,000	\$4,932
<b>Total</b>			<b>\$7,000,000</b>	<b>\$22,315</b>

Council had \$14,779,429 in longer term investments being the MTGF and LTGF held with NSW Treasury Corporation as at 31 July 2022. The investment values and fair value returns are shown below:

Investment Holding	Fair Value 31 July 22	Fair Value Gain/(Loss) at 31 July 22	Fair Value Gain/(Loss) YTD	Fair Value Gain/(Loss) Life of Investment
Medium Term Growth Fund	\$11,892,471	\$348,125	\$348,125	\$887,442
Long Term Growth Fund	\$2,886,957	\$102,210	\$102,210	(\$113,043)
<b>Total</b>	<b>\$14,779,429</b>	<b>\$450,335</b>	<b>\$450,335</b>	<b>\$774,400</b>

The performance of the NSW Treasury Corporation investments for July is very pleasing, it does however show how much these investments can move on a month to month basis when the investment market is subject to volatility. Council sought further advice from its investment advisors following the poor result in June. The advice received is that these products are long term investments and need to be treated as such, the benefits will only be realised at the end of the investment.

### Environmentally Sustainable Investments (ESI's)

Council's cash and investments portfolio of \$76,052,077 at 31 July 2022 includes \$56,529,429 or 74.3% with no direct investment in the fossil fuel industry. All investments in July 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 July 2022 Council's investments have been made in accordance with the Act, the Regulations and Council's Investment Policy.

As at 31 July 2022 Council's cash and investments totalled \$76,052,077 with \$17,522,259 of this being funds held in bank accounts. The weighted average rate of return was 7.18% for the month of July 2022 and total investment revenue equals 54.13% of budgeted revenue for the year to 31 July 2022.

### ATTACHMENT(S)

#### 1. RVC Investment Pack - July 2022 (under separate cover)

**16 COMMUNITY SERVICE DELIVERY****16.1 EMPLOYMENT ZONE REFORMS - POST EXHIBITION REPORT ON DPE'S PHASE 2 IMPLEMENTATION AND PROPOSED AMENDMENTS TO THE RICHMOND VALLEY LEP****Director:** Angela Jones**Responsible Officer:** Tony McAteer**EXECUTIVE SUMMARY**





The Employment Zone Reforms has been a 2-year program by the Department of Planning and Environment (DPE) aimed at supporting long-term economic recovery by jobs creation and encouraging increased productivity in the planning system.

The initial implementation phase of the reforms amended the Standard Instrument LEP (**SILEP**) and by default to all LEPs based upon the SILEP including the *Richmond Valley Local Environmental Plan 2012* (**RVLEP12**). These amendments included:

- rebadging existing Environmental “E” zones as Conservation “C” zones
- creation of 8 new employment and support zones
- creation of 3 new land use definitions/terms, and
- reviewing 14 existing land use definitions/terms.

This phase was completed on 1 December 2021.

The second phase involves translating existing Business “B” and Industrial “IN” zones into the new employment and support zones plus creation of Land Use Tables for the new zones. In the case of the RVLEP12 the following translation has been proposed:

Existing Zone		New Zone
B1 Neighbourhood Centre & B2 Local Centre		E1 Local Centre
B3 Commercial Core		E2 Commercial Centre
IN1 General Industrial		E4 General Industrial
IN1 General Industrial (Evans Head Fishermen's Coop)		W4 Working Waterfront
IN1 General Industrial (within RJP areas at Casino)	Deferred Matter - to be implemented as part of the RJP Master Plan	

This report seeks the support of Council to the proposed Phase 2 implementations, subject to several changes, which were publicly exhibited by DPE from 31 May 2022 to 12 July 2022.



## RECOMMENDATION

That Council adopt amendments to the *Richmond Valley Local Environmental Plan 2012* as exhibited as part of the Department of Planning and Environment's implementation of the Employment Zone Reforms, subject to the following recommended amendments:

- (a) removal of *Storage premises* from being listed in Item 4 Prohibited for Zone E2 Commercial Centre (thus making this land use permissible with development consent)
- (b) add *Airstrips* and *Helipads* to be listed in Item 4 Prohibited for Zone E4 General Industrial (thus maintaining the existing prohibition for these land use types in this zone)
- (c) amend the Land Zone Map by applying Zone E2 Commercial Centre to 57 Simpsons Parade Casino, being Lot B DP384604.

## DELIVERY PROGRAM LINKS

Sustain - Objective 8: Strengthen the regional economy

8A Establish the Richmond Valley Regional Jobs Precinct (RJP) and support regional economic growth

8A1 Support regional economic development

## BUDGET IMPLICATIONS

Nil. However, the reforms aim to support economic growth and productivity in NSW.

## REPORT

As part of a much broader planning reform package the Department of Planning and Environment (**DPE**) has undertaken a 2-year program called the Employment Zone Reforms. The focus of the Reforms was to support strategic planning, economic growth, and productivity in NSW and were commenced as a result of Australian and NSW Productivity Commission reviews.

The Reforms included a review of Local Environmental Plan (**LEP**) employment zones, consisting primarily of the Business "B" & Industrial "IN" land zones, and land use definitions/terms. The reform sought to reduce the number of employment zones, modernise land use terms/definitions, and where necessary introduce new land use terms/definitions.

Phase 1 of implementing the Employment Zone Reforms involved preparation of the *Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021 (the Amending Order)* which commenced on 1 December 2021. The Amending Order made changes to the Standard Instrument LEP template (**SILEP**) which as a consequence automatically flow through as amendments to all NSW LEPs that are based upon the SILEP template, including the *Richmond Valley Local Environmental Plan 2012 (RVLEP12)*.

The Amending Order involved:

- translating all Environmental "E" zones to Conservation "C" zones (Table 1).
- creation of 8 new employment and support zones (Table 2).
- creation of 3 new land use definitions/terms (Table 3).
- amendments to 14 existing land use definitions/terms (Table 4), and
- provides for the deletion of 8x Business "B" and 4x Industrial "IN" zones from the SILEP on 1 December 2022.

Phase 2 of the implementation involves amending individual LEPS, including the RVLEP12, by translating existing Business "B" and Industrial "IN" zones to the new employment and support zones based upon a translation framework provided by the DPE. This process also included

translation and reviewing of existing zone land use tables (**LUTs**) to create new LUTs for each employment and support zone to be adopted by LEPs.

These Phase 2 amendments to LEPs were publicly exhibited by DPE from 31 May 2022 to 12 July 2022. Council assist the exhibition by sending written notices to all owners of land within “B” or “IN” zones, publishing notices on the Council website and Facebook pages, and responding to enquiries that could not be handled by the DPE call centre.




This report provides information on the Employment Zone Reforms, implementation phases, proposed amendments to the RVLEP12, and the exhibition process. It ultimately seeks a resolution of Council to support the proposed amendments subject to several recommended changes. Upon adoption of the Employment Zone Reforms by Council, DPE will produce a self-repealing State Environmental Planning Policy (**SEPP**) containing all the customised LEP amendments and this will be notified prior to 1 December 2022.

### Employment Zone Reforms – Phase 1 Implementation the Amending Order

Amendments made to the SILEP, and consequentially the RVLEP12, were completed on 1 December 2021 and involved-

- a) the translation of all “E” Environmental zones to “C” Conservation zones:

Table 1

existing “E” Environmental Zones		new “C” Conservation Zones
E1 National Parks and Nature Reserves		C1 National Parks and Nature Reserves
E2 Environmental Conservation		C2 Environmental Conservation
E3 Environmental Management		C3 Environmental Management

- b) creation of new employment and support zones in readiness for Phase 2 implementation:

Table 2

new “E” Employment Zones	
<ul style="list-style-type: none"> <li>E1 Local Centre</li> <li>E2 Commercial Centre</li> <li>E3 Productivity Support</li> </ul>	<ul style="list-style-type: none"> <li>E4 General Industry</li> <li>E5 Heavy Industry</li> </ul>
new support zones	
Mixed Use Zone	
<ul style="list-style-type: none"> <li>MU1 Mixed Use</li> </ul>	
Special Purpose Zone	
<ul style="list-style-type: none"> <li>SP4 Enterprise</li> </ul>	
Waterway Zone	
<ul style="list-style-type: none"> <li>W4 Working Waterfront</li> </ul>	

*Note. Zones that are greyed out are not proposed to be adopted within the RVLEP12 at this time*

## c) creation of new land use definitions/terms:

Table 3

<p><b>creative industry</b> means a building or place the principal purpose of which is to produce or demonstrate arts, crafts, design or other creative products, and includes artists' studios, recording studios, and set design and production facilities.</p> <p><b>Note</b>—Creative industries are a type of <b>light industry</b>—see the definition of that term in this Dictionary.</p>
<p><b>data centre</b> means a building or place the principal purpose of which is to collect, distribute, process or store electronic data using information technology.</p> <p><b>Note</b>—Data centres are a type of <b>high technology industry</b>—see the definition of that term in this Dictionary.</p>
<p><b>goods repair and reuse premises</b> means a building or place the principal purpose of which is to collect, repair or refurbish goods, including furniture and appliances, for the purposes of sale, hire or swap, and includes premises known as op shops.</p> <p><b>Note</b>—Goods repair and reuse premises are a type of <b>business premises</b>—see the definition of that term in this Dictionary.</p>

## d) amendments to the following land use terms/definitions:

Table 4





<ul style="list-style-type: none"> <li>• artisan food and drink industry</li> <li>• business premises</li> <li>• centre-based child care facility</li> <li>• crematorium</li> <li>• high technology industry</li> <li>• home-based child care</li> <li>• kiosk</li> </ul>	<ul style="list-style-type: none"> <li>• light industry</li> <li>• local distribution premises</li> <li>• neighbourhood shop</li> <li>• school-based child care</li> <li>• shop top housing</li> <li>• storage premises, and</li> <li>• warehouse or distribution centre.</li> </ul>
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## e) provision to delete eight (8) Business “B” and four (4) Industrial “IN” zones from the SILEP on 1 December 2022 – unless saved as deferred matters.

**Translation of existing zones to new employment zones**

Phase 2 of the Employment Zone Reforms involves transitioning the existing Business “B” and Industrial “IN” zones to the new employment and support zones. GYDE consultancy, whom has been engaged to prepare the *Regional Jobs Precinct Master Plan*, the *Casino Place Plan*, and the *Richmond Valley Urban Growth Management Strategy*, was consulted on how best to undertake the reform translations. GYDE’s recommendations, which were supported by the RJP and the DPE, were to apply the translation framework as recommended by DPE except for 2 changes. The first change was to adopt the W4 Working Waterfront zone into the RVLEP12 and apply it to the Evans Head Fishermen’s Cooperative and marina. The second change was to seek a “deferred matter” status for all industrial zoned land within the Regional Jobs Precinct’s at Casino, see Table 5 for details.

Table 5

Existing zones to be translated		New employment and support zones
<b>B1 Neighbourhood Centre</b> <b>B2 Local Centre</b>		E1 Local Centre *
<b>B3 Commercial Core</b>		E2 Commercial Centre *
<b>IN1 General Industrial</b>		E4 General Industrial *
<b>IN1 General Industrial</b> as it applies to the Evans Head Fishermen's Cooperative and marina		W4 Working Waterfront @
<b>IN1 General Industrial</b> as it applies to the Regional Jobs Precinct at Casino		Deferred Matter – to be amended as part of the implementation of the RJP Master Plan <sup>#</sup>
Notes- * These transitions were recommended in the DPE's Translation Framework @ GYDE recommended applying W4 Working Waterfront to the Evans Head Fishermen's Cooperative and marina # The RJP Master Plan will identify the most appropriate zones to be applied within the RJP Industrial precincts and implement those actions as an amendment to the RVLEP12		

### Land Use Tables

Each new land zone to be adopted by an LEP must include a Land Use Table (LUT). The DPE preliminary translation framework recommended adapting existing Business "B" and Industrial "IN" zone LUTs to the new employment and support zones, including a general review of the LUTs to improve job creation but to also include the new land uses types/definitions. This review resulted in the following LUTs being exhibited for the RVLEP12.

#### Notes.

- BLUE text identifies objectives and land uses the SILEP mandates for that zone (these cannot be altered)
- GREEN text identifies land uses the SILEP mandates must be either without consent or with consent
- Text with Green Highlights were exhibited changes to the LUTs
- Text with Yellow Highlights are proposed post exhibition changes to the LUTs
- land uses provisions from State Environmental Planning Policies (SEPPs) do not get reproduced in LEP LUTs; and
- Employment and support zones are "Open Zones" – they identify what is prohibited or without consent and everything else is permitted by default.

**ZONE E1 Local Centre****Item 1 Objectives of zone**

- To provide a range of retail, business and community uses that serve the needs of people who live, work or visit the area.
- To encourage investment in local commercial development that generates employment opportunities and economic growth.
- To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.
- To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.

**Item 2 Permit without Consent**

Home occupations

**Item 3 Permit with Consent**

Amusement centres; Artisan food and drink industries; Boarding houses; Building identification sign; Business identification sign; Centre-based child care facilities; Commercial premises; Community facilities; Creative industries; Early education & care facilities; Entertainment facilities; Function centres; Goods repair and reuse facilities; Home business; Home industries; Hotel or motel accommodation; Information and education facilities; Local distribution premises; Medical centres; Mortuaries; Oyster aquaculture; Places of public worship; Public administration building; Recreation areas; Recreation facilities (indoor); Respite day care centres; Roads; Service stations; Shop top housing; Tank-based aquaculture; Vehicle repair stations; Veterinary hospitals; Any other development not specified in items 2 or 4

**Item 4 Prohibited**

Agriculture; Air transport facilities; Airstrip; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemetery; Charter & tourism boating facilities; Correctional centres; Crematorium; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipad; Highway service centres; Home occupation (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Landscaping material supplies; Marinas; Mooring; Mooring pens; Open cut mining; Port facilities; Research stations; Restricted premises; Rural industries; Self storage units; Sewerage systems; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Waste or resource management facilities; Water recreation structures; Water storage facilities; Water treatment facilities; Wholesale supplies

REMOVED FROM Item 4 Prohibited (therefore will be permitted with consent) – Residential accommodation; Warehouse or distribution centres

**ZONE E2 Commercial Centre****Item 1 Objectives of zone**

- To strengthen the role of the commercial centre as the centre of business, retail, community and cultural activity.
- To encourage investment in commercial development that generates employment opportunities and economic growth.
- To encourage development that has a high level of accessibility and amenity, particularly for pedestrians.
- To enable residential development that is consistent with the Council's strategic planning for residential development in the area.
- To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.

