



AGENDA

Ordinary Council Meeting

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

Date: Tuesday, 20 September 2022

Time: 6pm

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

**Vaughan Macdonald
General Manager**

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1 ACKNOWLEDGEMENT OF COUNTRY

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

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

2 PRAYER**3 PUBLIC ACCESS AND QUESTION TIME****4 APOLOGIES**

5 MAYORAL MINUTES**5.1 COMMUNITY CONDOLENCES - QUEEN ELIZABETH II****Author: Robert Mustow****REPORT**

The Richmond Valley community has been deeply saddened by the death of Queen Elizabeth II on 8 September 2022. The Queen holds a special place in the memory of many Richmond Valley residents, following her visit to the community in 1954. A number of community tributes and ceremonies are planned to mourn the loss of the Queen and further details will be provided in a late Mayoral Minute to the September Ordinary meeting.

A minute's silence in memory of the Queen will be observed at the commencement of the meeting.

ATTACHMENT(S)**Nil**

5.2 NSW INDEPENDENT FLOOD INQUIRY

Author: Robert Mustow

RECOMMENDATION

That Council:

1. Notes the release of the NSW 2022 Flood Inquiry recommendations and NSW Government response; and
2. Writes to the NSW Premier seeking urgent implementation of the initiatives to be delivered by the Northern Rivers Reconstruction Corporation.

REPORT

The NSW Government has released the findings of the 2022 Flood Inquiry, conducted by Professor Mary O'Kane AC and Michael Fuller APM, and the Government's response to the Inquiry's 28 recommendations. The Inquiry conducted 144 community meetings and received 1494 submissions during the consultation period, including a detailed response from Richmond Valley Council.

Council raised the many concerns our community shared regarding the need to improve State agency co-ordination and decision-making in the response to natural disasters, to clarify responsibilities for evacuation centres and provision of temporary housing, and to improve access to funding and support programs.

We also shared the stories and experiences of local flood-affected families, businesses and farmers with the Inquiry to highlight the impacts of this unprecedented event on our community.

The 2022 floods have changed the face of the Northern Rivers, leaving a trail of devastation in their wake. But the spirit of our community has remained, and our commitment to build back better and stronger will sustain us on the long road ahead. In the Richmond Valley, some 800 local homes have been badly damaged, with 450 of them rendered uninhabitable. More than 1000 local residents were displaced - living with friends and family, shifting between motels and short-term rentals, or camped out in tents and cars – all waiting for temporary housing which thankfully now is beginning to arrive with sites in Evans Head and Coraki and caravans have been provided as a pilot program for residents in Woodburn, with this program now extended to other areas of the Northern Rivers.

Our Council is facing more than \$150m in essential infrastructure repairs and our local economy is expected to lose more than \$250m in productivity over the next two years, due mainly to the impacts on local agriculture and manufacturing industries.

But the long-term cost of these floods to our unique environment, our cultural heritage and the deep connections that hold our communities together is much greater than a simple dollar amount can convey. The deep distress, despair and anger that many within our community have experienced through these events cannot be quantified or easily addressed. People need answers and they need to be heard. That is why it was so important to conduct this Inquiry – and so essential that the NSW Government now responds in good faith to its recommendations.

I am pleased to note that of the 12 recommendations included in Richmond Valley Council's submission to the Inquiry, 11 have been directly addressed in the report. These included the need to improve flood warning systems, strengthen telecommunications networks and improve government co-ordination of recovery. The issues Council raised regarding the need to plan ahead for provision of temporary housing, improve funding support schemes for business and primary producers and extend voluntary house raising and buy-back schemes to flood victims were also addressed in the recommendations.

However, one of the key issues for many residents – the potential impacts of the newly constructed Pacific Motorway on the flow and retention of flood waters in the Mid-Richmond - was not directly addressed and remains a matter of great concern for our community. Council hopes that the current work being undertaken by the CSIRO as part of the Northern Rivers Resilience Initiative will finally provide the answers our community needs on the movement and retention of flood waters in the Mid-Richmond. I would encourage Richmond Valley residents to participate in the community consultation soon to be undertaken for this project. Council will continue to advocate on the community's behalf to have these questions answered.

Of the Inquiry's 28 recommendations, six were fully supported by the NSW Government and the remaining 22 were supported in principle, with further work required on implementation. I am concerned that this further work should progress as quickly as possible.

We cannot wait for more analysis and further debate. Our community needs action now, and we need clear decisions so that people can get on with their lives. A month has now passed since the Inquiry findings were released, two months since the Northern Rivers Reconstruction Corporation was established and more than six months since the March flood devastated our communities. Yet still we have no clarity on house-raising programs and buy-back schemes for local flood victims and no firm commitments of funding for major infrastructure challenges, such as fixing the Naughtons Gap landslip or rebuilding our sewerage infrastructure.

Council continues to work closely with the Reconstruction Corporation to progress these important repairs, but time is running out to resolve these issues. With our region facing more rain in the coming months it is imperative that the NSW Government moves forward with its response to the Inquiry findings and delivers the long-term vision, funding and support that our community needs to recover.

ATTACHMENT(S)

Nil

6 CONFIRMATION OF MINUTES

6.1 MINUTES ORDINARY MEETING HELD 16 AUGUST 2022

Director: Vaughan Macdonald

RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting held on 16 August 2022.

REPORT

Refer attached Minutes.

ATTACHMENT(S)

- 1. Minutes Ordinary Meeting 16 August 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 11 AUGUST - 12 SEPTEMBER 2022**

Author: Robert Mustow

RECOMMENDATION

That Council receives and notes the Mayoral Attendance Report for the period 11 August – 12 September 2022.

REPORT**August**

- 12th Community Safety Precinct Committee meeting
- 12th Coraki community event
- 13th Evans Head Casino SLSC presentation
- 14th Dirty Wheels Bike Track, New Italy
- 15th Clean up thank you, RodnReel Woodburn gathering
- 16th Richmond Valley Council Ordinary Council Meeting
- 17th Rous County Council Ordinary Meeting
- 18th Veterans Day Memorial Service
- 19th Northern Rivers Joint Organisation meeting
- 19th Whiddons Art Exhibition
- 20th McAuley Catholic College Charity Ball
- 22nd Australian Citizenship Ceremony
- 23rd Rileys Hill – ABC interview
- 24th The Men from Evans Head launch
- 24th Northern Rivers Joint Regional Planning Panel public determination meeting (Bentley Quarry)
- 25th Probus meeting
- 25th Woodburn Advisory Meeting
- 26th 2022 Casino Fun Run launch
- 30th Northern Regional Planning Panel - public determination - subdivision at 240 Iron Gates Rd Evans Head
- 31st NSW Rural Fire Service presentation

September

- 1st Casino Legacy wreath laying ceremony
- 1st Meeting with Hon Sussan Ley MP, Hon Angus Taylor MP & Kevin Hogan MP
- 1st Tour of Casino Memorial Pool upgrade works
- 2nd Casino Drill Hall Precinct stage two redevelopment and official dedication of new war memorial
- 3rd Book launch McKees Hill
- 6th Richmond Valley Council Information Session
- 7th Momentum Community and Consultation Day at the Oaks
- 8th Interview with National Emergency Management Agency
- 8th Police Awards ceremony
- 9th Senator Murray Watt Funding Announcement - Broadwater
- 9th NRMA “Go-Live” EV fast charger launch
- 11th Macca Broadcasting Live on ABC Radio from Coraki

ATTACHMENT(S)

Nil

12 DELEGATES' REPORTS**12.1 DELEGATES' REPORT SEPTEMBER 2022**

Director: Vaughan Macdonald

RECOMMENDATION

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

REPORT

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

Rous County Council

Cr Robert Mustow and Cr Sandra Humphrys have provided the following summary of the main items of business for the Rous County Council Ordinary Meeting held on 17 August 2022.

ATTACHMENT(S)

- 1. Rous County Ordinary Meeting held on 17 August 2022 (under separate cover)**

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

Nil

15 ORGANISATIONAL SERVICES**15.1 DISCLOSURE OF INTERESTS - UPDATE TO PROCEDURE AND ANNUAL DESIGNATED PERSON RETURNS**

Director: Ryan Gaiter

Responsible Officer: Kate Alder-Conn

EXECUTIVE SUMMARY

In accordance with Council's Code of Conduct and Disclosure of Interest Procedure, Councillors and Designated Persons are required to lodge their completed disclosure of interest returns by 30 September 2022. All of the required disclosures have now been received from Councillors and Designated Persons.

A review of Council's Disclosure of Interest Procedure has been carried out, with minor amendments proposed to the list of designated persons, to accommodate changes in job titles.

RECOMMENDATION

That Council:

1. Notes that all required disclosure of interest returns have been received for the period ending 30 June 2022; and
2. Adopts the revised Disclosure of Interest Procedure.

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

Nil

REPORT

In accordance with the Code of Conduct and Council's Disclosure of Interest Procedure, Councillors and Designated Persons are required to lodge their completed disclosure of interest returns by 30 September 2022.

A Councillor or Designated Person must make and lodge with the General Manager a return in the form set out in Schedule 2 of the Code of Conduct, disclosing the Councillor's or Designated Person's interests as specified in Schedule 1 of the Code within three months of:

- Becoming a Councillor or Designated Person;
- 30 June each year; or
- The Councillor or Designated Person becoming aware of an interest they are required to disclose under Schedule 1 of the Code that has not been previously disclosed in a return.

A review of the list of Designated Person positions held has been carried out in order to ensure accuracy of position titles. All of the required disclosures have been received from Councillors and Designated Persons. The disclosures are tabled for the information of Council and will be made available on request to any member of the public at Council's Casino Administration Office.

Following the review, the following changes have been made to the list of designated positions:

- Removal of Manager Finance and Procurement;
- Addition of Manager Project Management Office; and
- Amendments of various job titles as required due to operational changes.

Returns will be published on Council's website in accordance with Office of Local Government requirements. In situations where Council believes there is an overriding public interest against the disclosure of some of the information contained in the returns, redactions will be applied prior to publishing. The decision to redact personal information is made on a case-by-case basis following application of the public interest test.

CONSULTATION

Nil

CONCLUSION

It is recommended that Council adopts the revised Disclosure of Interest Procedure and notes the receipt of returns within statutory time frames.