**Item 2 Permit without Consent**

Home occupations

**Item 3 Permit with Consent**

Amusement centres; Artisan food and drink industries; Backpackers' accommodation; Building identification sign; Business identification sign; Centre-based child care facilities; Commercial premises; Community facilities; Creative industries; Early education & care facilities; Educational establishments; Entertainment facilities; Function centres; Goods repair and reuse facilities; Home business; Home industries; Hotel or motel accommodation; Information and education facilities; Local distribution premises; Medical centres; Mortuaries; Oyster aquaculture; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Shop top housing; Tank-based aquaculture; Vehicle repair stations; Veterinary hospitals; Any other development not specified in items 2 or 4

**Item 4 Prohibited**

Agriculture; Air transport facilities; Airstrip; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemetery; Charter & tourism boating facilities; Correctional centres; Crematorium; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipad; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Jetties; Landscaping material supplies; Marinas; Mooring; Mooring pens; Open cut mining; Port facilities; Research stations; Residential accommodation; Rural industries; Self storage units; Sewerage systems; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Waste or resource management facilities; Water recreation structures; Water storage facilities; Water treatment facilities; Wholesale supplies

REMOVED FROM Item 4 Prohibited (therefore will be permitted with consent) - Warehouse or distribution centres

PROPOSED TO BE REMOVED FROM Item 4 Prohibited (therefore will be permitted with consent) - Storage premises

**ZONE E4 General Industrial****Item 1 Objectives of zone**

- To provide a range of industrial, warehouse, logistics and related land uses.
- To ensure the efficient and viable use of land for industrial uses.
- To minimise any adverse effect of industry on other land uses.
- To encourage employment opportunities.
- To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.

**Item 2 Permit without Consent**

Nil

**Item 3 Permit with Consent**

Building identification sign; Business identification sign; Depots; Freight transport facilities; Funeral homes; Garden centres; General industries; Goods repair and reuse facilities; Hardware & building supplies; Industrial retail outlets; Industrial training facilities; Intensive plant agriculture; Kiosks; Landscaping material supplies; Light industries; Local distribution premises; Markets; Mortuaries; Neighbourhood shops; Office premises; Oyster aquaculture; Plant nurseries; Roads; Rural supplies; Specialised retail premises; Take-away food & drink premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in items 2 or 4

**Item 4 Prohibited**

Agriculture; Amusement centres; Camping grounds; Caravan parks; Cemetery; Commercial premises; Early education & care facilities; Eco-tourist facilities; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Forestry; Function centres; Health services facilities; Highway service centres; Home business; Home occupation (sex services); Home occupations; Open cut mining; Places of public worship; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Respite day care centres; Schools; Tourist and visitor accommodation

REMOVED FROM Item 4 Prohibited (therefore will be permitted with consent) - Charter & tourism boating facilities; Community facilities; horticulture; farm buildings; restricted premises; heavy industries; home industries; information and education facilities

MISSED FROM THE TRANSLATION AND NEED TO BE ADDED TO Item 4 Prohibited (therefore will be prohibited) - Airstrips; helipads

**ZONE W4 Working Waterfront****Item 1 Objectives of zone**

- To retain and encourage industrial and maritime activities on foreshores.
- To identify sites for maritime purposes and for activities requiring direct foreshore access.
- To ensure that development does not have an adverse impact on the environment and visual qualities of the foreshore.
- To encourage employment opportunities.
- To minimise any adverse effect of development on land uses in other zones.

**Item 2 Permit without Consent**

Nil

**Item 3 Permit with Consent**

Aquaculture; Boat building and repair facilities; Boat launching ramps; Jetties; Kiosks; Light industries; Markets; Office premises; Roads; Specialised retail premises; Take-away food & drink premises; Any other development not specified in items 2 or 4

**Item 4 Prohibited**

Agriculture; Air transport facilities; Airstrip; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Camping grounds; Caravan parks; Cemetery; Commercial premises; Correctional centres; Crematorium; Early education & care facilities; Eco-tourist facilities; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Heavy industries; Highway service centres; Home business; Home occupation (sex services); Home occupations; Mortuaries; Open cut mining; Places of public worship; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Respite day care centres; Restricted premises; Sawmill or log processing industries; Schools; Self storage units; Sewage treatment plants; Stock & sale yards; Tourist and visitor accommodation

**CONSULTATION**

Phase 2 implementation of the Employment Zone Reforms were publicly exhibited by the DPE from 31 May 2022 to 12 July 2022. Information on the reforms and property based translations of existing zones to the new employment and support zones were available on the Planning Portal. Council provided information and links to the Portal via its website and Facebook pages as well as notifying every owner of land within the Business "B" or Industrial "IN" zones.

The DPE provided a hotline for telephone enquiries, however, Council fielded a large volume of calls where the Portal and hotline could not assist.

**Submissions**

DPE received around 400 submissions via the Planning Portal as well as a number of submissions directly to the employment zones email inbox. Three (3) written submissions regarding the amendments to the RVLEP12 were received and DPE has forwarded 2 general submissions on the Reforms from Aldi Supermarkets and the Large Format Retail Association.

- Submission 1 – the LUTs are too restrictive.

Comments – The submitter was contacted by Council to discuss this submission and find out if there were specific land uses types they thought should be included as permissible.



The submitter acknowledged that he had been reading the LUTs incorrectly and that because these are “Open Zones” there will be a significant number of land use types that are permissible with consent despite not being specifically listed.

- Submission 2 – from a local business owner seeking to have 57 Simpsons Parade Casino rezoned from R1 General Residential to Zone E2 Commercial Centre.

Comments – Both 57 Simpsons Parade and 72 Barker Street Casino were formerly zoned in the Casino Central Business District under the former Casino Planning Scheme. When this Scheme was translated to the RVLEP12, the zone boundary was mapped incorrectly and both lots were included in Zone R1 General Residential. A commitment was given to the owners to correct this error in a future LEP review.

The existing businesses on these lots can continue to operate under current development consents despite the zoning, however, because these approvals are for specific land use types the R1 zoning may provide limitations to potentially changing the uses to other types of commercial activities.

There is a new owner of 72 Barker Street Casino and he is happy to retain the R1 zoning for now, however, a submission was received from 57 Simpsons Parade Casino to pursue this rezoning.

It is recommended to support changing the zone for 57 Simpsons Parade Casino to include it within Zone E2 – see Figure 1.

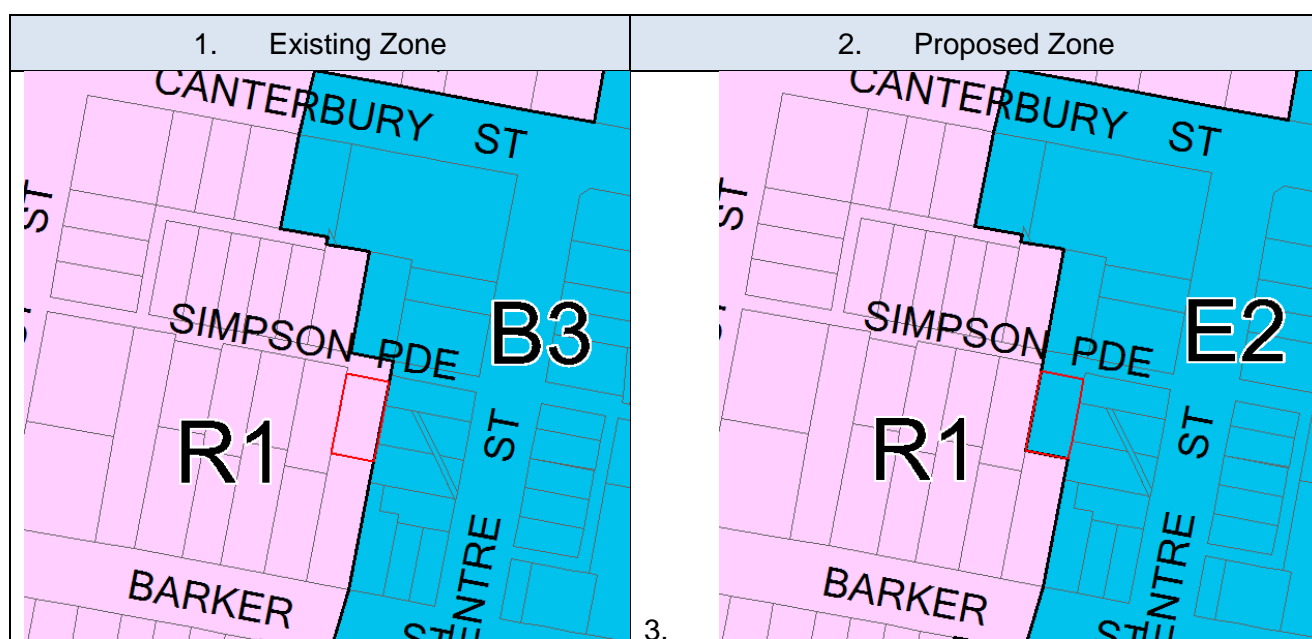


Figure 1 – Existing and proposed zoning for 57 Simpsons Parade Casino

- Submission 3 – Concerned with change to Zone E2 which will now prohibit “storage premises”. Citing strong demand from the business community for offsite office storage and business product storage.

Comments – Concerns regarding this change were raised verbally several times during the exhibition. Zone E2 will be translated from B3 Commercial Core where “storage premises” are currently permitted.

It is recommended to reverse this amendment and maintain the permissibility of “storage premises” with consent in Zone E2.

- ALDI – Does not object to the proposed changes in zone names from Business (B) to equivalent (E) zones provided: 1) there’s no reduction in the range of permitted uses; 2) there’s no amendments to relevant LEP objectives or development standards that would

reduce ALDI's ability to continue operating from sites; and 3) there's no amendments to relevant objectives or development standards that would reduce the development potential of the land for any future alterations, additions or redevelopment.

Comments – No changes are proposed to the RVLEP12 that would restrict retail premises from continuing to operate/establish within the in the proposed E1 & E2 employment zones.

- Large Format Retail Association – concerned the DPE Employment Zone Reforms have not implemented all the recommendations of the independent Retail Expert Advisory Committee (REAC) 2017 findings. These findings were adopted by the Minister for Planning. The LFRA recommends: expanding the list of mandated permissible uses in Zone E3 [*this zone is not used in the RVLEP12*]; ensure consistency of permissibility in translating the land use tables for the B5, B6 and B7 zones to E3 [*these zones are not used in the RVLEP12*]; eliminate the need for permissible land uses to be retained via site specific provisions in Schedule 1 for additional permitted uses; adopt group terms rather than sub terms in the land use tables of Zone E3 [*this zone is not used in the RVLEP12*]; modify the wording of objectives 1-4 of Zone E3 [*this zone is not used in the RVLEP12*].

The submission criticises the proposed amendments to each LEPs and makes recommendations for changes. There were no comments regarding the RVLEP12.

Comments – This submission makes no recommendations regarding amendments to the RVLEP12. Most comments relate to deficiencies in the DPE Employment Zone Reforms, and improvements in the translation and delivery of Zone E3 Productivity Support.

### **Savings and transitional Provisions**

The DPE has provided the following comment in regard to submissions raised concerns with maintaining permissibilities for translated zones and LUTs-

*Following on from general feedback received during exhibition we have been asked to maintain permissibility where a translation has resulted in a removal of permissibility. This means for example, if a site was previously zoned B2 Local Centre and has translated to an E1 Local Centre zone, all previously permitted uses in the B2 zone are to be maintained. We are proposing to manage this via a savings and transitional clause through the Standard Instrument Order maintaining permissibility for two years which will enable time for landowners to seek a Schedule 1 Additional permitted use or for councils to confirm their land use tables.*

### **CONCLUSION**

Phase 2 implementation of the Employment Zone Reforms includes-

- translation of existing Business "B" and Industrial "IN" land zones to the new employment and support zones (as per Table 5), and
- translation and review of existing Business "B" and Industrial "IN" land use tables to create new employment and support zone land use tables.

Council also sought to defer implementation of the Employment Zone Reforms for Industrial "IN" areas within the Regional Jobs Precincts at Casino, and to adopt Zone W4 Working Waterfront and apply this zone to the Evans Head Fishermen's Cooperative and marina.

The reforms were publicly exhibited by the Department of Planning and Environment from 31 May 2022 to 12 July 2022. Nothing significant arose from the public exhibition except to identify several changes to land use table permissibilities, and to rezone 57 Simpsons Parade Casino from Zone R1 to Zone E2.

### **ATTACHMENT(S)**

Nil

**17 PROJECTS & BUSINESS DEVELOPMENT****17.1 LOCAL GOVERNMENT RECOVERY GRANTS NOMINATION OF PROJECTS**

**Author:** Ben Zeller

**EXECUTIVE SUMMARY**

The Local Government Recovery Grants program is funded by the NSW Government and administered by the Office of Local Government to support highly impacted disaster declared councils in disaster recovery and resilience initiatives.

In recognition of the significant impact to the Northern Rivers from storm and flood events throughout early 2022, the Local Government Recovery Grants program provides additional funding to support local councils in a broad range of recovery and resilience activities that best meet their community's needs. The program will encourage community and local economic recovery in the short, medium and long-term. Richmond Valley Council has been allocated \$2.375 million for this program (\$375,000 for pound operations, \$2 million discretionary). After consultation with Councillors and community groups, and reviewing Council's Recovery Plans, a project allocation follows in the report. Council is required to notify the Office of Local Government of its nominated projects/activities by August 30, 2022.

**RECOMMENDATION**

That Council:

1. Approves the allocation of the \$2 million provided under the Local Government Recovery Grants Program toward the projects and initiatives as outlined in this report;
2. Authorises the General Manager to notify the Office of Local Government of its nominated program of works by the required date.

**DELIVERY PROGRAM LINKS**

Recover - Objective 4: Restore essential infrastructure

4C Restore and maintain community facilities and assets

4C1 Restore damaged assets, including sporting facilities, parks, recreation areas, cemeteries, footpaths and cycleways

**BUDGET IMPLICATIONS**

\$2.375 million has been received from the Office of Local Government under this program on 3 May 2022.

**REPORT**

Richmond Valley Council has been included under the declared disaster event "February 2022 NSW Storms and Floods" (AGRN1012). To support flood-affected councils, the State Government developed the Local Government Recovery Grants scheme. Council received \$2.375 million under this scheme on 3 May 2022 to support restoration and recovery projects that best meet the community's needs. This follows on from a \$1 million grant received under the scheme in March 2022.

Under the funding guidelines, projects must include activities that are not eligible through existing Disaster Recovery Arrangements (DRFA). The funding aims to complement, rather than duplicate

any other forms of recovery assistance being delivered. \$375,000 has been provided as direct funding to support pound operations in assisting with reuniting and rehoming pets displaced by floods. Options for pound improvements are currently being developed.

As part of the agreement, Council is required to provide a program of works within three months of receiving the funding and provide ongoing quarterly reports on project/program progress. This date has been extended to August 30, 2022.