ATTACHMENT(S)

1. **Revised Disclosure of Interest Procedure (under separate cover)**

15.2 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 a local government election.

A review of the Payment of Expenses and Provision of Facilities to Councillors Policy, adopted in November 2016, was carried out and Council resolved at its August 2022 meeting to exhibit the revised policy for public comment.

Following a 28-day period of public exhibition, the policy is now presented for adoption.

RECOMMENDATION

That Council adopts the Councillor Expenses and Facilities Policy, noting that no submissions were received during the public 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 a local government election.

A review of the Payment of Expenses and Provision of Facilities to Councillors Policy, adopted in November 2016, was carried out. The revised draft policy is based upon the template provided by the Office of Local Government (OLG), with the following changes incorporated:

- 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, 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.

CONSULTATION

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. The policy was publicly exhibited between the period 17 August 2022 – 13 September 2022. Under the Act, before adopting the policy, a council must consider any submissions and make any appropriate changes to the draft policy.

During this time, no submissions were received.

CONCLUSION

It is recommended that Council adopts the Councillor Expenses and Facilities Policy, noting that no submissions were received during the public exhibition period.

ATTACHMENT(S)

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

15.3 FINANCIAL ANALYSIS REPORT - AUGUST 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 August 2022 is shown below:

Bank Accounts	Term Deposits	Floating Rate Notes	Fixed Rate Bonds	TCorp IM Funds	Total
\$21,805,952	\$41,000,000	\$4,750,390	\$2,000,000	\$14,645,787	\$84,202,128

The weighted average rate of return on Council's cash and investments as at 31 August 2022 was 0.44% which was above the Bloomberg AusBond Bank Bill Index for August of 0.15%, 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 August 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 August 2022, Council has earned \$116,191 in interest and \$316,692 in fair value gains for total interest and investment income of \$432,883. This equates to 47.74% of the annual budget for interest and investment income of \$906,782. Council currently receives a net return of 1.95% 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 August 2022 total \$735.

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 1.85% per annum at its August meeting.

Rate of Return

The weighted average rate of return on cash and investments in August 2022 was 0.44% a decrease in 675 basis points from the previous month. The rate of return is 28 basis points above the Bloomberg AusBond Bank Bill Index of 0.15% which is Council's benchmark.

Council's NSW Treasury Corporation IM Funds returned net losses of \$133,642 during the month of August.

The Medium-Term Growth Fund (MTGF) returned a loss of \$119,228 and the Long-Term Growth Fund (LTGF) returned a loss of \$14,415.

The markets throughout August remained volatile with global growth concerns and risks of a US and global recession continuing. This was evident in the equity markets performance with many falling sharply in August, succumbing to the growing warnings of increased interest rates to lower inflation. 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 \$84,202,128 at 31 August 2022. This was made up of Council's Business Online Saver Account (\$8,300,000), Macquarie Cash Management Account (\$10,015,768), Term Deposits (\$41,000,000), Floating Rate Notes (\$4,750,390), Bonds (\$2,000,000), NSW Treasury Corporation Investments (\$14,645,787) and other bank accounts (\$3,490,184).

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 56.71% of the total portfolio as at 31 August 2022.

Council made the following new investments during August 2022:

Banking Institution	Investment Type	Environmentally Sustainable Investment	Amount Invested	Investment Term	Interest Rate
AMP Ltd	Term Deposit	N	\$1,000,000	6 months	3.70%
AMP Ltd	Term Deposit	N	\$2,000,000	6 months	3.60%
Auswide Bank	Term Deposit	Y	\$2,000,000	6 months	3.70%
Auswide Bank	Term Deposit	Y	\$2,000,000	6 months	3.70%
Auswide Bank	Term Deposit	Y	\$1,000,000	3 months	2.95%
AMP Ltd	Term Deposit	N	\$1,000,000	6 months	3.70%
Southern Cross Credit Union	Term Deposit	Y	\$1,000,000	3 months	3.00%
Southern Cross Credit Union	Term Deposit	Y	\$1,000,000	3 months	3.00%

Auswide Bank	Term Deposit	Y	\$1,000,000	6 months	3.70%
Southern Cross Credit Union	Term Deposit	Y	\$1,000,000	3 months	3.00%
Macquarie Bank	Term Deposit	N	\$2,000,000	3 months	3.20%
Total			\$15,000,000		

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

Banking Institution	Investment Type	Environmentally Sustainable Investment	Amount Invested	Interest Earned
Judo Bank	Term Deposit	N	\$1,000,000	\$3,945
Illawarra Credit Union	Term Deposit	Y	\$1,000,000	\$4,114
Illawarra Credit Union	Term Deposit	Y	\$1,000,000	\$4,114
ME Bank	Term Deposit	Y	\$2,000,000	\$5,984
Coastline Credit Union	Term Deposit	Y	\$1,000,000	\$4,114
Southern Cross Credit Union	Term Deposit	Y	\$1,000,000	\$4,488
Auswide Bank	Term Deposit	Y	\$1,000,000	\$3,433
ME Bank	Term Deposit	Y	\$1,000,000	\$2,942
Auswide Bank	Term Deposit	Y	\$2,000,000	\$9,326
Total			\$11,000,000	\$42,459

Council had \$14,645,787 in longer term investments being the MTGF and LTGF held with NSW Treasury Corporation as at 31 August 2022. The investment values and fair value returns are shown below:

Investment Holding	Fair Value 31 August 22	Fair Value Gain/(Loss) at 31 August 22	Fair Value Gain/(Loss) YTD	Fair Value Gain/(Loss) Life of Investment
Medium Term Growth Fund	\$11,773,244	(\$119,228)	\$228,897	\$768,214
Long Term Growth Fund	\$2,872,543	(\$14,415)	\$87,795	(\$127,457)
Total	\$14,645,787	(\$133,642)	\$316,692	\$640,757

The performance of the NSW Treasury Corporation investments for August is disappointing, however, it follows the strong gains during July of \$450,334. It does 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 \$84,202,128 at 31 August 2022 includes \$54,395,787 or 64.6% with no direct investment in the fossil fuel industry.

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 August 2022 Council's investments have been made in accordance with the Act, the Regulations and Council's Investment Policy.

As at 31 August 2022 Council's cash and investments totalled \$84,202,128 with \$21,805,952 of this being funds held in bank accounts. The weighted average rate of return was 0.44% for the month of August 2022 and total investment revenue equals 47.74% of budgeted revenue for the year to 31 August 2022.

ATTACHMENT(S)

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

15.4 INTERNAL AUDIT AND RISK COMMITTEE COUNCILLOR NOMINATIONS

Director: Ryan Gaiter

Responsible Officer: Hayley Martin

EXECUTIVE SUMMARY

Under Section 428A of the *Local Government Act*, Council is required to form an Internal Audit and Risk Committee which includes at least three positions held by officers external to the organisation. At the August 2022 Ordinary Council Meeting, the following resolution was passed and, as required, confirmation has been sought from the Office of Local Government.

RESOLUTION 160822/20

Moved: Cr Robert Hayes

Seconded: Cr Stephen Morrissey

- 1. That Council proceeds with offering the top three shortlisted applicants a position on the Internal Audit and Risk Committee.*
- 2. That Council obtains confirmation as to whether all Councillors other than the Mayor can be appointed on an open rotating basis, to be the non-voting Council member of the committee.*

RECOMMENDATION

That Council:

1. Determines if a Councillor representative is to be nominated as a member of the Committee; and
2. Subject to resolving in the affirmative for item 1, nominates one Councillor to be a non-voting member of the committee.

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

Nil

REPORT

A recent circular from the Office of Local Government *21-22 Update on membership requirements for audit, risk and improvement committees* outlines that under the new requirements, all councils at a minimum are required to have an ARIC that comprises of:

- One independent chair who meets the independence and eligibility criteria for an ARIC chair, and
- At least two independent members who meet the independence and eligibility criteria for ARIC members (councils may appoint additional independent members should they choose to do so).

Councils also have the option of appointing one non-voting councillor member who meets the criteria for councillor members (excluding the Mayor).

As per the advice of the Office of Local Government, if a Councillor is to be appointed a singular member must be nominated to be the non-voting Council member of the committee, Therefore if Council decides to appoint a representative it needs to resolve who that member will be.

CONSULTATION

The Director of Organisational Services has contacted the Office of Local Government to seek clarification as per Resolution 160822/20.

CONCLUSION

It is not a requirement for Council to appoint a non-voting Councillor to the Audit and Risk Committee, however, should Council wish to do so, a single Councillor should be nominated as per the advice of the Office of Local Government.

ATTACHMENT(S)

Nil

16 COMMUNITY SERVICE DELIVERY**16.1 DRAFT NORTH COAST REGIONAL PLAN - COUNCIL SUBMISSION**

Director: Angela Jones

Responsible Officer: Tony McAteer

EXECUTIVE SUMMARY

The *Draft North Coast Regional Plan 2041* (Draft Plan) was publicly exhibited by the Department of Planning and Environment from 11 July 2022 to 24 August 2022. Council made a submission on the draft plan, expressing concern that it lacked a whole-of-government vision for renewal and growth in the Northern Rivers and failed to recognise the emerging role of the Richmond Valley as a regional employment centre. The Department of Planning and Environment is currently reviewing the submissions to the draft plan and has not yet set a date for release of the final document.

RECOMMENDATION

That Council:

1. Notes the release of the Draft North Coast Regional Plan 2041 and Richmond Valley Council's submission to the public consultation; and
2. Writes to the Minister for Planning and Homes seeking the Richmond Valley's inclusion in Stage One of the North Coast Urban Development Program, in response to Casino's emerging role as a regional employment centre.