The following list of projects/activities that align with the funding criteria has been prepared for Council's consideration:

Customer Service Officer (additional support)	90,000
Naughtons Gap Road studies	80,000
Colley Park – Netball and Basketball Court	320,000
Stan Payne Oval Drainage Works	80,000
Road condition survey technology	80,000
Simpsons Parade Carpark	300,000
Restoring recreation spaces in the Mid Richmond	80,000
Evans Head Boat Ramp restoration, Paddon Park	130,000
Woodburn CBD Activation – Detailed design	120,000
Solar powered electronic device charging stations	70,000
Rappville Hall flood resilience works	100,000
Mobile emergency amenities & support facilities	300,000
Tatham Bridges realignment study	100,000
Implement outcomes/recommendations of NSW Government Flood Inquiry	100,000
Emergency Plans review	50,000
	<b>\$2,000,000</b>

Following is a brief explanation of each of the projects/activities:

#### Customer Service Officer (\$90,000)

To maintain our service delivery standards on actioning requests, Council needs to employ additional staff to meet the increased customer service requirements. Since the February/March flooding disaster, Council's Customer Experience Team has continued to be in high demand. Staff are receiving increased calls for road maintenance requests, drainage issues, and general recovery support enquiries. Customer Experience Staff have been seconded to take minutes for operational works meetings, monitoring response time frames and updating Live Traffic and My Road Info information. The additional position increases Council's ability to support the community.

#### Naughtons Gap Road (\$80,000)

Prior to the extreme weather events earlier this year, Council had a Geotechnical investigation and concept designs prepared to address the major landslide on Naughtons Gap Road. Extensive studies and tests were conducted to determine possible options to rectify the issue.

Following the event, the existing landslide has worsened, with additional landslides forming adjacent to the original one. Due to this change in conditions, the initial investigations, testing and reports no longer reflect the extent of the damage nor provide a long-term solution. Additional studies and investigative works need to be carried out including that of road realignment, to review the options and reopen this critical regional link between the communities of Casino, Lismore and surrounds.

Colley Park – Netball and Basketball Court Repair (\$320,000)

The Colley Park Netball and Basketball court areas have suffered from water inundation for an extended period including the February/March 2022 flood event. This has resulted in damage to the playing surfaces and the need for repairs due to dangerous trip hazards and slippery surfaces. The netball courts will be re-laid to remediate trip hazards, and the basketball court demolished and replaced with a concrete court, towers and line marking.

The repair work will help to boost the local economy and support recovery, as the facility hosts several large sporting events throughout the year.

Stan Payne Oval Drainage Works (\$80,000)

Poor drainage at Stan Payne Oval, Evans Head directs runoff water in mild rain events straight into the storage area located underneath the grandstand. Improving drainage works will ensure that the storage facility can remain dry during times of wet weather.

The improvements would benefit a number of sporting organisations who use the facility for equipment storage, and would help to ensure that sporting activities at Stan Payne Oval can resume much sooner after flooding events.

Road Network Condition Survey (\$80,000)

This involves procuring and developing a vehicle mounted recording system capturing the condition of the entire road network. The system would provide existing condition information vital for claims in future natural disaster events and assisting the recovery process. The system will be a combination of vehicle mounted video and condition registering sensors, which when aligned with GPS mapping locality and functionality will provide Council with metered information that allows programming and deterioration profiles for roads.

Simpsons Parade Carpark (\$300,000)

The Simpsons Parade carpark behind the Tattersalls hotel is currently in a state of disrepair where it is not used to its full potential. It was inundated with flood water during the February/March 2022 event. The upgrade of the carpark will see it used much more efficiently, with a repaired and resealed surface and line marking. The car park will become of greater value to the community and the large number of people that work in the Casino CBD. It will also provide a suitable staging area for emergency facilities to be set up during times of disaster to assist with emergency response and community recovery.

This project was listed in the capital works budget in 2016 but was reprioritised. It is likely that the portion of this carpark in private ownership will be upgraded at the same time for efficiency, at the cost of the owner.

Restoring Mid Richmond Recreation Spaces (\$80,000)

Windsor Park, Coraki has been identified as a location to further develop an existing recreational asset heavily affected by the recent natural disaster. The proposed scope of works includes the development of a scooter track, placemaking through landscaping, shelters and shade covers, lighting, revitalisation of the existing skate park, swing sets, installation of bollards and designated off leash dog park.

Paddon Park and Boat Ramp Access Improvements (\$130,000)

Paddon Park, Evans Head received partial flood damage and its repair presents an opportunity to build back better. Works would include: Renovation and formalisation of the area adjacent to the Paddon Park boat ramp including the parking area, which was inundated during the flood; creation of hard standing parking areas which maintain a green finish while enabling multiple boat trailer parking and access; establishment of Picnic/BBQ facilities, and viewing points along the riverside overlooking the pontoons and fishing stands. Completion of the project supports tourism and activating community spaces.

Woodburn CBD Activation Cost and Design (\$120,000)

In 2017, a master plan was completed outlining the opportunities to retain Woodburn as a key stopping point whilst creating an atmosphere of a niche riverside village by redesigning the main street as a more attractive location.

To support the recovery of the Woodburn community, Council proposes to undertake detailed design including geotechnical/survey and engineering to develop construction level plans ready for implementation. The completion of detailed design brings the Woodburn CBD Activation project to a shovel ready stage in readiness for funding opportunities.

Solar powered electronic Device Charging Stations (\$70,000)

This initiative involves the purchase of solar powered charging stations to be situated in our flood prone communities. The project provides various charging ports for up to 14 devices and is powered by a 1.3kw solar canopy that has battery stores capable of up to eight days of storage. The transportable capability of these assets provides a crucial resource during disaster response and in the early stages of recovery. This project will include identifying priority areas for these stations, specific locations and an action plan for how these resources are to be allocated and transported during natural disasters.

Rappville Hall Flood Resilience Works (\$100,000)

The Rappville Hall is due for completion in November 2022. A limited budget has resulted in a review of the project scope. This funding would enable flood resilience initiatives such as the installation and maintenance of drainage around the facility, installing electrical circuits, power points and appliances above the flood levels, using water resistant materials to minimise potential water damage and the addition of accessible parking for the community centre. With the Hall being a more flood resilient building, minimal time and effort will be needed to clean and restore the hall. This allows the facility to be utilised as a temporary housing/evacuation facility for people who may be affected by future events

Mobile Emergency amenities and support facilities (\$300,000)

Council has identified a need for mobile emergency facilities such as mobile kitchens, toilets and cool rooms which were in scarce supply during the flood response and initial recovery phase. A major issue at temporary evacuation centres was the lack of facilities to support the influx of evacuees.

Access to such mobile facilities will provide great assistance at evacuation centres in future events. These items can be deployed in non-emergency situations for events activities or at the Showground.

Tatham Bridge Realignment Study (\$100,000)

The Twin Bridges at Tatham requires land acquisition and the creation of a new road reserve to allow for the most appropriate alignment of the proposed new bridge structures. The study to obtain this information includes licenced survey, drafting of survey boundaries, Native Title research and consultation, acquisition of private land, and the negotiated transfer of such land with boundaries established.

The study will confirm the new corridor to allow for the construction of two new concrete structures superseding the existing structures, being more resilient to future flooding at a greater height and being stronger in material make-up than the existing Doolan deck bridges.

Physical works will also require the realignment of intersections which fall within the scope of the project boundary and this too will be part of the design works. The realignment will allow for the existing bridges to remain trafficable while the new bridges are constructed, this supports community recovery by acknowledging the critical link this road plays in the social connection of community from Casino to the Mid Richmond.

Implement outcomes/recommendations of NSW Government Flood Inquiry (\$100,000)

The NSW Government Flood Inquiry (O'Kane/Fuller Inquiry) will be reported during August and it is expected to include significant recommendations for the future management of disasters. It is likely to have recommendations that Council will have to respond to and it would be prudent to allocate some funds to enable Council to implement recommendations and initiatives.

Emergency Plans Review (\$50,000)

Council proposes to review the Emergency Management Plan and supporting Recovery Plans to ensure they remain current and effective. One of the key focus points will be reviewing Evacuation Centres and identifying future needs.

Funds will support an external consultant to review and report on findings and to complete priority actions identified in the review.

Determining the allocation across the LGA

The projects listed were formulated after extensive consultation with advisory groups, community groups, and Councillors. Consideration was also given to the distribution of funds across the LGA based on population spread and project needs.

**CONSULTATION**

Potential projects and initiatives have been collected through consultation with advisory groups, community groups and then via workshop with the Councillors.

**CONCLUSION**

The Local Government Recovery Grants program has provided \$2.375million in funding for discretionary projects that meet the eligibility criteria. A program of works needs to be forwarded to the funding body in August, with the projects outlined in the report being key to the Richmond Valley's immediate recovery from the 2022 weather events.

**ATTACHMENT(S)**

Nil

**17.2 STRONGER COUNTRY COMMUNITIES FUND - ROUND FIVE**

**Director:** Ben Zeller

**Responsible Officer:** Hayley Hancock

**EXECUTIVE SUMMARY**

Richmond Valley Council has been afforded the opportunity to nominate potential community projects under Stronger Country Communities Fund Round Five. \$1,213,428 has been allocated for Council to apply for in this phase with a further \$495,386 available for eligible community organisations to apply for. This report sets out the options that Council has considered to align with this funding criteria and a recommendation has been made to fund works to create a focal point at the Albert Park Tourist Stopover, Casino. Selection of additional projects is required to exhaust the funding allocation.

**RECOMMENDATION**

That Council:

1. Supports the Albert Park Tourist Stopover in Casino as the priority project for the funding available under the Stronger Country Communities Fund round five;
2. Notes that the General Manager will review other options in line with our Rebuilding the Richmond Valley Recovery Plan and Asset Management Plans for the balance of the funds and bring a report to the September Council meeting prior to submission of the application;
3. Promotes the opportunity for community groups to work with Council to prepare applications for the \$495,386 that is available for community organisations.

**DELIVERY PROGRAM LINKS**

Recover - Objective 1: Help communities to recover and reconnect

1A Work with the community to revitalise our towns and villages

1A2 Help community groups to recommence activities

**BUDGET IMPLICATIONS**

Richmond Valley Council has an allocation of \$1,213,428 available to apply for with a further \$495,386 available to eligible community organisations under the Stronger Country Communities Fund – Round Five.

**REPORT**

Richmond Valley Council has been provided the opportunity to nominate potential community projects under the Stronger Country Communities Round Five Program. \$1,213,428 million has been allocated for Council to apply for in this phase.

The Stronger Country Communities Fund is designed to boost the wellbeing of communities in regional areas by providing new or upgraded social and sporting infrastructure or community programs that have strong local support. Eligible project types include local community and sporting infrastructure, street beautification, projects that improve accessibility and inclusion for people with disability, projects that improve outcomes for Aboriginal people, community programs and local events.



While Council has been provided an 'allocation' under this funding program, it still needs to apply to ensure the nominated projects comply with the desired outcomes of the funding program. The applications for Round 5 close on 23 September 2022 and projects will need to be completed within three years.

Previous phases of this program have enabled Council to complete projects listed in the following table:

Round	Project	Location	Amount
One	Renovate Casino Civic Hall	Casino	\$152,028
One	New canteen, bar, toilet Casino Showground	Casino	\$267,883
One	Outdoor fitness equipment	Evans Head	\$201,926
One	Fit out of Evans Head Tennis Club	Evans Head	\$101,990
One	Small basketball court	Broadwater	\$131,785
Two	Upgrades to facilities - Queen Elizabeth Park	Casino	\$479,717
Two	Windsor Park revitalisation	Coraki	\$95,053
Two	Woodburn Recreation Oval enhancement	Woodburn	\$98,714
Two	Upgrade facilities at Stan Payne Oval	Evans Head	\$309,884
Two	Accessibility and upgrade of Evans Head Main beach area	Evans Head	\$185,765
Three	Install rope climber and seesaw rocker	Broadwater	\$107,315
Three	Colley Park premier soccer field enhancement	Casino	\$205,166
Four	Upgrade town entry signs	All	\$55,000
Four	Crawford Park play space	Casino	\$248,963
Four	Water play space Coraki Swimming Pool	Coraki	\$212,500

Council officers have identified options that are consistent with Council's objectives in its Rebuilding the Richmond Valley Recovery Plan and proposed the upgrade of the highly utilised Albert Park Tourist Stopover in Casino as a project that aligns with the intended outcomes of this program. The estimated cost of this project would be in the range of \$900,000 to \$1 million.

Albert Park sits alongside the Bruxner Highway and is a highly visible and visited rest stop over. The road surface and drainage are degraded and its upgrade has been identified as a priority. The opportunity exists to enhance the tourism experience and develop the area as an integral part of a journey by creating a welcoming and safe space that meets accessibility needs whilst showcasing points of interest in the Richmond Valley. Its upgrade will also support visitors to the Albert Park recreational facilities.

Features of the project include:

- Formalised entry way with sealed pavement and new trees,
- social infrastructure including more picnic shelters and seats, BBQ shelters, a water station and solar lights,
- accessible upgraded amenities,
- concrete dish drainage,
- rectification of drainage and pavement disrepair.

The benefits of the upgrades include beautification of this space that entices travellers to stop and explore more of Casino and surrounds.

This project meets tourism needs, potentially increases visitor spend and creates a meeting place for social connection that is accessible.

The balance of funding under Council's allocation from this program should be in the range of \$200,000 to \$250,000 which will provide significant scope to pursue other smaller projects. These considered by Council officers, workshopped with Council at a future information session and brought to the September Council meeting for resolution.

### **CONSULTATION**

Project registers have been maintained perpetually via community consultation, surveys, communication with local organisations and assessment of community needs by Council officers. The Rebuilding the Richmond Valley Recovery Plan identifies the priorities for the community and has been subject to a community consultation process.

### **CONCLUSION**

The NSW Government's Stronger Country Communities Program has provided Council with the opportunity to invest in much needed community infrastructure outside of normal operational budgets. The projects will boost the wellbeing of communities in our regional area by providing new or upgraded social and sporting infrastructure. Council has identified the Albert Park Tourist Stopover in Casino as a project that aligns with the intended outcomes of this program.

### **ATTACHMENT(S)**

**Nil**

**17.3 REGIONAL ROAD TRANSFER AND ROAD CLASSIFICATION REVIEW**

**Director:** Ben Zeller

**Responsible Officer:** Andrew Leach

**EXECUTIVE SUMMARY**

In July 2021 a report was presented to Council regarding the NSW Government's review of the State Road network, with their intention to return 15,000 kms of council owned or managed roads to the State to help local councils better maintain and manage their road networks.

The process allowed the suggested transfer of Transport for NSW (TfNSW) roads, as well as the reclassification of Council local roads. In response to the submission, Council was asked to provide detailed feedback on its two priority roads, being MR145 (Casino Woodburn Road) and the Broadwater Evans Head Road.

Council has now received formal notification, from the Minister for Regional Transport and Roads confirming the Broadwater Evans Head Road as a Regional Road. Council agree and acknowledge the Regional Road classification, however need to respond to the implications of elements listed in the classification as documented within the formal notification from TfNSW.

**RECOMMENDATION**

That Council writes to Transport for NSW regarding the Road reclassification of Broadwater Evans Head Road to a Regional Road confirming;

1. Council agrees to the reclassification under the following conditions;
  - (a) That Council's Block Maintenance funding from TfNSW be increased to reflect the increase in the Regional Road Network under Council maintenance;
  - (b) Reiterating that Council will not take responsibility for the interchange roundabouts in the North section of the classified road.

**DELIVERY PROGRAM LINKS**

Recover - Objective 3: Restore the Richmond Valley's road network

3B Restore critical regional transport corridors and freight links

3D3 Restore essential freight links and community access roads

**BUDGET IMPLICATIONS**

Council is currently funded to maintain 67.49 km of Regional Roads with the annual budget for the past three years of \$920,000 per annum. It is suggested that following the recognition of the Evans Head Broadwater Road as a Regional Road, if Council was to maintain the road under the same arrangement that Council request an additional \$152,470 per annum to the block grant. These are baseline figures which Council Officers will use in discussions with TfNSW.

**REPORT**

In July 2021 a report was presented to Council regarding the NSW Government's review of the State Road network, with their intention to return 15,000 kms of council owned or managed roads to the State to help local councils better maintain and manage their road networks. The process allowed the suggested transfer of Transport for NSW (TfNSW) roads, as well as the reclassification of Council Local Roads. In mid-2020, Council reviewed and submitted the following proposals for consideration:

- Transferring MR145 (Casino to Woodburn) back to the State.
- Maintaining what will be the Old Pacific Highway from Boundary Creek Road to South Woodburn Interchange as a State asset.
- Reclassifying Broadwater to Evans Head Road from Local to Regional Road, remaining under Council control.
- Reclassifying Naughtons Gap Rd (via East Street) from Bruxner Highway in Casino to Lismore Kyogle Road from Local to Regional Road, remaining under Council control.

Council also supported Kyogle and Lismore Councils in their proposal to have the Lismore Kyogle Road, as well as Lismore Coraki Road, and Wyrallah Road returned to the State.

In response to the submission, Council was asked to provide detailed feedback on its two priority roads, being MR145 (Casino Woodburn Road), and the Broadwater Evans Head Road. This more detailed response was lodged with TfNSW in December 2020. Council was subsequently advised in mid-2021 that TfNSW had approved the reclassification of the Broadwater Evans Head Road as a Regional Road. Council has now received formal notification, (see attachment) from the Minister for Regional Transport and Roads confirming the Broadwater Evans Head Road as a Regional Road. The attached letter confirms the final classification, and the sub classes to which the segments have been allocated. TfNSW has asked for a formal response within 28 days of the letter.

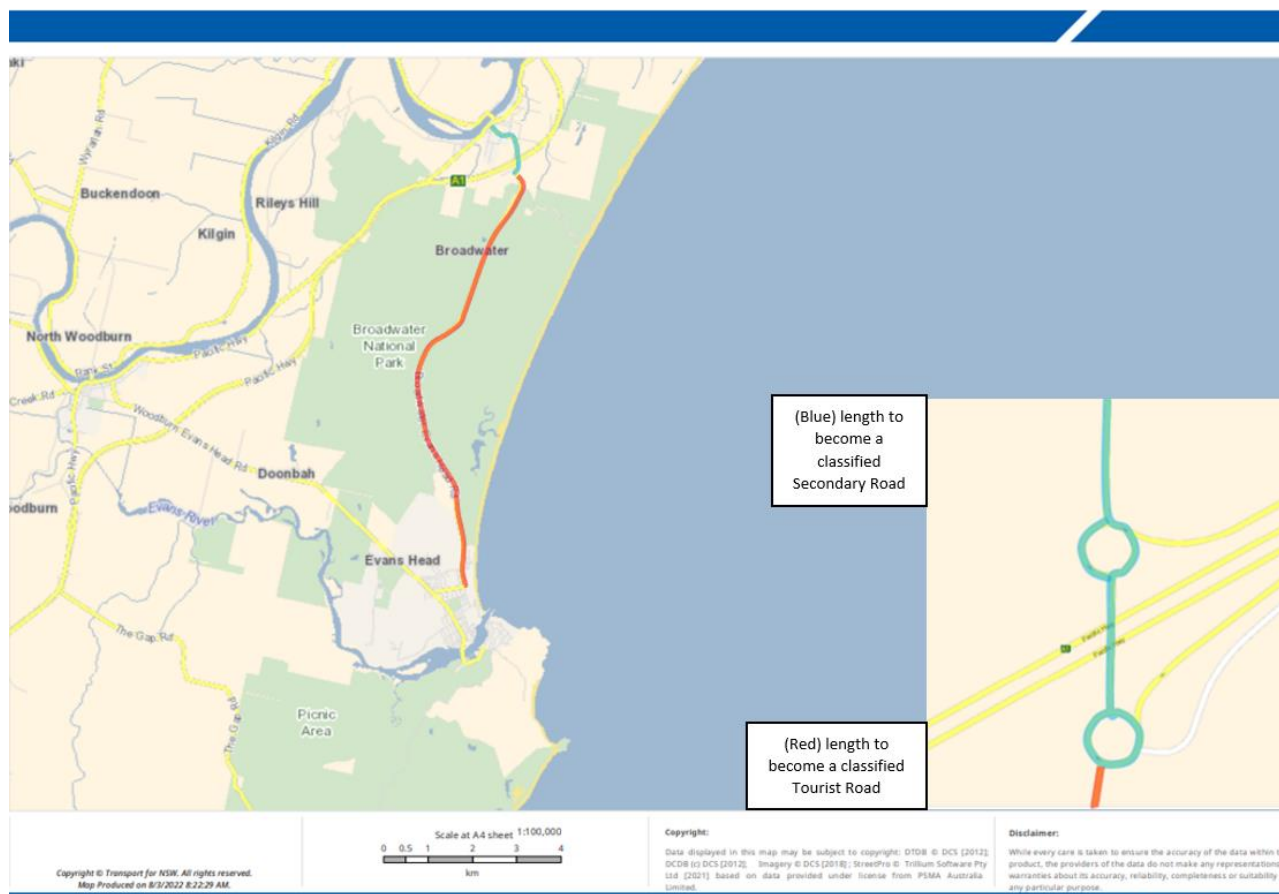
In preparing a response to TfNSW, it is recommended that Council agreement is conditional on two factors.

Council is currently funded to maintain 67.49 km of Regional Roads with the annual budget for the past three years of \$920,000 per annum. It is suggested that following the recognition of the Evans Head Broadwater Road as a Regional Road, if Council were to maintain the road under the same arrangement that Council request an additional \$152,470 per annum to the block grant. These are baseline figures which Council Officers will use in discussions with TfNSW.

A further condition is the exclusion of the roundabout/interchange elements of the intersection with the Pacific Highway. Council resolved at the June 2022 meeting to write to TfNSW regarding the roundabouts/interchange section stating that Council would not accept the responsibility of this infrastructure, at this site as well as the interchange south of Woodburn. TfNSW has not directly responded to our letter, instead writing the letter attached to this report.

With this exclusion in mind, the length of the northern section of Evans Head Broadwater Road would be reduced to 1.045 km from a proposed 1.30 km. The total length either side of the Pacific Highway is 11.185 km, which has been used as the basis for calculating the increase in the Block funding above.

The extract from the recent TfNSW letter below indicates the roundabout sections at the Pacific Highway in question.



## CONCLUSION

It is proposed that Council respond to TfNSW accepting in principle to the reclassification of the Evans Head Broadwater Road as a Regional Road, with the conditions stating that;

- Richmond Valley Council receive an increase in the Block funding which reflects the increase in the Regional Road Network under Council maintenance control and;
- Reiterating that Council will not take responsibility for the interchange roundabouts in the North Section of the classified road.

## ATTACHMENT(S)

1. Letter from TfNSW - Regional Road Re-classification
2. Letter to Minister for Regional Transport & Roads
3. Letter to Transport for NSW

Mr Vaughan Macdonald  
General Manager  
Richmond Valley Council  
Cnr Walker Street & Graham Place  
Casino NSW, 2470



Re: Regional Road Transfer and Road Classification Review - Priority Round  
Implementation

8 August 2022

Dear Mr Macdonald,

On 15 July 2022, the Hon. Sam Faraway, Minister for Regional Transport and Roads, wrote to you advising of the re-categorisation of Broadwater Evans Head Road as a **Regional road** as part of the implementation of the Priority round of the Road Classification review (the Review). In order to fully complete the outcomes of the Review, appropriate classification of this road under Part 5 of the *Roads Act 1993* (the Act) must be considered.

TfNSW has reviewed this road and its function in the context of the network and recommends the following actions, which are shown in more detail in **Attachment A**:

1. **Northern section** (from old Pacific Highway to the southern exit of the roundabout at Rifle Range Road): Classify this section under section 50 of the Act as a **Secondary road** and retain its **Regional** road category.
2. **Southern section** (from the southern exit of the roundabout at Rifle Range Road to the northern entry to the Currajong Street roundabout at Evans Head): Classify this section under section 51 of the Act as a **Tourist road** and retain its **Regional** road category.

Broadwater Evans Head Road provides an important direct connection between Evans Head and Broadwater, with a particular connector function between the old and new alignments of the Pacific Highway at Broadwater. As such, TfNSW considers that the **northern section** satisfies section 50 of the Act.

In contrast, the **southern section** plays more of a tourist function, providing travellers with a connection from the Pacific Highway to Evans Head in the south. Pursuant to section 58 of the Act, please be advised that the intention is that:

1. The Northern Section will be changed from an **unclassified** road to a **classified Secondary road**, maintaining its **Regional** road categorisation.

The Southern Section of this road will be changed from an **unclassified** road to a **classified Tourist road**, maintaining its **Regional** road categorisation.

## Regional Road Transfer and Road Classification Review

**What do we need from Richmond Valley Council?**

Having regard to section 59 of the Act, TfNSW seeks the following:

1. evidence that Broadwater Evans Head Road has been declared as a public road, for example in the form of a Government Gazette reference number and date
2. any submissions in relation to TfNSW's recommendation for classification of the northern section of this road under section 50 of the Act, including whether or not Council supports TfNSW's recommendation
3. any submissions in relation to TfNSW's recommendation for classification of the southern section of this road under section 51 of the Act, including whether or not Council supports TfNSW's recommendation
4. Any other comments Council may have in relation to the proposed classifications to **Secondary road** and **Tourist road** as outlined in this correspondence.

TfNSW would appreciate your response no later than 28 days from the date of this letter.

If you have any further questions, Chelsea Waterton would be pleased to take your call on 0400 059 777.

Yours sincerely

A handwritten signature in black ink, appearing to read "Anna Zycki".

**Anna Zycki**

Region Director, North  
Regional and Outer Metropolitan Division  
Transport for NSW

## Regional Road Transfer and Road Classification Review



## Attachment A

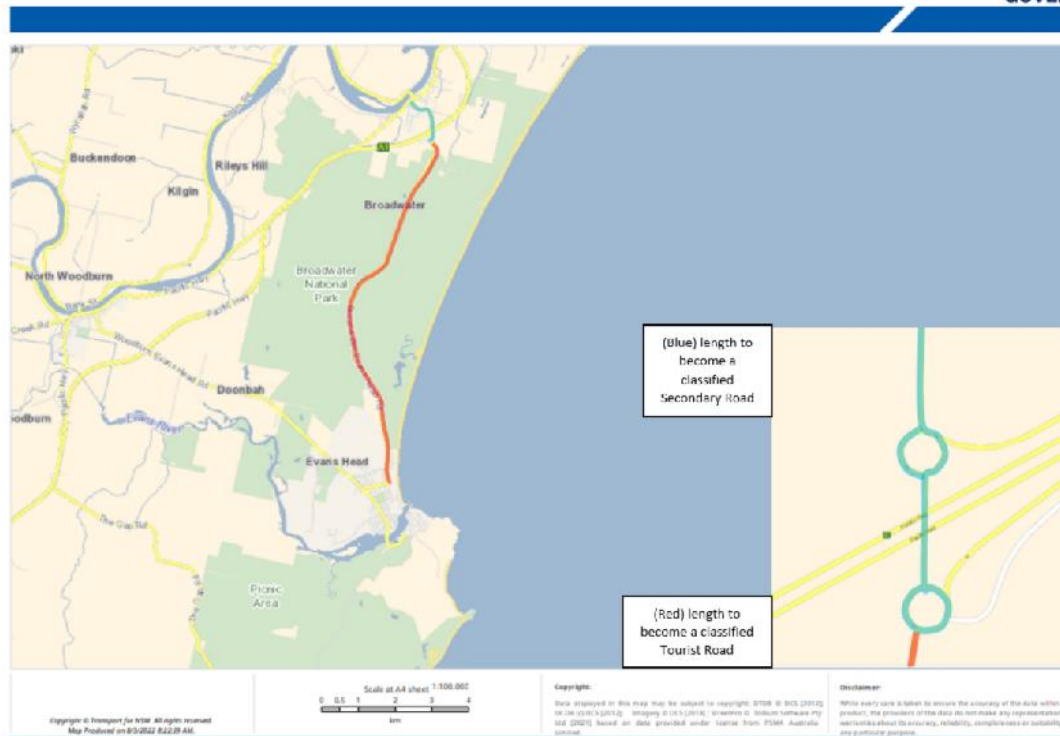
## RCRT00031

<b>Road Name(s):</b>	Broadwater Evans Head Road (NORTH)	
<b>Road(s) Location:</b>	Broadwater, Evans Head – From Macdonald Street at the Pacific Highway, Broadwater to the southern exit of the roundabout at Rifle Range Road and the Pacific Hwy Interchange	
<b>Current classification under the Roads Act 1993 (as applicable):</b>	<b>Class</b>	<b>Number</b>
	Nil (unclassified)	7789
<b>Current administrative category:</b>	Regional Road	
<b>Description of change:</b>	Change from an <b>unclassified</b> road to a <b>classified Secondary road</b> , maintaining its current <b>Regional</b> categorisation.	
<b>Total length of road:</b>	1.3km	
<b>New classification under the Roads Act 1993 (as applicable):</b>	<b>Class</b>	<b>Number</b>
	Secondary Road (section 50)	To be allocated
<b>New administrative category:</b>	No change - remains a Regional road	

<b>Road Name(s):</b>	Broadwater Evans Head Road (SOUTH)	
<b>Road(s) Location:</b>	Broadwater, Evans Head – From the southern exit of the roundabout at Rifle Range Road and the Pacific Hwy Interchange to the northern entry of the roundabout at Currajong Street, Evans Head	
<b>Current classification:</b>	<b>Class</b>	<b>Number</b>
	Nil (unclassified)	7789
<b>Current administrative category:</b>	Regional Road	
<b>Description of change:</b>	Change from an <b>unclassified</b> road to a <b>classified Tourist road</b> , maintaining its current <b>Regional</b> categorisation	
<b>Total length of road:</b>	10.14km	
<b>New classification:</b>	<b>Class</b>	<b>Number</b>
	Tourist Road (section 51)	To be allocated
<b>New administrative category:</b>	No change - remains a Regional road	



## Regional Road Transfer and Road Classification Review





10 Graham Place Casino NSW 2470  
Postal: Locked Bag 10 Casino NSW 2470

t: 02 6660 0300 f: 02 6660 1300

[council@richmondvalley.nsw.gov.au](mailto:council@richmondvalley.nsw.gov.au)  
[www.richmondvalley.nsw.gov.au](http://www.richmondvalley.nsw.gov.au)

ABN 54 145 907 009

14 July 2022

The Hon. Sam Faraway MLC  
Minister for Regional Transport and Roads  
GPO Box 5341  
SYDNEY NSW 2001

Dear Sam,

**Pacific Highway Upgrade – Local Road Handover**

I write to you in regard to the process that Transport for NSW is currently undertaking in consultation with Richmond Valley Council to finalise the handover of road assets associated with the Pacific Highway construction.