DELIVERY PROGRAM LINKS

Sustain - Objective 10: Lead and advocate for our community

10B Advocate to federal and state governments for community needs and priorities

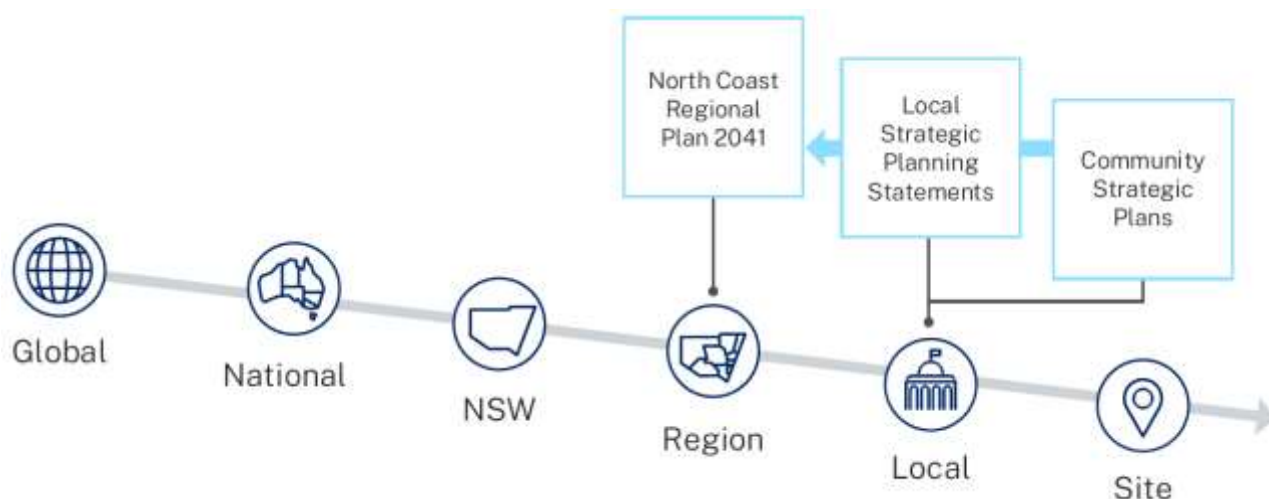
10B1 Advocate for community priorities and actively seek grant funding

BUDGET IMPLICATIONS

Nil

REPORT

Regional Plans are developed by the NSW Government with the aim of establishing clear vision and policy direction for how regions can build on future opportunities and ensure their communities grow to become more vibrant, dynamic, and prosperous. The diagram below shows how the North Coast Regional Plan fits in to the wider planning framework and connects with local councils' Community Strategic plans and Local Strategic Planning Statements (LSPS).



The current *North Coast Regional Plan 2036* (the **Plan**) is a 20-year land use plan that applies to 12 north coast local government areas from Tweed to Port Macquarie-Hastings. This Plan underwent a review resulting in the production of the *Draft North Coast Regional Plan 2041* (the Draft Plan) which extends the Plan's timeframe and aims to build on the existing plan's actions and deliverables.

The Draft Plan was publicly exhibited by the Department of Planning and Environment from 11 July 2022 to 24 August 2022. Richmond Valley Council made a submission expressing concern that it lacked a whole-of-government vision for renewal and growth in the Northern Rivers and failed to recognise the emerging role of the Richmond Valley as a regional employment centre. The Draft Plan is largely silent on the role that the NSW Government will play to actively shape the future of the Northern Rivers, with no detail on major infrastructure investment nor development of essential community services, such as education and health.

The submission also expressed concern about the continued policy direction to consolidate essential services and growth into regional cities, such as Lismore, despite the lessons learned from the 2022 floods. While Lismore will continue to play a significant role in the region, providing health, education and other key services, the severity of this year's flood events has clearly demonstrated the need to off-set risks and build resilience by strengthening the role of regional strategic centres such as Casino and Ballina. The latest iteration of the plan again fails to recognise Casino's role as an emerging strategic centre, despite the NSW Government's current commitment to establishing regionally significant industry, investment and accelerated housing development in Casino through the Regional Jobs Precinct program.

Of particular concern is the Richmond Valley's exclusion from Stage One of the new North Coast Urban Development Program, which will establish a 10-year housing supply pipeline with appropriately zoned and development-ready land. If Council is to achieve its vision of more jobs and housing for the Richmond Valley community, inclusion in this program will be essential – noting that neighbouring councils such as Lismore, Ballina, Byron and Tweed are already participating in Stage One.

Other issues addressed in Council's submission include the need to:

- Provide a wider range of housing choices and support new housing development with essential infrastructure and services
- Preserve high value agricultural land, while managing increased demand for residential and commercial development
- Address the challenges with housing supply and affordability in the Northern Rivers, especially those arising from Short Term Rental Accommodation
- Strengthen key transport links, including the Woodburn-Casino road (MR45) and improve public transport in the region.

- Ensure consistent flood modelling and risk management planning across the Northern Rivers.

A full copy of Council's submission is attached.

CONSULTATION

Nil

CONCLUSION

The Draft North Coast Regional Plan 2041, as presented, fails to deliver a clear whole-of-government vision to renew and revitalise the Northern Rivers, at a time when local communities are looking to the NSW Government for leadership and strategic investment in the region. Of particular concern is the Plan's continued failure to recognise the emerging role of the Richmond Valley as a regional employment centre and provide a clear pipeline for long-term housing growth. Council will continue to advocate to the NSW Government to ensure the Richmond Valley's strategic priorities are included in regional planning programs.

ATTACHMENT(S)

1. **Draft North Coast Regional Plan 2041 - Submission by Richmond Valley Council (under separate cover)**

16.2 RE-ESTABLISHMENT OF ALCOHOL FREE ZONES IN CASINO, CORAKI AND EVANS HEAD

Director: Angela Jones

Responsible Officer: Andy Edwards

EXECUTIVE SUMMARY

Richmond Valley Council has operated Alcohol Free Zones in Casino, Coraki and Evans Head for a number of years and they have proved effective in managing street drinking. Under the *Local Government Act 1993*, the zones must be reviewed, re-advertised and re-established every four years. Council is required to undertake community and stakeholder consultation as part of the review process. This consultation has now been completed and it is recommended that Council re-establish the zones.

RECOMMENDATION

That Council:

1. Notes that the consultation requirements under the *Local Government Act 1993* for re-establishing the Richmond Valley's Alcohol Free Zones have been completed, with no objections received.
2. Re-establishes the Alcohol Free Zones in Casino, Coraki and Evans Head, as outlined in this report, for a period of four years.

DELIVERY PROGRAM LINKS

Recover - Objective 2: Support families and businesses to rebuild

2C Restore central business districts and town centres

2C1 Ensure CBD precincts in Casino and the Mid-Richmond are well maintained

BUDGET IMPLICATIONS

Nil

REPORT

Alcohol Free Zones allow Council to ban the consumption of alcohol on public roads, footpaths and car parks. The zones can be enforced by authorised Council Officers or Police and fines apply for non-compliance.

Richmond Valley Council has operated Alcohol Free Zones in Casino, Coraki and Evans Head for a number of years. These zones have a mandatory sunset approval requiring them to be reviewed, re-advertised and re-established on a four-yearly basis. The approval for the existing areas expires in September 2022 and it is recommended that Council re-establish these zones.

Section 644 of the *Local Government Act 1993* (the Act) sets out the requirements for establishing and operating Alcohol Free Zones. While the zones generally apply across all the roads, footpaths and public car parks contained within the designated area, there can be exemptions under certain circumstances - for example, licensed alfresco dining areas or in controlled areas during events such as Casino Beef Week or the Casino Truck Show. This is subject to support from Police and Council.

The current Alcohol Free Zones were originally established at the request of local Police, following concerns about anti-social behaviour and a series of serious offences that had been largely attributed to consumption of alcohol on Council's streets. Local police support the re-establishment

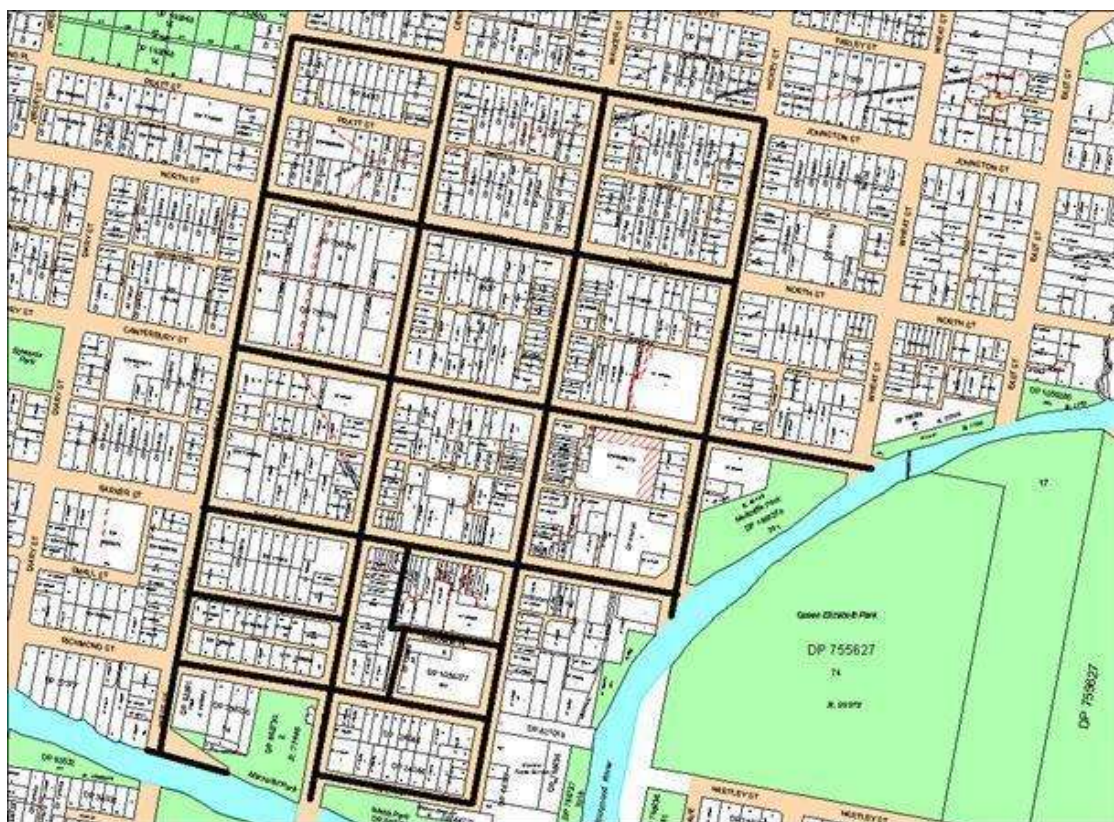
of the zones, as they have helped to reduce incidents of vandalism and litter and enhanced the safety of these public places. Council advertised its intention to re-establish the zones, in accordance with the consultation requirements of the Act. One submission was received, advising of no objection to the proposal.