As you are aware, new, and modified roads, including drainage structures, were constructed as part of the Woolgoolga to Ballina Pacific Highway upgrade through the Richmond Valley Council Local Government Area. The majority of these assets were constructed to provide links between the highway and regional and local roads and are proposed to be handed over to Council to maintain in perpetuity.

Council has concerns with a number of the assets proposed for handover and resolved at its June 2022 Ordinary Meeting that it would not accept responsibility for maintenance of the Woodburn and Broadwater interchange roundabouts, nor the approach ramps to the motorway overpass on Woodburn Evans Head Road.

This decision follows numerous discussions between Council, Transport for NSW and Pacific Complete during the planning and construction phases of the highway, where Council expressed concerns relating to design and construction standards and ongoing maintenance responsibilities for these assets.

Throughout this process Council consistently expressed the view that the maintenance of the roundabouts at the Woodburn and Broadwater interchanges should remain with Transport for NSW.

It is Council's view that these roundabouts only exist as a means to access/exit the highway and it is therefore inappropriate that local government should bear the ongoing cost of maintaining these assets.

*Love where we live and work*



Routine maintenance works within these roundabouts would require significant risk management to ensure the safety of council workers, including the need to install advanced warning traffic control signage along the motorway, potentially impacting the traffic flow.

With respect to the overpass approach ramps on Woodburn Evans Head Road, an unexplained slump has developed across both travel lanes on the eastern side of the overpass. Council is concerned by the significant deterioration of this road pavement and is not prepared to take on the maintenance responsibility until such time as the defect has been rectified through a process of thorough investigation and remediation.

I trust that this letter makes our position clear on these matters. While Council welcomes the highway upgrade project, it believes that the responsibility for maintaining assets directly associated with the new motorway should remain with Transport for NSW. Should you require any further information on this matter, please don't hesitate to contact me.

Yours sincerely,



Angela Jones  
**Acting General Manager**



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

[council@richmondvalley.nsw.gov.au](mailto:council@richmondvalley.nsw.gov.au)  
[www.richmondvalley.nsw.gov.au](http://www.richmondvalley.nsw.gov.au)

ABN 54 145 907 009

14 July 2022

Rob Sharp  
Secretary, Transport for NSW  
PO BOX K659  
HAYMARKET NSW 1240

Dear Rob,

**Pacific Highway Upgrade – Local Road Handover**

I write to you in regard to the process that Transport for NSW is currently undertaking in consultation with Richmond Valley Council to finalise the handover of road assets associated with the Pacific Highway construction.

As you are aware, new, and modified roads, including drainage structures, were constructed as part of the Woolgoolga to Ballina Pacific Highway upgrade through the Richmond Valley Council Local Government Area. The majority of these assets were constructed to provide links between the highway and regional and local roads and are proposed to be handed over to Council to maintain in perpetuity.

Council has concerns with a number of the assets proposed for handover and resolved at its June 2022 Ordinary Meeting that it would not accept responsibility for maintenance of the Woodburn and Broadwater interchange roundabouts, nor the approach ramps to the motorway overpass on Woodburn Evans Head Road.

This decision follows numerous discussions between Council, Transport for NSW and Pacific Complete during the planning and construction phases of the highway, where Council expressed concerns relating to design and construction standards and ongoing maintenance responsibilities for these assets.

Throughout this process Council consistently expressed the view that the maintenance of the roundabouts at the Woodburn and Broadwater interchanges should remain with Transport for NSW.

It is Council's view that these roundabouts only exist as a means to access/exit the highway and it is therefore inappropriate that local government should bear the ongoing cost of maintaining these assets.

*Love where we live and work*



Routine maintenance works within these roundabouts would require significant risk management to ensure the safety of council workers, including the need to install advanced warning traffic control signage along the motorway, potentially impacting the traffic flow.

With respect to the overpass approach ramps on Woodburn Evans Head Road, an unexplained slump has developed across both travel lanes on the eastern side of the overpass. Council is concerned by the significant deterioration of this road pavement and is not prepared to take on the maintenance responsibility until such time as the defect has been rectified through a process of thorough investigation and remediation.

I trust that this letter makes our position clear on these matters. While Council welcomes the highway upgrade project, it believes that the responsibility for maintaining assets directly associated with the new motorway should remain with Transport for NSW. Should you require any further information on this matter, please don't hesitate to contact me.

Yours sincerely,



Angela Jones  
**Acting General Manager**

**18 GENERAL BUSINESS**

Nil

**19 MATTERS FOR INFORMATION****RECOMMENDATION**

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

**19.1 DELIVERY PROGRAM PROGRESS REPORT 1 JANUARY 2022 - 30 JUNE 2022**

**Director:** Ryan Gaiter

**Responsible Officer:** Kate Alder-Conn

**RECOMMENDATION**

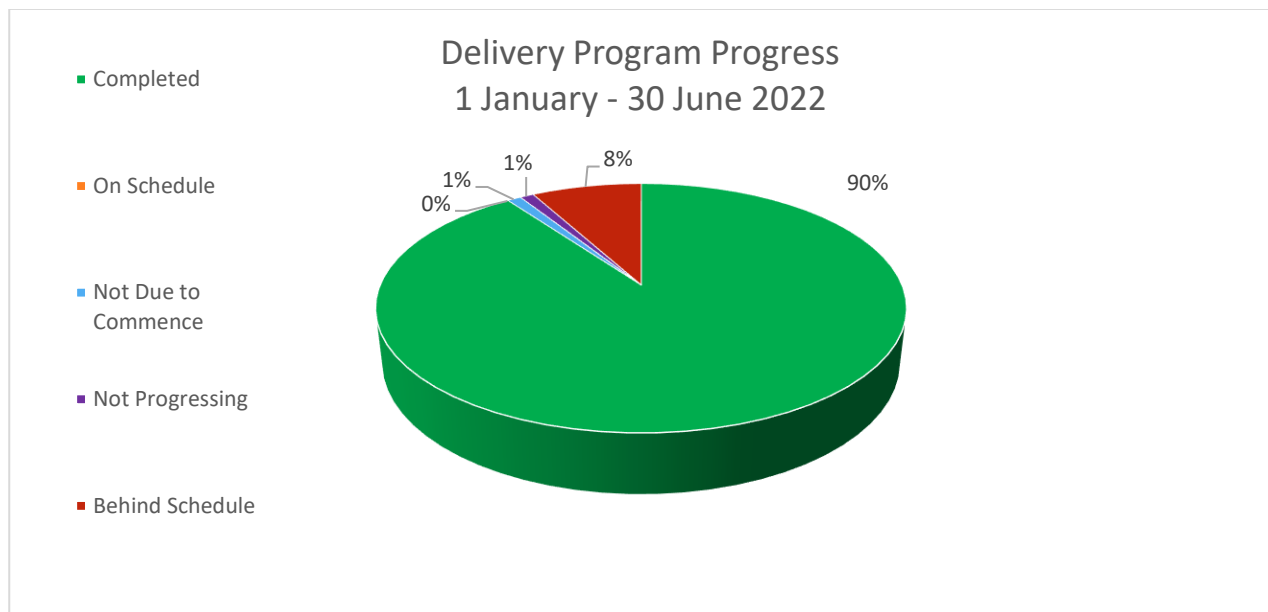
That Council receives and notes the Progress Report on the Delivery Program for the period 1 January – 30 June 2022.

**REPORT**

Council adopted the revised 2017/2022 Delivery Program in June 2021. In accordance with the *Local Government Act 1993*, the General Manager must ensure that progress reports are provided to the Council, reporting on the progress of all principal activities detailed in the Delivery Program, at least every six months. This report provides information about the achievements of the targeted outcomes prescribed in the Delivery Program.

The report is presented in a traffic light indicator format and provides commentary on the progress of all Delivery Program actions and milestones and progress against the Community Strategic Plan (CSP) performance measures for each community objective within the four priority areas of the CSP. The report represents the results at the end of year five of the Delivery Program (extended by one year due to the delayed local government elections).

The graph below depicts Council's overall performance during the period 1 January 2022 to 30 June 2022. The number of completed Delivery Program activities demonstrates that in this period of the extended five-year program, Council has made solid progress in achieving the outcomes identified in the Delivery Program. Of the 177 Delivery Program actions, 159 are completed (90%).



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

The status is defined as:

Green: The action or milestone has been completed.

Amber: The action or milestone is on schedule and is being actively managed.

Blue: The action or target is not due to commence in the reporting period.

Purple: The action is not progressing.

Red: The action or milestone is behind schedule.

The progress report relates to quarters three and four of the 2021/2022 financial year, with the attached report providing a detailed breakdown of the status of each action.

## **ATTACHMENT(S)**

### **1. Delivery Program Progress Report - Quarter 4 2021/2022 (under separate cover)**

**19.2 GRANT APPLICATION INFORMATION REPORT - JULY 2022****Director:** Ryan Gaiter**Responsible Officer:** Hayley Martin**RECOMMENDATION**

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

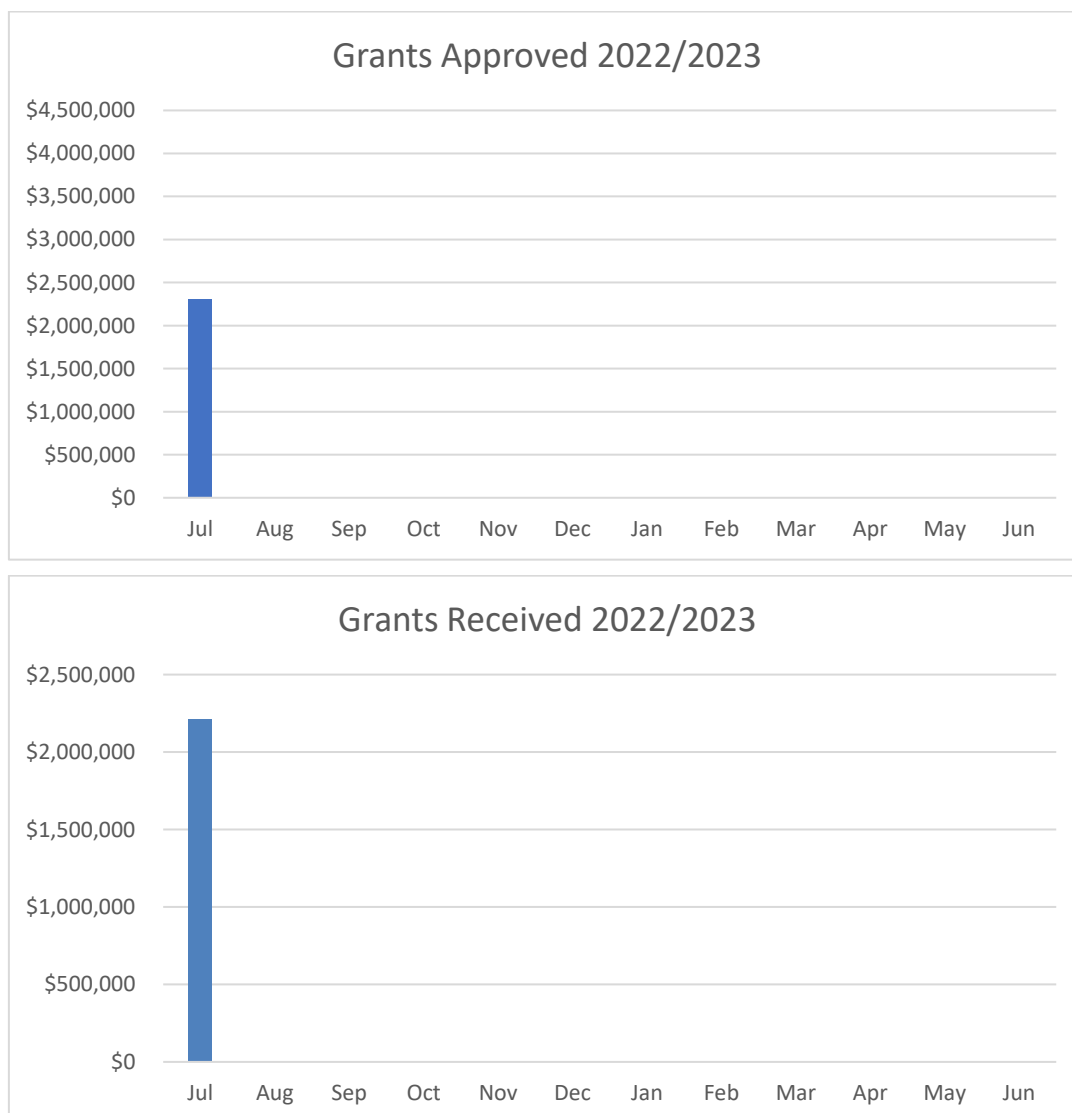
**REPORT**

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 July 2022.

During the reporting period, there were two grants approved.

Council received funding for thirteen grants totalling \$2,211,179. Council was not notified of any unsuccessful applications and did not submit any grant applications during the period.

A summary of grants approved and received for the financial year to 31 July 2022 is shown below:





[illegible]

Project Name	Funding Body	Funding Name	Project Value	Grant Funding	Council Funding	Application Submitted	Date Received	Total Received
Richmond River Flood Model Study	NSW Department of Planning, Industry and Environment (State)	Coastal Estuary and Floodplain Management Program 2020	\$ 201,000	\$ 133,999	\$ 67,001	30 April 2020	\$ 35,227 6 July 2022	\$ 110,137
Comment: This is a payment for milestones 5 and 6 of this grant.								
Casino Memorial pool Redevelopment	Department of Health (Federal)	Female Facilities and Water Safety Stream	\$5,150,000	\$3,200,000	\$1,950,000	N/A	\$ 1,200,000 14 July 2022	\$3,200,000
Comment: Funding received for completion of milestone 4 of the grant.								
River Street Footpath Correction	Transport for NSW (State)	Safety and Minor Works	\$ 14,500	\$ 14,500	\$ -	21 January 2022	\$ 14,500 15 July 2022	\$ 14,500
Comment: Payment received for completion of works on the River Street footpath.								