Councils are required to provide signage in each Alcohol Free Zone, explaining the provisions that apply. A review of the existing zones has revealed that ten signs are currently in poor condition and these will be replaced, should Council decide to re-establish the zones. The boundaries of the proposed zones are shown below:

Casino CBD

Location of proposed zone:

- A point on the northern bank of the Richmond River adjacent to West Street
- North along West Street to Johnston Street
- Johnston Street from West Street to Hickey Street
- Hickey Street from Johnston Street to Barker Street
- Barker Street from West Street to Hickey Street
- Canterbury Street from West Street to Wheat Street
- North Street from West Street to Hickey Street
- Richmond Street from West Street to Walker Street
- Walker Street from River Street to Johnston Street
- Centre Street from the Irving Bridge north to Johnston Street
- River Street from Centre Street to Walker Street
- Graham Place from Walker Street to Richmond Street
- Terminal Parade from Barker Street to Graham Place



Casino CBD

South Casino

Location of proposed zone:

- South along Hickey Street to Light Street
- West along Light Street to West Street
- North along West Street to the commencement position

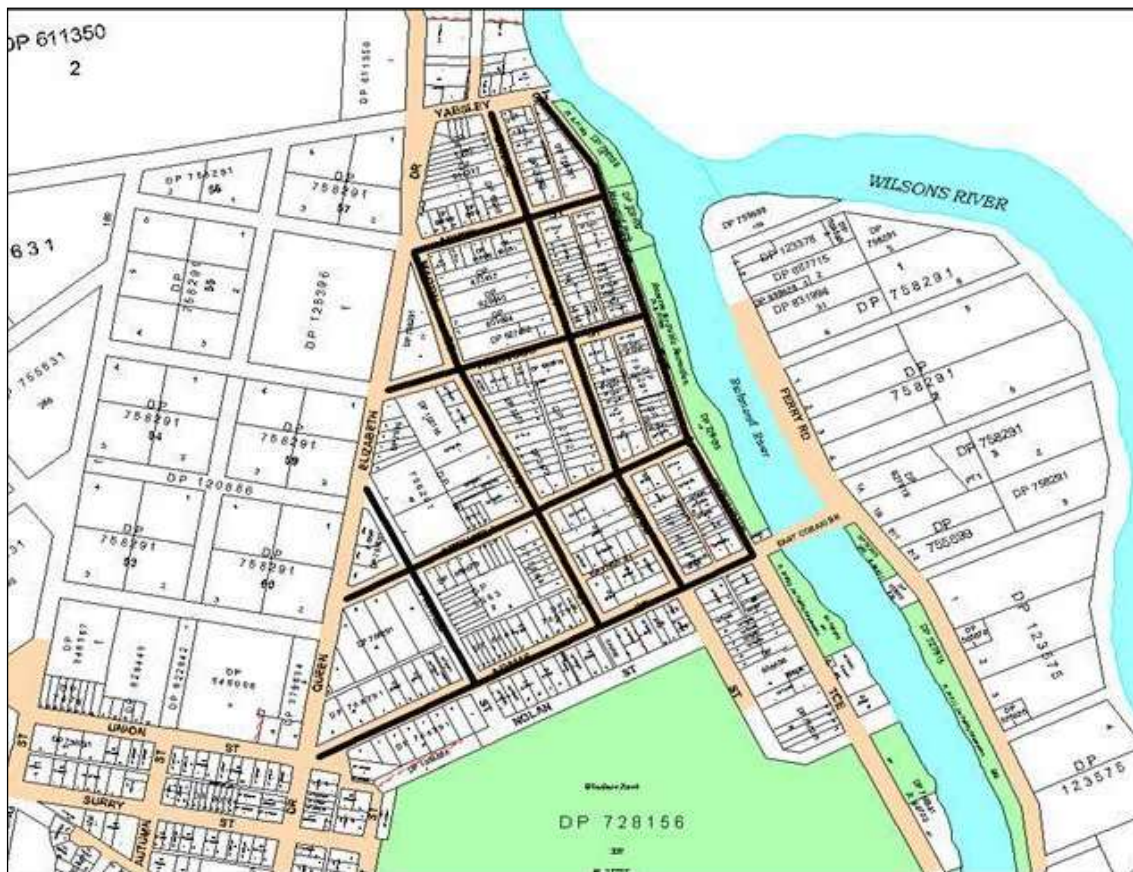


South Casino

Coraki

Location of proposed zone:

- Richmond Terrace from Yabsley Street to Adams Street
- Bridge Street from Yabsley Street to Adams Street
- Martin Street from Queen Elizabeth Drive to Adams Street
- Parkes Street from Queen Elizabeth Drive to Richmond Terrace
- Grenfell Street from Queen Elizabeth Drive to Richmond Terrace
- Allwood Street from Queen Elizabeth Drive to Richmond Terrace
- Minto Street from Queen Elizabeth Drive to Richmond Terrace

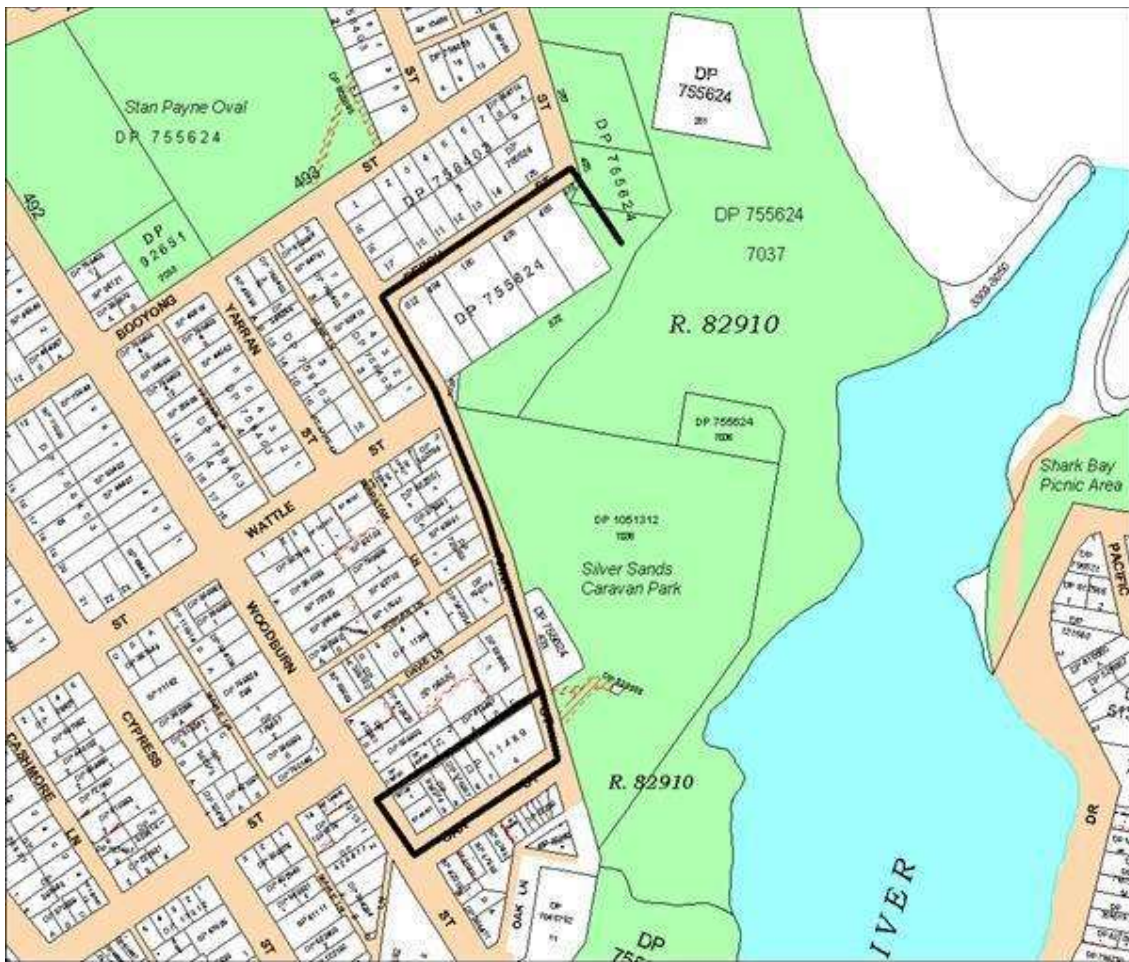


Coraki

Evans Head

Location of proposed zone:

- Park Street from Oak Street to Beech Street
- Beech Street from Park Street to the Surf Club car parking area adjacent to the Clubhouse and main beach parking area
- Oak Street from Woodburn Street to Park Street, except alfresco dining areas between 11.00am and 10.00pm
- Illawong Lane from Woodburn Street to Park Street
- Woodburn Street from Oak Street to Illawong Lane



Evans Head

CONSULTATION

The re-establishment of the existing Alcohol Free Zones has been advertised extensively. The proposal was placed on public display at Council's offices in Casino and Evans Head and advertised in the local media for a period of one month as well as notification to all affected local businesses and statutory bodies in accordance with the requirements of the Act. This included consultation with the Anti-Discrimination Board, Local Police, Licensing Police, all local Licensees and Liquor outlets. One submission was received advising of no objection to the proposed Alcohol Free Zones.

CONCLUSION

Richmond Valley Council has operated the Alcohol Free Zones indicated in this report for a number of years and they have proved an effective means of managing street drinking and promoting public safety. It is now proposed to re-establish the zones and Council has advertised this intention, according to the requirements in the Act.

ATTACHMENT(S)

Nil

17 PROJECTS & BUSINESS DEVELOPMENT**17.1 BOX RIDGE ROAD COMPULSORY ACQUISITION**

Director: Ben Zeller

Responsible Officer: Kim Anderson

EXECUTIVE SUMMARY

Council has been working with the Bogal Local Aboriginal Land Council and its planning consultants since 2021 to progress a development application for the Box Ridge community at Coraki, under the NSW Government's Roads to Home (R2H) program.

As part of the development application process, there is a necessity to formalise legal access through the creation of a dedicated public road servicing the Box Ridge discrete Aboriginal community.

The affected land is partially owned by NSW Crown Lands and subject to determined Native Title. NSW Crown Lands has advised that the most expedient way to acquire Crown land is through the compulsory acquisition process. As Council is the authorised roads authority it is the sole organisation with the means to undertake this task.

The Bogal Local Aboriginal Land Council has requested that Council initiates the process to declare Box Ridge Road a public road owned and managed by Council, enabling the subdivision of land to individual parcels which will bring important social and access benefits to the residents of the community.

It is recommended that Council supports the acquisition process, subject to successful negotiation with the relevant parties and removal of any encumbrances.

RECOMMENDATION

That

1. Subject to a successful negotiation with the relevant parties on the removal of associated encumbrances including Native Title, Council:
 - (a) Will acquire the subject land by compulsory acquisition under Section 177 and 178 of the *Roads Act 1993 (NSW)* and in accordance with the requirements of the *Land Acquisition (Just terms Compensation) Act 1993 (NSW)*;
 - (b) Will approve the making of an application to the Minister for Local Government for the issue of a proposed Acquisition Notice under the *Land Acquisition (Just Terms Compensation) Act 1993 (NSW)* with respect to the subject land;
 - (c) Dedicate the subject land as a public road.
2. All costs associated with the compulsory acquisition process are to be borne by the applicant.

DELIVERY PROGRAM LINKS

Sustain - Objective 9: Address long-term housing needs

9A Ensure there is sufficient land and infrastructure to support long-term housing needs

9A3 Streamline approvals for rezoning, sub-division and residential developments

BUDGET IMPLICATIONS

There will be no budget implications.

REPORT

The NSW Department of Planning and Environment is working alongside NSW Aboriginal communities to improve road reserve and associated infrastructure to improve connectivity, quality of life and economic opportunities for residents on former reserves and missions, now known as discrete Aboriginal communities, that were handed to local Aboriginal Land Councils under the *NSW Aboriginal Land Rights Act 1983*.

This program is known as the 'Road to Home' (R2H) which includes upgrades for stormwater and other drainage, kerb, guttering, footpaths, street and public space lighting, road surfaces, telecommunication and power. The program provides the opportunity to address issues relating to the single title nature of the discrete communities by proposing long term planning and subdivision solutions. This program supports the transfer of road reserve infrastructure to local government authorities and enables the subdivision of land into multiple lots.

The Box Ridge community at Coraki owned by the Bogal Local Aboriginal Land Council was added to the R2H program in 2021.

Council officers on 13 September 2021 met with representatives from Bogal Local Aboriginal Land Council, along with consultants who are developing the subdivision proposal on their behalf. Following the meeting, a letter requesting Council acceptance of the proposal was received. The request outlined that the R2H program would fund the works to subdivide land and upgrade infrastructure to an acceptable standard and then dedicate it to Council for ownership and future maintenance responsibility.

A report was presented to Council on 19 October 2021 seeking Council acceptance of this proposal. Council's resolution authorised the General Manager to establish details of the proposal including financial and management implications for Council, benefits to the community and report outcomes to Council at a future meeting.

A development application was lodged with Council (DA2022/147) for a subdivision of Lot 316 DP 755631 to create 18 lots (being 14 residential, 1 community centre lot, 1 public reserve, 1 maintenance lot and 1 residual lot). The development application included infrastructure upgrades for roadworks and dedication of part of Box Ridge Road as a public road, stormwater, sewer works, carparking, signage and footpaths in the road reserve proposing to become Council public assets.

During the public exhibition process a submission was received from NSW Crown Lands on the proposed development application which noted that Box Ridge Road being the road access to the development site encroaches on two Crown Reserves (Reserve 85116 - Lot 342 DP 728104 and Reserve 42990 - Lot 343 DP 728104). NSW Crown Lands did not object to the proposal provided that prior to determination, Council declare Box Ridge Road a public road owned and managed by Council. The applicants have withdrawn the application until the road issue can be resolved.

Box Ridge Road is not a dedicated public road. Box Ridge Road is a formed bitumen sealed service access 3.8m wide which is contained within an easement over NSW Crown Lands for the benefit of Council to access the Coraki sewerage treatment plant.

The residents of Box Ridge do not have formed legal road access to the constructed residential dwellings/community facilities and have been using Box Ridge Road (easement location) long before Council's construction of the sewerage treatment plant around 1969 (see Image 1 below).

The Bogal Local Aboriginal Land Council has requested that Council initiates the process to declare Box Ridge Road a public road owned and managed by Council (shown Image 2 below and Attachment 1 being the subject land).

The affected land is owned by Bogal Local Aboriginal Land Council and NSW Crown Lands.

Bogal Local Aboriginal Land Council has provided written consent approving the transfer of part Lot 175 DP 755631 for the Council public road.

Department of Planning and Environment - Crown Lands has advised that typically the most expedient way to acquire Crown land is through the compulsory acquisition process using *Land Acquisition (Just Terms Compensation) Act 1991*.

The Bandjalang People have Native Title determined over the Crown Land reserves (Bandjalang People #2 v Attorney General of New South Wales, 2 December 2013).



Image 1: (Date:1964) Box Ridge discrete Aboriginal community showing utilised access.

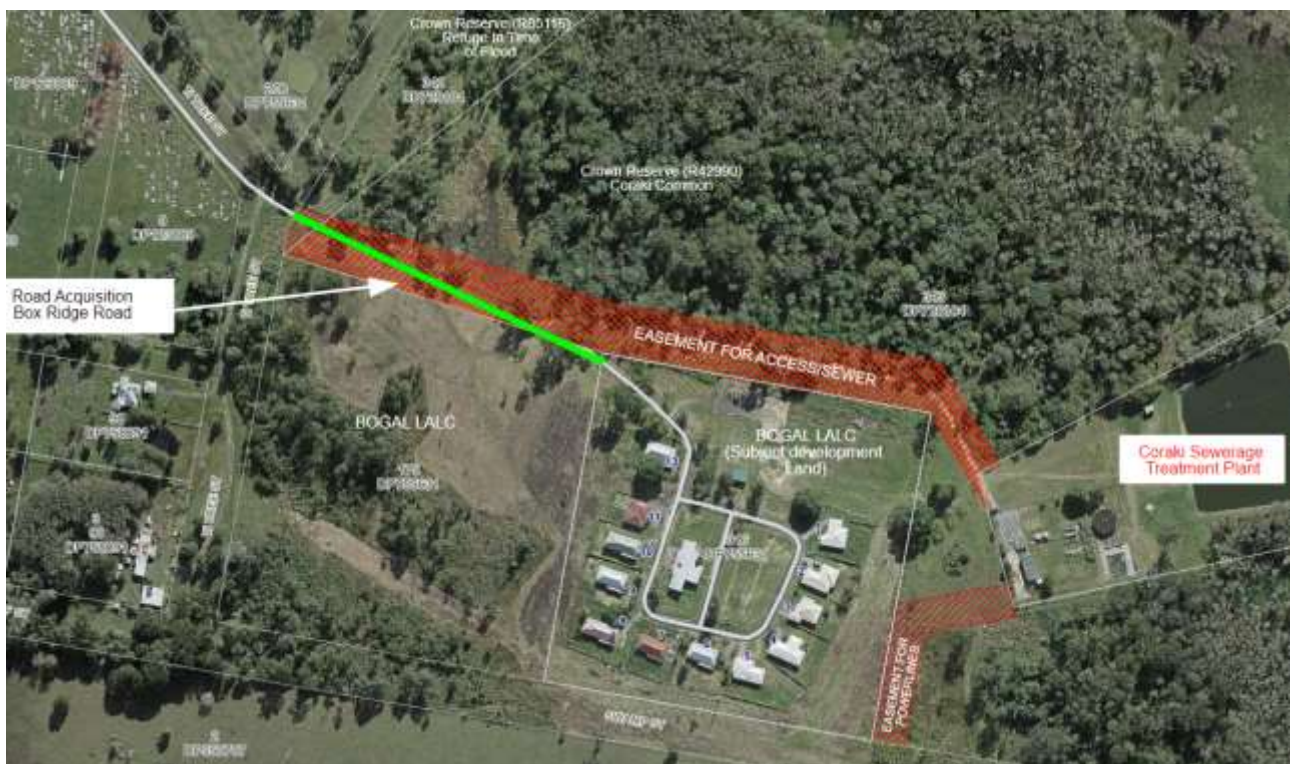


Image 2: Location of road acquisition.

Financial and management implications for Council

Any costs associated with the compulsory acquisition and road dedication including but not limited to: Compensation payable to NSW Crown Lands; compensation payable to Bandjalang Native Title

holders; application and plans registration fees, and any associated legal costs are to be borne by the applicant, Bogal Local Aboriginal Land Council.

Council currently maintains the service access road within the easement which forms part of Box Ridge Road, being a 3.8m wide bitumen sealed pavement within its existing budget allocation. This road appears to have been originally bitumen sealed between 1971 and 1979. Council's last capital works reseal was completed in 2015 and has a current condition rating of 1.5 - excellent. The condition is pre-February 2022 flood which may be subject to Natural Disaster restoration works.

The proposed development application includes road widening and resealing of the existing Box Ridge Road to Council standards for a public road.

General limitations for native title rights and interests do not exist in the areas covered by public works constructed prior to 23 December 1996 which includes road and any major earthworks. The footprint of the proposed road extends outside the easement and hence native title will need to be resolved during the compulsory acquisition process.

It is recommended that all encumbrances be extinguished during the compulsory acquisition process including Native Title on the land required for road. This ensures Council can fulfil its full obligations to manage and operate the public road infrastructure into the future.

Native Title recognises the common law rights and interest of Aboriginal and Torres Strait Islander people in land and waters, according to their traditional laws and customs. The Bandjalang People are provided the non-exclusive rights including to hunt, fish, gather traditional natural resources, camp, and conduct ceremonies which are significant to traditional laws and customs over the crown land. A public road being permanent public works affects such continuing concurrent enjoyment of native title through its dedicated purpose.

Any new construction works which are undertaken on land determined Native Title is deemed as a future act and will need to be negotiated with the Native Title Holders.