Project Name	Funding Body	Funding Name	Project Value	Grant Funding	Council Funding	Application Submitted	Date Received	Total Received
High Street Footpath Extension	Transport for NSW (State)	Safety and Minor Works	\$ 13,900	\$ 13,900	\$ -	21 January 2022	\$ 13,900 15 July 2022	\$ 13,900
Comment: Payment received for completion of works on High Street Footpath.								
Revitalisation of Community Playspace at Crawford Square Regional Park	Department of Regional NSW (State)	Stronger Country Communities Fund Round 4	\$ 398,963	\$ 248,963	\$ 150,000	24 June 2021	\$ 199,170 20 July 2022	\$ 199,170
Comment: Funding received to commence work on Crawford Square.								
Creation of Water Playspace at Coraki Swimming Pool	Department of Regional NSW (State)	Stronger Country Communities Fund Round 4	\$ 212,500	\$ 212,500	\$ -	24 June 2021	\$ 170,000 20 July 2022	\$ 170,000
Comment: Funding received to commence work on Coraki Swimming Pool.								
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	\$ 193,578 27 July 2022	\$1,738,053
Comment: Progress payment for works completed on Casino Drill Hall and Razorback Lookout.								
NSW Bushfires 31 August 2019 Onwards - Essential Public Asset Reconstruction Works (AGRN871)	Transport for NSW (State)	Disaster Recovery Funding Arrangements (DRFA)	\$2,178,500	\$2,178,500	\$ -	N/A	\$ 145,524 27 July 2022	\$1,361,997
Comment: Progress payment for completion of Camira Creek Bridge works								

Project Name	Funding Body	Funding Name	Project Value	Grant Funding	Council Funding	Application Submitted	Date Received	Total Received
NSW Storms and Floods 15 January 2020 Onwards - Essential Public Asset Reconstruction Works (AGRN943)	Transport for NSW (State)	Disaster Recovery Funding Arrangements (DRFA)	\$1,761,000	\$1,761,000	\$ -	N/A	\$ 50,000 27 July 2022	\$ 60,505
Comment: Progress payment for works on Gores Road embankment and culverts								
NSW Storms and Floods March 2021 - Essential Public Asset Reconstruction Works (AGRN960)	Transport for NSW (State)	Disaster Recovery Funding Arrangements (DRFA)	\$5,800,000	\$5,800,000	\$ -	N/A	\$ 92,449 27 July 2022	\$1,549,171
Comment: Progress payment for works completed at Mongogorie, Rappville, Shannonbrook and Hogarth Range								
NSW Storms and Floods March 2021 - Essential Public Asset Reconstruction Works Sealed Roads (AGRN960)	Transport for NSW (State)	Disaster Recovery Funding Arrangements (DRFA)	\$ 465,100	\$ 465,100	\$ -	N/A	\$ 18,167 27 July 2022	\$ 32,921
Comment: Progress payment for works completed on Coombell Road								
NSW Storms and Floods March 2021 - Essential Public Asset Reconstruction Works Crown Roads (AGRN960)	Transport for NSW (State)	Disaster Recovery Funding Arrangements (DRFA)	\$ 27,622	\$ 27,622	\$ -	N/A	\$ 27,622 27 July 2022	\$ 27,622
Comment: Progress payment for works completed on Crown Road and Redgate Road.								
RVC School Zone Infrastructure Program	Transport for NSW (State)	School Zone Infrastructure Program	\$ 211,664	\$ 211,664	\$ -	13 July 2021	\$ 51,041 27 July 2022	\$ 155,934
Comment: Progress payment for works completed on school zone pedestrian crossings.								

**19.3 NORTHERN RIVERS LIVESTOCK EXCHANGE STATISTICS AS AT 30 JUNE 2022****Director: Ben Zeller****Responsible Officer: Bradley Willis****RECOMMENDATION**

That Council receives and notes the Northern Rivers Livestock Exchange Statistics as of 30 June 2022.

**REPORT**

This report provides an end of financial year update on the key statistics and financial performance of the Northern Rivers Livestock Exchange to 30 June 2022.

**KEY STATISTICS****To 30 June 2022 (Last Year to 30 June 2021)**

Throughput **123,713** across 99 sales (LY 103,436 across 93 sales)

Gross sales revenue **\$210,437,317** (LY \$143,216,075)

Council revenue share **\$2,126,639 (1.01%)** (LY \$2,039,434 (1.42%))

Estimated agent's revenue share at 5% commission **\$10,521,866** (LY \$7,160,803)

NRLX operating result **\$29,060** (LY -\$330,008)

NRLX program deficit **\$192,410** (LY \$675,668)

**NRLX INCOME AND EXPENDITURE to 30 June 2022**

With increases in throughput numbers and high sale prices, the NRLX has realised an operating profit of \$29,060 (LY -\$330,008) against a budget deficit of \$117,761. Depreciation on the recently upgraded \$14million facility is factored into this result which when added back shows a cash surplus result to 30 June of \$541,129 (LY \$143,840) against a pro-rata budget surplus of \$398,539.

Fees and rent revenue of \$1,899,920 finished 15% above budget (\$1,647,951) and \$317,446 above last year result (\$1,582,474). Overall income of \$2,013,670 is above last year's result (\$1,847,323) and 8% above budget (\$1,865,820) due to the following:

• Rental income up \$40,000	• Emergency tag revenue up \$12,000
• Transit fees up \$26,000	• Stocklive fees \$10,000
• Stud fees \$15,000	• Bio-solids expenses down \$58,000
• Cattle fees \$150,000 above budget	

The shortfall of bio-solids income is due to the consistently wet weather that has affected the ability to process and sell the soft floor biosolid product which was budgeted to return \$180,000 by financial year end.

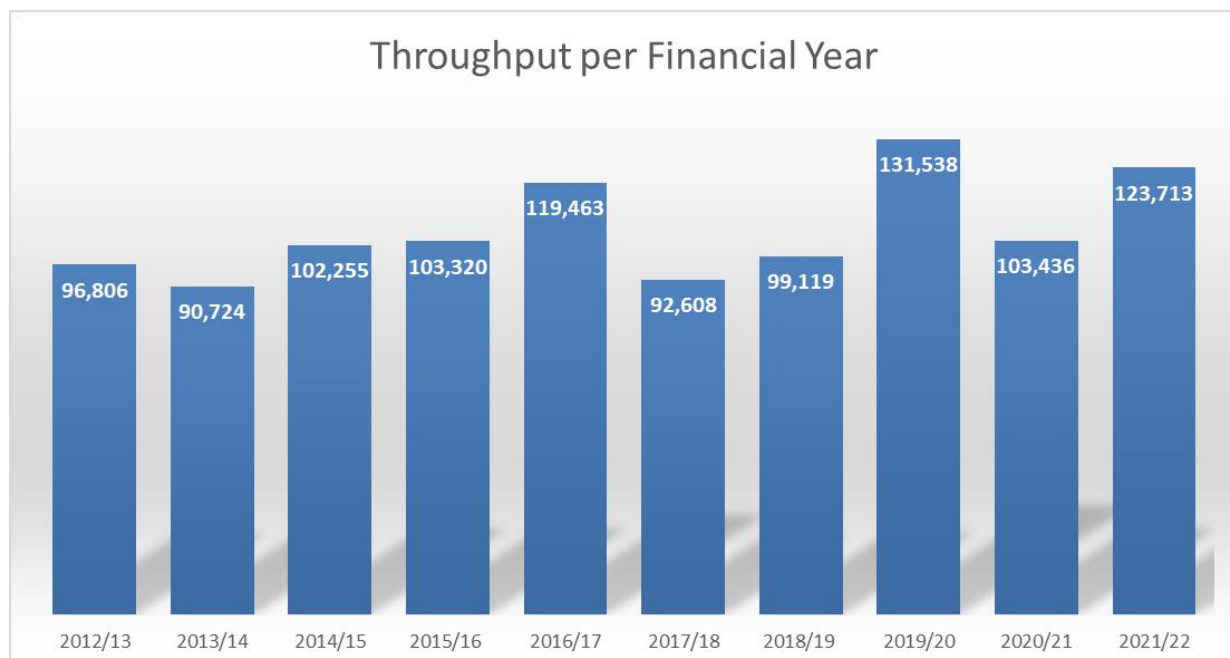
Operating expenses of \$1,984,610 are close to the budget of \$1,983,581 and down \$192,721 from last year's expenses of \$2,177,331. Salaries, materials and contracts and other general expenses have been monitored carefully throughout the financial year to ensure the improved financial performance can be realised.

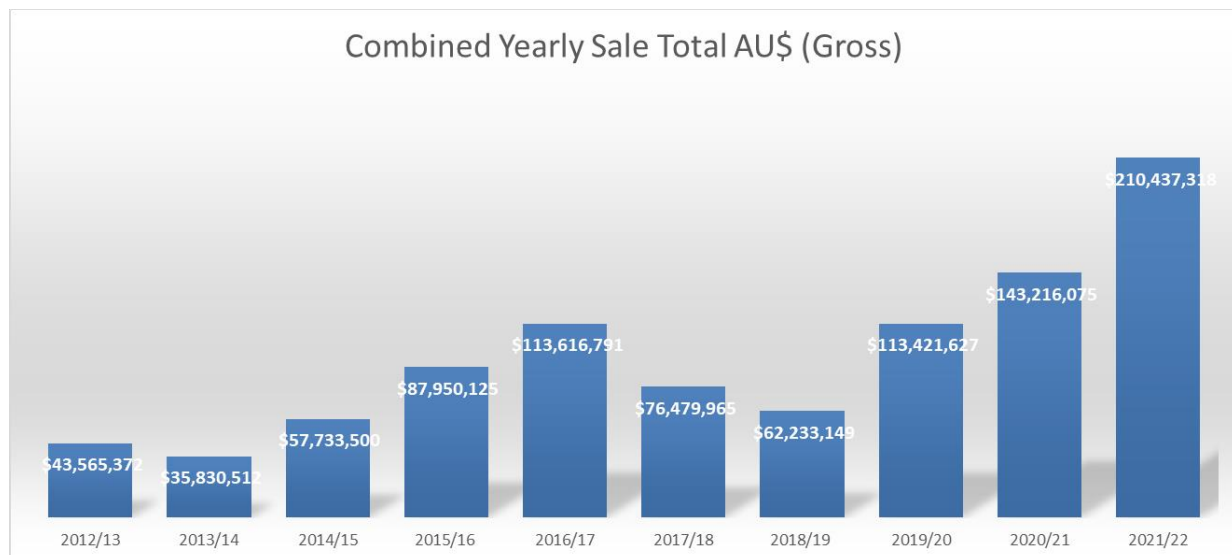
The NRLX Program result (operational and capital) is a deficit of \$192,410 (LY 675,668) against a budget deficit of \$357,190.

The main factors for this performance against budget:

- The biosolids project returned a slight profit
- Increased cattle throughput (13,000 head over budget)
- Increased livestock pricing and the price-based fee structure
- Diversification of the business including rentals and increased rents
- Vertical integration of processes such as distribution of emergency tags
- Enforcement of transit fees and transit policy
- Tightly controlled and continuous monitoring of expenditure
- Not operating with full staff as budgeted.

From an operating result perspective, significant depreciation and borrowing costs will continue to provide a challenge in the coming years, with increased revenues, new revenue streams and management of other operational expenses being the key to pursuing a positive result.





<b>NRLX Income and Expenditure (excludes committed orders)</b>	<b>Actual 30-Jun-22 (\$)</b>	<b>Current Budget (\$)</b>	<b>Percentage %</b>	<b>Actual 30-Jun-21 (\$)</b>
<b><u>Operating Income</u></b>				
Fees & Rent	1,899,920	1,647,951	115.29%	1,582,474
Biosolids Project	75,881	180,000	42.16%	217,636
LIRS Subsidy	37,869	37,869	100.00%	47,213
Other Contributions	0	0	0.00%	0
<b>Total Operating Income</b>	<b>2,013,670</b>	<b>1,865,820</b>	<b>107.92%</b>	<b>1,847,323</b>
<b><u>Operating Expenses</u></b>			0.00%	
Salaries and on costs	582,783	665,956	87.51%	629,449
Materials and Contracts	334,145	193,118	173.03%	345,620
Interest on Loans	56,055	61,460	91.21%	47,227
Depreciation	512,069	516,300	99.18%	473,848
Electricity Charges	52,348	35,280	148.38%	48,618
Telephone Charges	5,340	6,822	78.27%	4,628
Insurance Charges	15,605	17,852	87.41%	10,683
Advertising Costs	16,902	15,000	112.68%	10,079
Software Licences	46,332	50,000	92.66%	44,080
Other General Expenses	54,180	26,048	208.00%	43,916
Biosolids Project	62,993	120,000	52.49%	223,517
Internal Charges	245,858	275,745	89.16%	295,666
<b>Total Operating Expenses</b>	<b>1,984,610</b>	<b>1,983,581</b>	<b>100.05%</b>	<b>2,177,331</b>
<b>Operating Result - Surplus/(Deficit)</b>	<b>29,060</b>	<b>(117,761)</b>	<b>-24.68%</b>	<b>(330,008)</b>
<b>Operating Cash Result - Surplus/(Deficit)</b>	<b>541,129</b>	<b>398,539</b>	<b>135.78%</b>	<b>143,840</b>
<b><u>Capital Income</u></b>				
<b>Capital Grants &amp; Contributions/Loan Funding</b>				
Capital Works Levy	226,719	204,600	110.81%	192,111
<b>Total Capital Income</b>	<b>226,719</b>	<b>204,600</b>	<b>110.81%</b>	<b>192,111</b>
<b><u>Capital Expenditure</u></b>				
Plant Purchases	76,081	71,600	106.26%	65,080
Shed	8,683	9,000	96.47%	8,926
Transit Yards	0	0	0.00%	114,101
Loan Principal Repayments	363,425	363,429	100.00%	349,664
<b>Total Capital Expenditure</b>	<b>448,189</b>	<b>444,029</b>	<b>100.94%</b>	<b>537,771</b>
<b>Program Result - Surplus/(Deficit)</b>	<b>(192,410)</b>	<b>(357,190)</b>	<b>53.87%</b>	<b>(675,668)</b>
<b>Program Cash Result - Surplus/(Deficit)</b>	<b>319,659</b>	<b>159,110</b>	<b>200.90%</b>	<b>(201,820)</b>

**OTHER HIGHLIGHTS**

The gross revenue for the year of \$210 million is a facility record eclipsing last year's record by almost \$70 million. The investment in the venue which can now facilitate this volume of activity has an enormous effect on the Richmond Valley economy and the business should consider new opportunities moving forward to maintain revenue as much as possible. Throughput is up on last year and has exceeded budget and expectations of NRLX management finishing with 123,713 head.

With 99 sales completed during the financial year it was the busiest sales calendar ever experienced at NRLX placing pressure on resources and limiting downtime. With up to 11 sales a month, some weeks saw three sales take place. Operating with a reduced workforce, the team performed consistently, reliably and diligently.

A new Agent Business Usage fee for stud sales based on a percentage of gross revenue was implemented for the 2022/23 financial year. This is an indicator for the future direction of agent fees in the longer term. Work is currently underway on a revised and detailed Business Plan. The updated plan has a strong focus on the vertical integration of services and functions at NRLX, and a review of the number of agencies, fees, modelling and opportunities for growth. A detailed review of agent licensing permits which expire in June 2023 will be undertaken with a focus on transitioning agencies to a modern workplace including culture, workplace health and safety, and acceptable standards of behaviour.