The risk to Council if Native title is retained over the road reserve is;

- Council cannot appropriately maintain and operate the road while under Native Title conditions
- Council may be required to compensate the Native Title Holders for undertaking a future act on the declared land.

The proposed subdivision development incorporates public infrastructure to be handed over to Council for ownership and future maintenance, which will need to be incorporated into Council's asset planning and long-term financial plan. The Bogal Local Aboriginal Land Council currently maintains and owns this private infrastructure, which is proposed to be handed to Council. The public infrastructure includes roads, stormwater and other drainage, sewerage, water, kerb & guttering, footpaths, and road surfaces. The financial implications of the asset handover are not subject to this report, however the determination of acceptance of the road compulsory acquisition provides the pathway for the re-lodgement of this development application.

Benefits to the community

The road acquisition provides certainty and clarity for the existing residents of the Box Ridge community by resolving a long-term planning anomaly with the resolution of legal public road access for the existing residential dwellings and community facilities.

The R2H program aims to create equity for Aboriginal communities by receiving the same services as any other resident and rate payer in the Richmond Valley area in terms of managing public infrastructure. It also aims to improve community services through better infrastructure including household waste collection, postal delivery, emergency vehicles access and community transport.

The R2H program provides training and employment opportunities, including civil construction qualifications as part of the upgrade of the community.

The area required for acquisition is shown in Attachment 1, with the areas and dimensions subject to final survey. The internal road within Lot 316 DP755361 will be resolved with the lodgement of the proposed development application.

Any decision to acquire land must be made by a resolution of Council at a Council meeting and it is recommended to progress this acquisition as detailed in the report.

CONSULTATION

Council has been consulted by the Bogal Local Aboriginal Land Council and its consultant planning experts. The process required for pre-acquisition will involve consultation with all affected and interested parties to the compulsory land acquisition for public road.

CONCLUSION

It is recommended that Council supports the compulsory acquisition of land to formalise a public road reserve to the benefit of the discrete Aboriginal community of Box Ridge, subject to the removal of associated encumbrances including Native Title. This will allow the applicant to implement the program of works supporting the R2H program.

ATTACHMENT(S)

- 1. Preliminary Road Acquisition Plan (under separate cover)**

17.2 STRATEGIC ASSET PLANNING AND ASSET MANAGEMENT STRATEGY

Director: Ben Zeller

Responsible Officer: Kim Anderson

EXECUTIVE SUMMARY

Council is required, under the Integrated Planning and Reporting (IP&R) framework, to prepare an Asset Management Policy, Asset Management Strategy and Asset Management Plans outlining how it will manage its assets over the next 10 years.

Under the IP&R guidelines, each new council must review its asset policy, strategy and plans following the Local Government election, as part of the review of the Resourcing Strategy and development of the Delivery Program.

Accordingly, the revised policy and strategy are now presented for Council's consideration, with the revised asset management plans to be presented to a future Council meeting, following completion of the review.

RECOMMENDATION

That Council adopts the following asset planning documents:

1. Asset Management Policy [CPOL 11.01]
2. Asset Management Strategy 2022-2032

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

The adoption of the Asset Management Strategy incorporates the Long-Term Financial Plan for the capital and operational maintenance budgets. This strategy is integral to the Integrated Planning and Reporting Framework identifying and guiding Council's spend on its infrastructure assets.

REPORT

This report presents the Asset Management Policy and Asset Management Strategy 2022-2032 to Council for adoption.

The five separate Asset Management Plans (Land Building & Open Space, Roads and Transport, Stormwater, Water Network and Sewerage Network) are currently under review and will be presented to Council at a future meeting.

The Asset Management Policy defines the statutory obligations and supports Council's vision and strategic objectives, taking a whole-of-life approach to managing assets so that they continue to meet the service delivery needs at the best value to the community. This is achieved by ensuring Council has the information, knowledge and understanding of long-term risk that it needs to effectively manage public infrastructure.

The Asset Management Strategy is a "whole of organisation" summary of assets noting key issues, risks and challenges identified in managing the asset base and details actions to be implemented to guide forward operational, capital and financial planning decisions to ensure that the asset base is appropriately managed, and levels of service are maintained.

CONSULTATION

The Asset Management Policy and Strategy have been developed through information gathered from various areas of Council including Finance, Maintenance and Operations, Strategic Planning, Executive and Management.

CONCLUSION

It is recommended that Council adopts the Asset Management Policy and Asset Management Strategy 2022-2032.

ATTACHMENT(S)

1. **CPOL 11.1 Asset Management Policy (under separate cover)**
2. **Asset Management Strategy 2022-2032 (under separate cover)**

18 GENERAL BUSINESS

Nil

19 MATTERS FOR INFORMATION**RECOMMENDATION**

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

19.1 DISASTER RECOVERY WORKS UPDATE

Director: Ryan Gaiter

Responsible Officer: Hayley Martin

RECOMMENDATION

That Council receives and notes the update provided on current status of natural disaster works.

REPORT

The Richmond Valley Local Government Area (LGA) has been impacted by seven natural disaster events since October 2019, as listed below:

- Fire - Rappville & Bora Ridge (AGRN 871)
- Flood - February 2020 (AGRN 898)
- Flood - December 2020 (AGRN 943)
- Storm Event - February 2021 (AGRN 954)
- Flood - March 2021 (AGRN 960)
- Flood - December 2021 (AGRN 987)
- Flood - February 2022 (AGRN 1012)

The purpose of this report is to provide an update on projects currently open with Transport for NSW (TfNSW) as well as the current focus for the latest event, February 2022 Floods (AGRN 1012).

The tables below illustrate the current projects that are open with TfNSW for each event, the approved expenditure limits, total expenditure to date, funding received to date and the amount outstanding to be claimed from TfNSW.

Rappville and Bora Ridge Bushfires – (AGRN 871)

Project	Approved Upper Limit	Total Expenditure to date	Received	Outstanding Claims
Mt March Rd Log Culvert	93,000	19,330	17,900	1,430
Busby's Flat Bridge	745,000	732,757	633,648	99,109
TOTAL	\$838,000	\$752,087	\$651,548	\$100,539

Status: Mt Marsh Rd Log Culvert project will be undertaken this financial year. Busby's Flat Bridge is complete and awaiting final payment from TfNSW.

February 2020 Floods – (AGRN 898)

Project	Approved Upper Limit	Total Expenditure to date	Received	Outstanding Claims
Ainsworth Rd Embankment	685,000	47,869	6,155	20,161
Upper Cherry Tree Rd Embankment	712,000	16,100	2,300	13,800
Gores Rd Culvert	179,000	15,400	60,450	0
Codrington Rd Culvert	185,000	0	0	0
TOTAL	\$1,761,000	\$79,369	\$68,905	\$33,961

Status: Projects remain open as these sites were re-damaged during the AGRN 1012 event. Works scheduled to be completed along with the AGRN1012 EPAR projects.

December 2020 Flood – (AGRN 943)

Status: All projects are closed.

March 2021 Flood – (AGRN 960)

Project	Approved Upper Limit	Total Expenditure	Received	Outstanding Claims
Neilleys Lagoon Road Culvert	415,000	950	0	950
Busby's Flat Rd (Pickapene)	295,000	1,150	0	1,150
Lyons Rd Culvert	185,000	34,771	0	34,771
MR145 Queen Elizabeth Drive	355,000	0	0	0
MR145 Casino Coraki Rd	315,000	0	0	0
Shady Gully Bridge, Neilleys Lagoon Rd	195,000	0	0	0
Pelican Creek Bridge, Gores Rd	198,000	0	0	0
Jackybulbin Bridge	850,000	33,520	17,830	15,690
TOTAL	\$2,808,000	\$70,391	\$17,830	\$52,561

Status: A number of approved projects for AGRN 960 remain open with works underway or pending re-assessment following the subsequent flood events. Council staff have had ongoing conversations with TfNSW and have determined these projects will be completed along with EPAR works from the AGRN1012 event.

December 2021 Flood – (AGRN 987)

Status: All projects are closed.

February 2022 Flood – (AGRN 1012)

Project	Total Expenditure	Received	Outstanding Claims
EMERGENCY WORKS (EW)			
Urban Roads	217,873		
Sealed Rural Local Roads	735,141		
Regional Roads	788,125		
Unsealed Roads	3,724,904		
Total EW	5,323,808		
IMMEDIATE RECONSTRUCTION WORKS (IRW)			
Adam/Lennox St Culvert	6,684		
Upper Cherry Tree Rd – side track	20,295		
Bentley Rd Culvert	49,122		
Unsealed Bridges	237,811		
Unsealed Roads	2,464,593		
Total IRW	2,871,619		
TOTAL	\$8,195,427	\$5,000,000	\$3,195,427

Status: Since the February 2022 flood event, Council has spent close to \$8.2 million in emergency (EW) and immediate reconstructions works (IRW) on Council's road network, restoring access for isolated communities, grading roads and repairing potholes. Inspections are still ongoing for the urban road network.

Emergency works involve the temporary restoration of an essential public asset to enable it to operate at an acceptable level to support the recovery of a community. Immediate reconstruction works involve the permanent restoration of an essential public asset to enable it to perform its pre-disaster function.

Under the NSW Disaster Assistance guidelines 2021, emergency and immediate reconstruction works are limited to a 3 month period from the date the asset becomes accessible to the council. Due to the extent of damage incurred and accessibility issues following this disaster, TfNSW have approved an extension for EW and IRW works until the 31 December 2022. After this time, Council will move into Essential Public Asset Restoration (EPAR) works.

To-date Council has received approval from TfNSW for 48 immediate reconstruction projects (IRW) with a total value of \$10,793,453. An additional 10 projects are ready for assessment totalling \$1,560,753. These projects are expected to roll over into essential public asset restoration works (EPAR) which is the third stage of the disaster restoration process and under the guidelines, must be completed within 2 years after the end of the financial year in which the disaster occurred (which in this case would be 30 June 2024).

Council is in the process of preparing claims for emergency and immediate reconstruction works to be assessed by TfNSW. This will be an ongoing process during the disaster recovery.

ATTACHMENT(S)

Nil

19.2 AGENCY INFORMATION GUIDE (GIPA ACT)

Director: Ryan Gaiter

Responsible Officer: Kate Allder-Conn

RECOMMENDATION

That Council receives and notes the updated Agency Information Guide, as required under the *Government Information (Public Access) Act 2009*.