**ATTACHMENT(S)**

Nil



**19.4 RICHMOND-UPPER CLARENCE REGIONAL LIBRARY ANNUAL REPORT 2021/2022**

**Director:** Ryan Gaiter

**Responsible Officer:** Gary Ellem

**RECOMMENDATION**

That Council:

1. Receives and notes the Richmond-Upper Clarence Regional Library 2021/2022 Annual Report, highlighting the important services provided across the Richmond Valley and Kyogle local government areas;
2. Writes to Kyogle Council, acknowledging its support for the regional library service and providing a copy of the approved Annual Report.

**REPORT**

In accordance with Clause 4.7 of the Richmond-Upper Clarence Regional Library Agreement authorised in 2022, between Richmond Valley Council (the Administering Council) and Kyogle Council (the Delegating Council), an Annual Report is required to be prepared for the Regional Library service.

In accordance with the Agreement and as the Administering Council, Richmond Valley Council has prepared a draft report and provided copy to Kyogle Council as the Delegating Council.

The report includes details of the Regional Library Service and a report outlining the services provided throughout the 2021/2022 financial year.

A copy of the audited statement of accounts will be consolidated into the Richmond Valley Council Financial Statements which will be available at a future Council meeting.

The report outlines a number of highlights during the 2021/2022 period. The main highlights are summarised below:

- A quality library service delivered despite COVID-19 restrictions;
- The opening of the new Evans Head Library;
- The redesign and transformation of the Coraki Library;
- Kyogle Library's involvement in the Kyogle Writer's Festival;
- Winning the 2021 NSW Public Libraries Association innovation in Outreach Services Award (2<sup>nd</sup> year running);
- 56,992 members and guests used the library's facilities;
- 16,199 registered members of the Regional Library;
- 993 new members joined the library during the period;
- The library ran 597 programs during the year;
- 3,233 attended 164 children/youth events held across the region;
- 433 successful adult programs including Tech Savvy for Seniors, craft for flood victims, adult colouring-in, book clubs and book launches;
- Justice of the Peace was used 635 times;
- 44,998 information and customer service requests; and
- 6,099 internet bookings and 8,073 Wi-Fi connections.

**ATTACHMENT(S)**

1. **Richmond-Upper Clarence Regional Library Annual Report 2021/2022 (under separate cover)**

## **19.5 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 JULY 2022 TO 31 JULY 2022**

**Director:** Angela Jones

**Responsible Officer:** Andy Edwards

### **RECOMMENDATION**

That Council receives and notes the Development Application report for the period 1 July 2022 to 31 July 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 July 2022 to 31 July 2022 was 23, with a total value of \$5,540,220.36, less the value of a refused application.

This month we had two applications being withdrawn as the requests for additional information were unsuccessful as they did not meet the required standards. These being:

- DA2021/0143 – 44A Ocean Drive, Evans Head –To undertake construction of an in ground swimming pool, boundary fencing and jetty with ancillary earthworks including retaining walls within an existing decommissioned slipway, and
- DA2022/0147 – 10 Box Ridge Road, Coraki - Subdivision to create 18 lots being: 14 residential lots (Lots 1 to 13 & 16), 1 community centre lot (Lot 14), 1 x public reserve lot (Lot 15), 1 x maintenance lot (Lot 17), and 1 residue lot (Lot 18). Roadworks and dedication of part Box Ridge Road as a public road, including lighting, stormwater, sewer works, carparking, signage, and footpaths in the road reserve that become Public assets.

One application was refused – DA2022/0040 – 41 Figtree Drive, Casino - Shed - 16m long x 12m wide x 6.608m high as the size of the shed was excessive in its scale for a residential area.

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

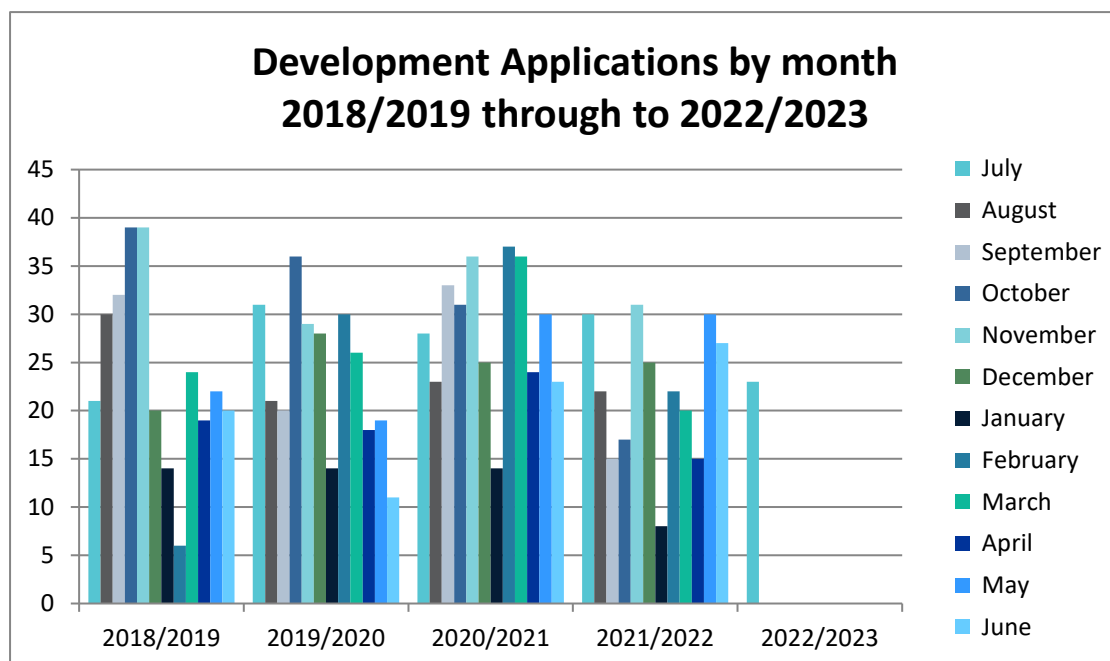


Figure 1: Monthly number of development applications processed by Council over five financial years.

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 July 2022.

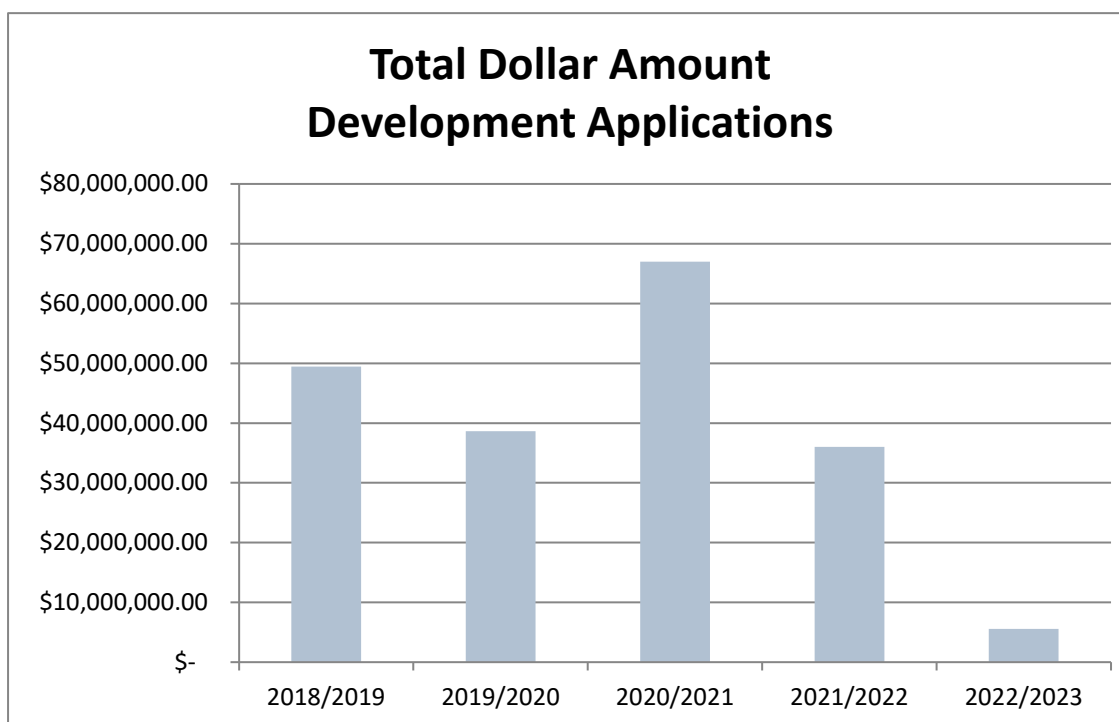


Figure 2: Annual value of development.

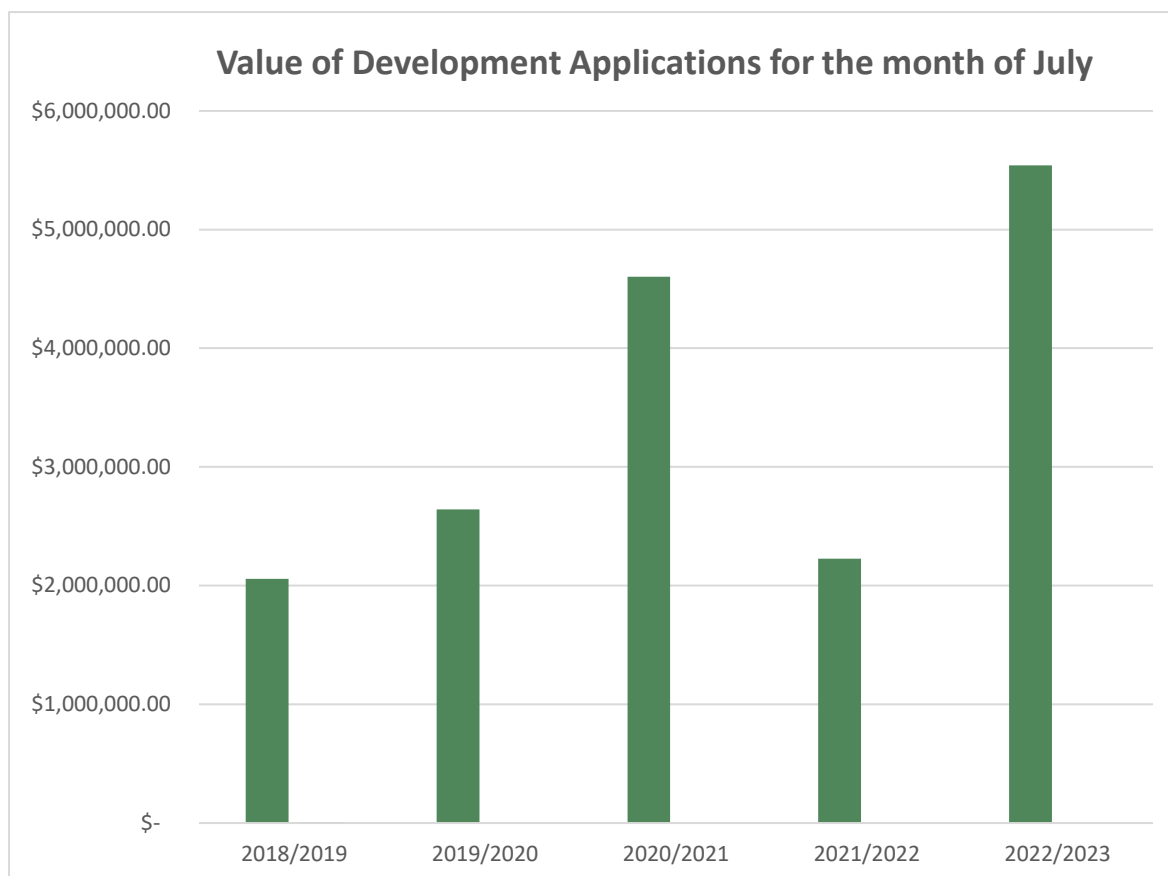
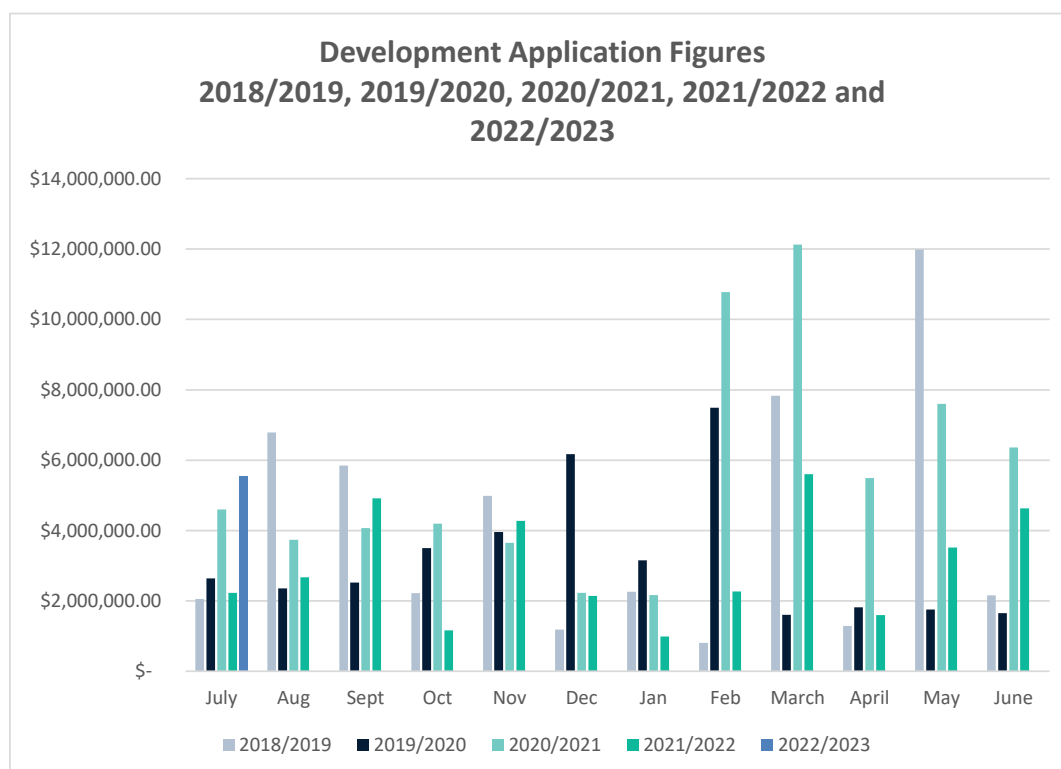


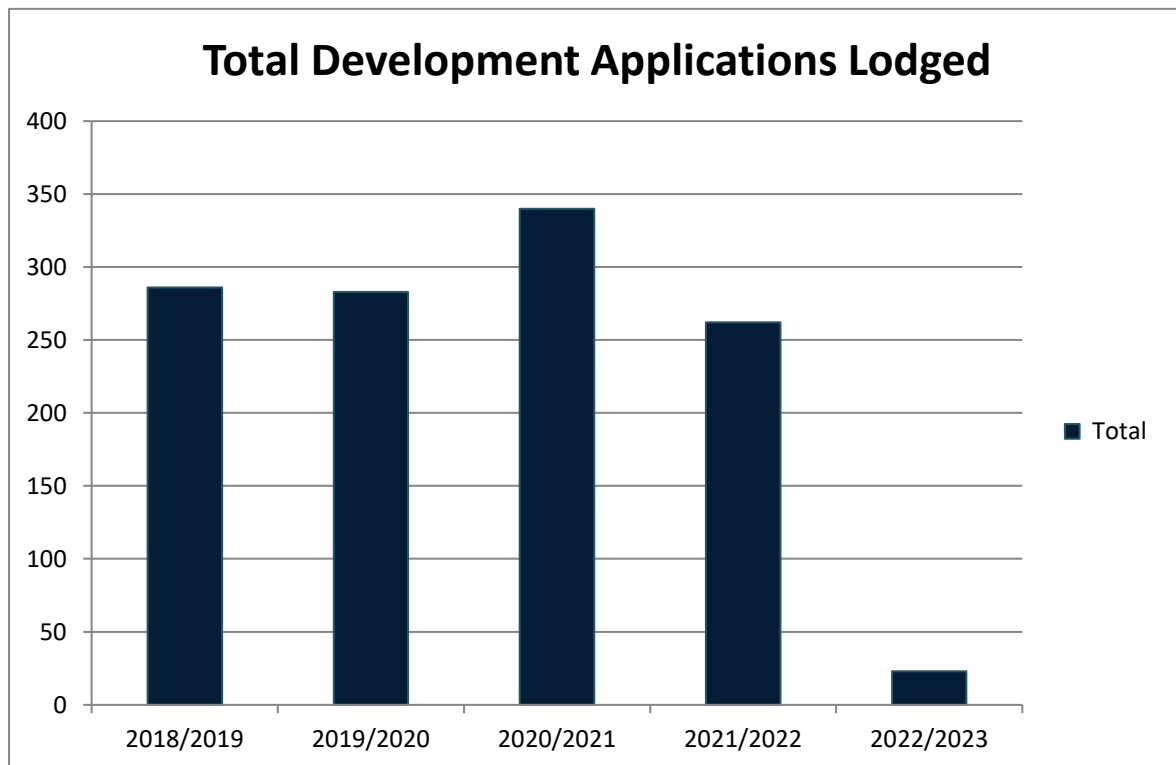
Figure 3: Value of development for the month of July 2022

### 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 July 2022**

General Approvals (excluding Subdivisions, Section 4.55)	18
Section 4.55 amendments to original consent	3
Subdivision	1
Refused	1
Rejected	1
Withdrawn	3
Complying Development (Council Approved)	0
Complying Development (Private Certifier Approved)	0
<b>TOTAL NUMBER OF APPLICATIONS DETERMINED</b>	<b>23</b>
<b>Average assessment days for applications determined in July 2022</b>	<b>46</b>
<b>No. of Integrated development applications determined in July 2022</b>	<b>0</b>
<b>No. of Designated development applications determined in July 2022</b>	<b>0</b>
<b>No. of building/ compliance inspections undertaken in July 2022.</b>	<b>113</b>

Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 July 2022 to 31 July 2022							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2022/0123	Newton Denny Chapelle	Frontier Pets Pty Ltd	1-3 Winjeel Road, Evans Head	Proposed mixed use development to include: - Use of two freeze drying units already installed - Installation and use of an additional freeze dryer within the existing building - Installation and use of an external temporary freezer unit - Construction of an onsite car park to provide 8 additional parking spaces and associated civil works	20/12/2021	7/07/2022	\$2,518,465.40
DA2022/0136	RT Black	RT & JM Black	3820 Bruxner Highway, Woodview	As Built - Insulated roof panel	18/01/2022	6/07/2022	\$9,000.00
DA2022/0200	Hayes Building Consultancy	EA & PJ George	16 Cypress Street, Evans Head	Demolition of an existing outbuilding, retention of an existing dwelling, construction of a new dwelling to create a detached dual occupancy development and associated Torrens Title Subdivision into two (2) lots	21/04/2022	29/07/2022	\$578,730.00
DA2022/0202	AGS Commercial Pty Ltd	EE & LM Sheridan	343 Kings Lane, Tatham	Shed house - 4 bedrooms	26/04/2022	28/07/2022	\$381,210.36
DA2022/0214	Lydia Charman Town Planning	GLC & JA Bruce	5 Tullarook Grove, Spring Grove	Shed - 16m x 12m with a variation to the front setback of 3m at the closest point and increases to 9m	9/05/2022	20/07/2022	\$78,000.00
DA2022/0219	ASKC Sheds Lismore Pty Ltd	NF Lane	25 Wattle Street, Casino	Colorbond skillion shed	18/05/2022	13/07/2022	\$31,760.00

Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 July 2022 to 31 July 2022							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2022/0220	The Shed Company	JM & TW Maslen	880 Fogwells Road, Yorklea	Farm shed and awning all colorbond	19/05/2022	5/07/2022	\$42,000.00
DA2022/0222	Australian Building Company QLD Pty Ltd	AG Dunsmore	1 Ferrier Court, Casino	New single storey dwelling	23/05/2022	8/07/2022	\$281,304.00
DA2022/0224	C & D Contracting Pty Ltd	SR & A Powell	7 Sussex Street, Woodburn	Colorbond shed 6m x 6m with 6m x 3m open awning with the total size being 9m x 6m	24/05/2022	1/07/2022	\$19,145.00
DA2022/0227	S Cselka	S & TC Cselka	87 Beech Street, Evans Head	Construction of a new awning for caravan parking	24/05/2022	14/07/2022	\$19,650.00
DA2022/0229	Lohman Building Solutions	Mr B E Savage & Mrs K M Savage	840 Mongogarrie Road, Leeville	Adding an extension to existing dwelling comprising of kitchen, butlers pantry, laundry, dining, lounge and front decking	26/05/2022	14/07/2022	\$141,000.00
DA2022/0230	Crestwood Drafting Services	JR & SL Smith	66 Flatley Place, North Casino	New 11m x 12m colorbond shed with awning	26/05/2022	5/07/2022	\$36,630.00
DA2022/0231	TMMM Constructions Pty Ltd/as GJ Gardner Homes Grafton	RJS Rae & MLM Williams	6 Ferrier Court, Casino	Construction of a single storey residential dwelling	31/05/2022	8/07/2022	\$313,862.60

Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 July 2022 to 31 July 2022							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2022/0232	SA Ooi	KF & SA Ooi	59 Richmond Street, Woodburn	Resited Dwelling	1/06/2022	21/07/2022	\$149,600.00
DA2022/0234	W Drew	Bogal Local Aboriginal Land Council	10 Box Ridge Road, Coraki	Outdoor Recreation Facility (Splash Park) including the construction of a shade sail and associated facilities.	8/06/2022	18/07/2022	\$280,000.00
DA2022/0237	Crestwood Drafting Services	JR & SL Smith	66 Flatley Place, North Casino	Single dwelling with swimming pool and associated fencing	14/06/2022	20/07/2022	\$497,458.00
DA2022/0238	JF Felsch	JF & HM Felsch	165 Rileys Hill Road, Broadwater	Shed 9m x 13m	14/06/2022	22/07/2022	\$35,000.00
DA2021/0306.01	Newton Denny Chapelle	CJ Denny	13 Cedar Street, Evans Head	S4.55(1A) - Modification - amend approved Condition 1 to make minor changes to the floor plan being two windows on the ground floor east elevation replaced with glass sliding doors	15/06/2022	27/07/2022	\$0.00
DA2022/0244	TE Marsden	JG & TE Marsden	66 Casuarina Drive, Swan Bay	Installation of an inground composite fibreglass swimming pool & associated fencing	15/06/2022	25/07/2022	\$73,000.00
DA2012/0158.01	QSR Pty Ltd	Beachdown Pty Limited	110-112 Centre Street, Casino	S4.55(1A) Modification to approved KFC restaurant for the extension of an existing drive-thru awning and a new speaker bollard	23/06/2022	12/07/2022	\$0.00
DA2020/0081.02	AGS Commercial Pty Ltd	JJM Burston	12 Rayner Street, Casino	S4.55(1A) - Modification to approved alterations and additions to dwelling being ducted air conditioning throughout dwelling and internal wall in garage for workshop	12/05/2022	27/07/2022	\$0.00
DA2022/0228	Artisan Pools Pty Ltd	AL Maslen & MD Gardiner	4 Country Lane, Casino	Installation of an inground fiberglass swimming pool & associated equipment including fencing	25/05/2022	5/07/2022	\$54,405.00



**Summary of Development Applications Withdrawn or Rejected under the Environmental Planning and Assessment Act  
for the period 1 July 2022 to 31 July 2022**

Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2021/0143	Ardill Payne & Partners	DMJ Willis	44A Ocean Drive, Evans Head	To undertake construction of an in ground swimming pool, boundary fencing and jetty with ancillary earthworks including retaining walls within an existing decommissioned slipway	20/11/2020	18/07/2022	\$180,000.00
DA2022/0147	Barnson Pty Ltd	Bogal Local Aboriginal Council	10 Box Ridge Road, Coraki	Subdivision to create 18 lots being: 14 residential lots (Lots 1 to 13 & 16), 1 community centre lot (Lot 14), 1 x public reserve lot (Lot 15), 1 x maintenance lot (Lot 17), and 1 residue lot (Lot 18). Roadworks and dedication of part Box Ridge Road as a public road, including lighting, stormwater, sewer works, carparking, signage, and footpaths in the road reserve that become Public assets	28/01/2022	1/02/2022	\$1,600,000.00
DA2023/0001	Professional Planning Group	E & CJ Dujmovic	84 Currajong Street, Evans Head	Construction of a dual occupancy comprising two single storey detached dwelling units with attached garages	1/07/2022	5/07/2022	\$710,045.00
CDC2022/0021	MP Veronesi	MP & MJ Veronesi	1 Winston Street,Casino	Secondary dwelling	15/06/2022	13/07/2022	\$60,000.00

Summary of Development Applications Refused under the Environmental Planning and Assessment Act  
for the period 1 July 2022 to 31 July 2022

Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2022/0040	RA Johnston	BR & RA Johnston	41 Figtree Drive, Casino	Shed - 16m long x 12m wide x 6.608m high	23/08/2022	27/07/2022	\$72,300.00

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

**19.6 ROCK FISHING SAFETY UPDATE**

**Director:** Ryan Gaiter

**Responsible Officer:** Latoya Cooper

**EXECUTIVE SUMMARY**

Council resolved to opt-in to the *Rock Fishing Safety Act 2016* (the Act) from 26 January 2019, legislating compulsory wearing of lifejackets whilst rock fishing in identified high risk locations. Council has now been operating under the Act for a period of three and a half years, this report provides an update.

**RECOMMENDATION**

That Council receives and notes the information contained within the Rock Fishing Safety Update report, noting that reporting to Council will continue, on an annual basis.

**DELIVERY PROGRAM LINKS**

Sustain - Objective 10: Lead and advocate for our community

10D Lead with integrity

10D1 Provide representative and accountable community governance

**BUDGET IMPLICATIONS**

The regulatory responsibilities of the Act are shared between the NSW Police Force and Council Rangers. Council Rangers undertake enforcement functions pursuant to the Act as part of their existing patrols.

**REPORT**

Council resolved to opt-in to the *Rock Fishing Safety Act 2016* (the Act) from 26 January 2019. The phase-in education period of 6 months commenced on 26 January 2019 and was further extended to 26 July 2020, to allow the community and visitors time to adjust to the new legislation.

There have been no enforcement actions taken by Council Rangers within the legislated high-risk areas since the introduction of the Act, and other enforcement agencies have also reported full compliance from observations on their patrols.

In the last twelve months there have been ten deaths along the coastline of NSW from rock fishing, all of which were not wearing a life jacket and some of which were fishing in areas not legislated under the Act.

Council staff recently attended a project briefing with Surf Life Saving NSW for upcoming educational programs rolling out as part of the NSW Beach Safety Hub. The NSW Government is investing \$205,000 in a multi-cultural educational program being rolled out with workshops across the state, and new funding is available through the NSW Recreational Fishing Fund for additional coastal councils across the state to opt in.

To date, eight local government areas across NSW have opted into the rock fishing safety legislation, including Ballina LGA. The NSW Beach Safety Hub educational program will complement the existing legislation and provide more multi-cultural educational resources for those councils that opted-in to the legislation.

**CONSULTATION**

Council has consulted widely since 26 January 2019 by hosting introductory workshops, conducting community surveys and issuing media releases via both traditional and social media platforms. Educational material such as brochures promoting 'Fish Safe off the Rocks' are available in the Casino and Evans Head administration offices. Three short educational videos with Laura Gallagher promoting fishing safety in Evans Head appeared on all of Council's Social Media platforms from April 2021 to June, reaching over 42,000 views and over 32,000 engagements.

**CONCLUSION**

Council will continue to promote and regulate the Act with the main aim being to educate the public in safe fishing practices. A report will be provided to Council every twelve months detailing any regulatory action taken within that period and providing a general update on the Act.

There are still only eight Local Government Areas in NSW declared under the *Rock Fishing Safety Act 2016*, including Richmond Valley Council and Ballina Shire Council in the Northern Rivers.

**ATTACHMENT(S)**

**Nil**

**20 QUESTIONS ON NOTICE****20.1 CR ROBERT HAYES, QUESTION ON NOTICE - RATE ASSISTANCE**

**Author:** Vaughan Macdonald

The following question on notice was received from Councillor Robert Hayes at the July Ordinary Meeting of Council.

**Question**

*The NSW Government's announcement to provide rate assistance for those residents impacted by flooding has come as a welcome relief for those doing it tough.*

*Does this relief expire when a property is sold on?*

*In a commercial lease situation, the tenant is usually responsible for all outgoings, including land rates. Does the rate relief remain with the property owner if the current lease expires or is terminated?*

**Response**

If the rate relief has been received before the property is sold, the conveyancers will make appropriate adjustments in the settlement process. If there is no rate relief at the time of sale, then it would be the responsibility of the new owner to seek advice from Service NSW as to eligibility for rate relief.

In a commercial lease situation, this would be a business decision for the owner of the property. If rate relief is granted by Service NSW, then it is applied to the property. Council deals only with the property owner, whereas commercial leases are between ratepayer and tenant. There are a variety of situations, so landowners are encouraged to discuss their circumstances with Service NSW as it is responsible for the program.

**ATTACHMENT(S)**

**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 Internal Audit and Risk Committee Positions - Expression of Interest**

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

**22.2 Write-Off Of Monies Under Delegation - Flood Impacted Water Accounts**

This matter is considered to be confidential under Section 10A(2) - (b) 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 discussion in relation to the personal hardship of a resident or ratepayer.

**23 RESOLUTIONS OF CLOSED COUNCIL**