REPORT

Under the *Government Information (Public Access) Act 2009* (GIPA Act), agencies are required to adopt and maintain an Agency Information Guide (AIG). A review of the current version, adopted by Council in March 2020, has been undertaken.

The AIG must:

- Describe the structure and functions of the agency;
- Describe the ways in which the functions (in particular, the decision-making functions) of the agency affect members of the public;
- Specify any arrangements that exist to enable members of the public to participate in the formulation of the agency's policy and the exercise of the agency's functions;
- Identify the various kinds of government information held by the agency;
- Identify the kinds of government information held by the agency that the agency makes (or will make) publicly available;
- Specify the manner in which the agency makes (or will make) government information publicly available; and
- Identify the kinds of information that are (or will be) made publicly available free of charge and those kinds for which a charge is (or will be) imposed.

A review of Council's Agency Information Guide has been conducted with relevant minor adjustments made to ensure currency of the document. Amendments include updates to the following sections:

- Our Council Representatives;
- Our Council Structure;
- Executive Staff; and
- Council's Priorities and Objectives (to match the recently adopted Recovery Plan).

ATTACHMENT(S)**1. Revised Agency Information Guide (under separate cover)**

19.3 GRANT APPLICATION INFORMATION REPORT - AUGUST 2022**Director:** Ryan Gaiter**Responsible Officer:** Rylee Vidler**RECOMMENDATION**

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

REPORT

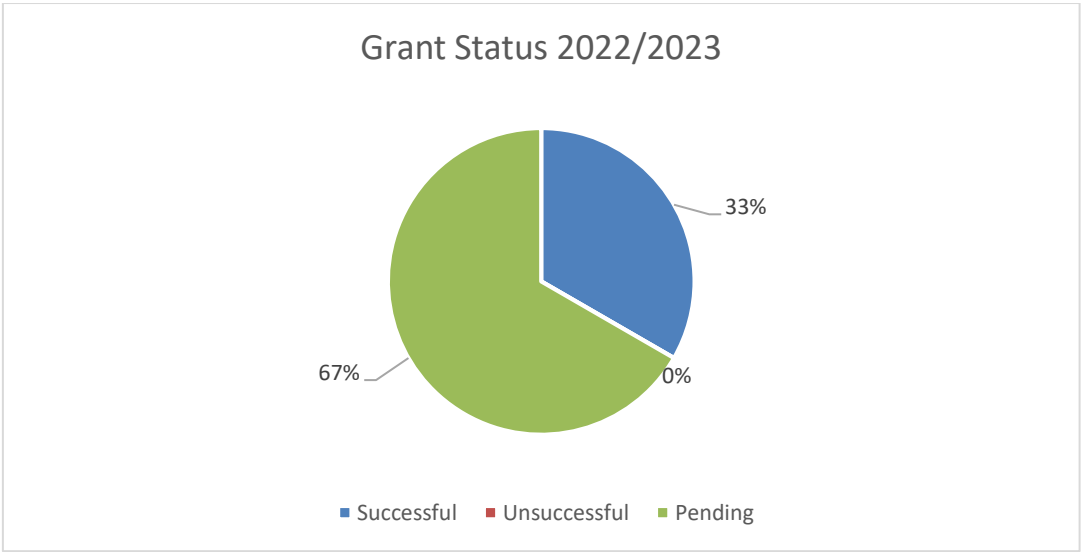
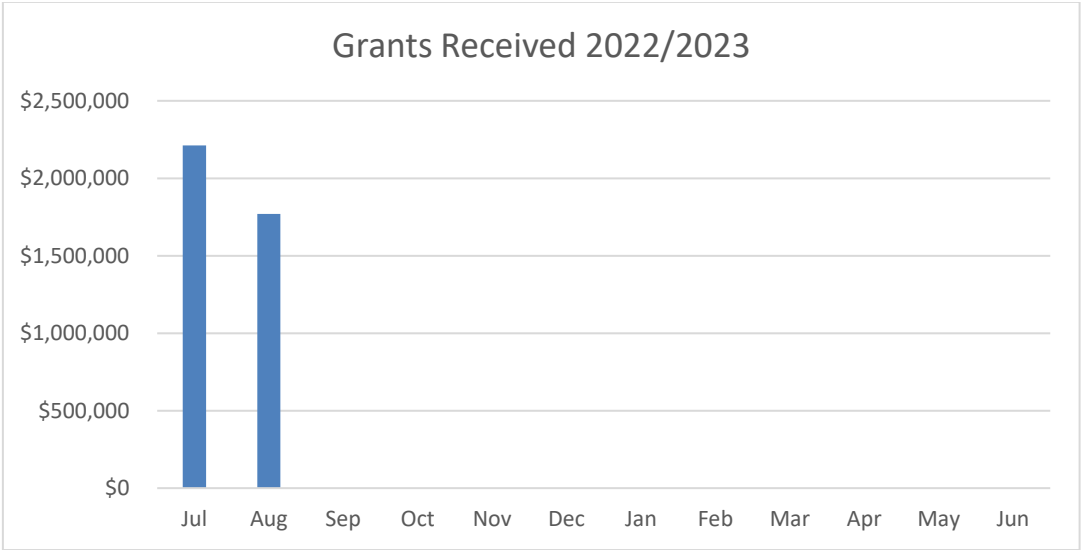
This report provides information on grant applications that have been approved, grants that have been received, grant applications that were unsuccessful and grant applications that were submitted for the month of August 2022.

During the reporting period, there was one grant approved.

Council received funding for six grants totalling \$1,770,651. Council was notified of one unsuccessful application from the previous financial year and submitted two grant applications during the period.

A summary of grants approved and received as well as the status of applications for the current financial year to 31 August 2022 is shown below:





Project Name	Funding Body	Funding Name	Project Value	Grant Funding	Council Funding	Application Submitted	Date Approved
Tactile Ground Surface Indicators (TGSI) projects	Transport for NSW (State)	Safety and Minor Works	\$ 18,000	\$ 18,000	\$ -	8 August 2022	9 August 2022
Comment: This funding will allow the installation of tactile ground surface indicators on three pedestrian crossings in Walker Street, Casino							

Project Name	Funding Body	Funding Name	Project Value	Grant Funding	Council Funding	Application Submitted	Date Received	Total Received
Casino Secure Water Supply - Scoping Study	Infrastructure NSW (State)	Restart NSW Safe and Secure Water Program	\$ 160,000	\$ 80,000	\$ 80,000	26 March 2019	\$ 29,091 3 August 2022	\$ 29,091
Comment: Funding received for milestone 1 of the grant.								
Financial Assistance Grant 2022/2023	NSW Local Government Grants Commission (Federal)	Financial Assistance Grant	\$ 5,981,973	\$ 5,981,973	\$ -	N/A - Annual Allocation	\$ 401,923 16 August 2022	\$4,776,204
Comment: First quarter payment for 2022/23 funding allocation, following the advance payment received in May.								
Local Roads Community Infrastructure Program of Works	Department of Infrastructure, Transport, Regional Development and Communications (Federal)	Local Roads and Infrastructure Grants (LRCI) Phase 3	\$ 2,004,428	\$ 2,004,428	\$ -	7 June 2022	\$ 1,002,214 17 August 2022	\$1,002,214
Comment: Funding received for 50% of allocation, to allow commencement of works at Casino Memorial Pool, Evans Head Aquatic Centre, Coraki Public Pool, Woodburn Public Pool and Colley Park.								
RVC School Zone Infrastructure Program	Transport for NSW (State)	School Zone Infrastructure Program	\$ 211,664	\$ 211,664	\$ -	13 July 2021	\$ 41,022 29 August 2022	\$ 196,956
Comment: Progress payment for works completed on school zone pedestrian crossings.								

Project Name	Funding Body	Funding Name	Project Value	Grant Funding	Council Funding	Application Submitted	Date Received	Total Received
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	\$ 150,000 29 August 2022	\$1,511,997
Comment: Progress payment for completion of Busbys Flat Bridge works								
MR145 Woodburn-Coraki Road Major Upgrade	Transport for NSW (Federal)	N/A - Election Promise	\$10,000,000	\$10,000,000	\$ -	N/A	\$ 146,402 29 August 2022	\$3,146,402
Comment: Progress payment for works completed on Woodburn to Coraki Road.								

Grant Applications Submitted

Project Name	Funding Body	Funding Name	Project Value	Grant Funding	Council Funding	Application Submitted
Tactile Ground Surface Indicators (TGSI) projects	Transport for NSW (State)	Safety and Minor Works	\$ 18,000	\$ 18,000	\$ -	8 August 2022
Comment: If successful, this funding will allow Council to install tactile ground surface indicators at three pedestrian crossings in Walker Street, Casino						
Casino Sewage Treatment Plant Business Case	Regional NSW (State)	Business Case and Development Fund	\$ 88,217	\$ 88,217	\$ -	23 August 2022
Comment: If successful, this funding will allow Council to develop a Business Case to replace the Casino Sewage Treatment Plant.						

Unsuccessful Grant Applications

Project Name	Funding Body	Funding Name	Project Value	Grant Funding	Council Funding	Application Submitted	Advised Unsuccessful
Deep Creek Bridge	Transport for NSW (State)	Fixing Country Bridges Round 2	\$ 6,408,765	\$ 6,258,765	\$ 150,000	23 November 2021	4 August 2022
Comments: Application was deemed ineligible.							

ATTACHMENT(S)

Nil

19.4 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 AUGUST 2022 TO 31 AUGUST 2022

Director: Angela Jones

Responsible Officer: Andy Edwards

RECOMMENDATION

That Council receives and notes the Development Application report for the period 1 August 2022 to 31 August 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 August 2022 to 31 August 2022 was 27, with 2 applications for flood affected properties, totalling a value of \$3,151,904.00.

Last month we had two applications withdrawn by the applicants. These being DA2022/0190 – 4 Lancaster Street, Casino - Change of use of existing shed to create a secondary dwelling, including internal alterations, additions & ancillary works and DA2023/0008 – 11 Evans Road, Evans Head - New fly over insulated roof system fixed to timber framing and located on an existing concrete slab forward of the existing front building line with a variation to the DCP to vary the front building line from the required 6m to 900mm.

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

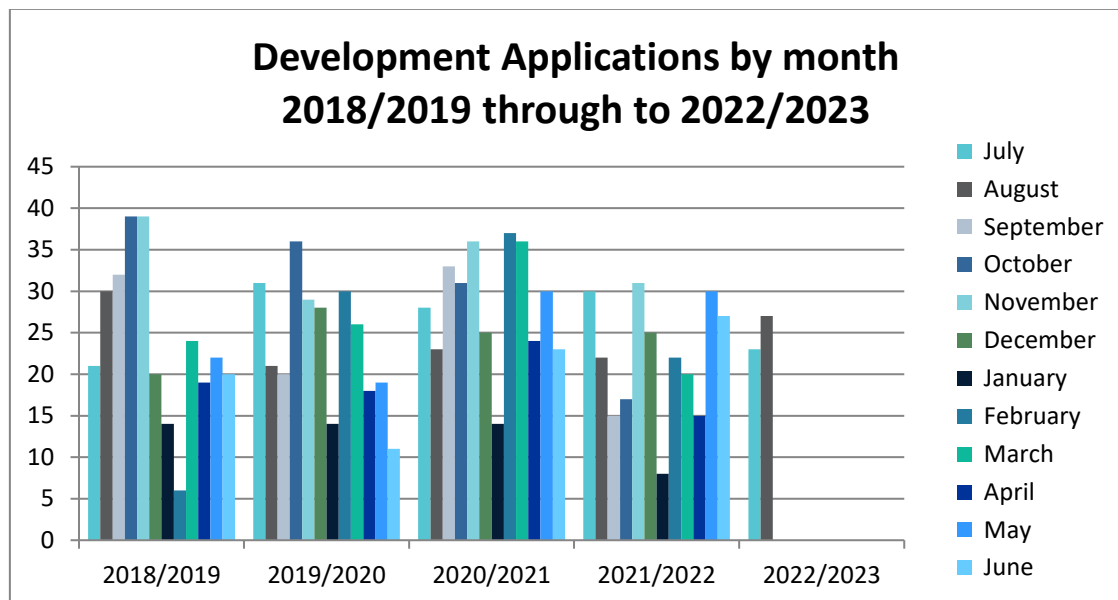


Figure 1: Monthly number of development applications processed by Council over five financial years.

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 August 2022.

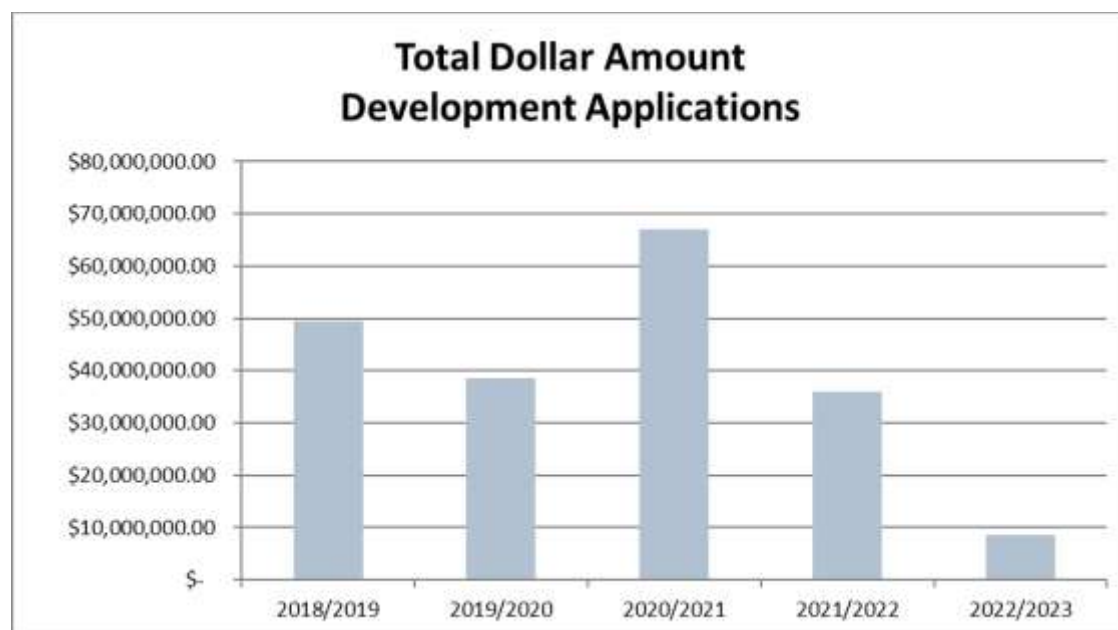


Figure 2: Annual value of development.

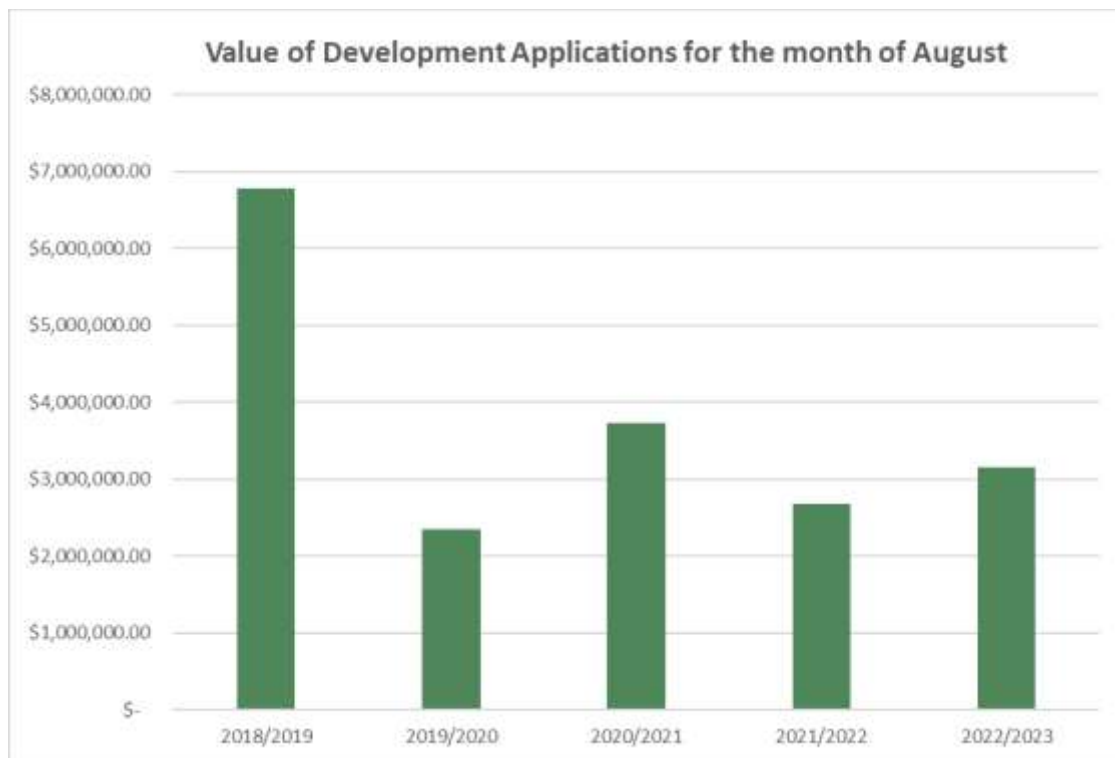


Figure 3: Value of development for the month of August 2022

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.

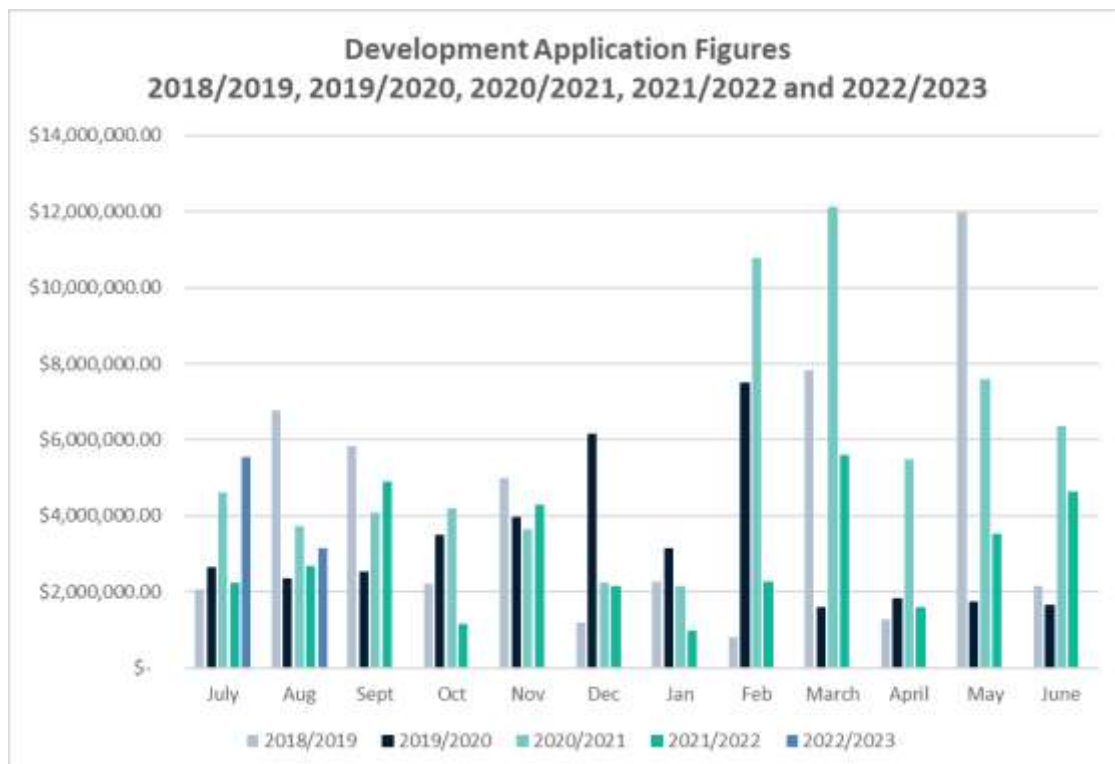


Figure 4: Value of development applications per month over five financial years.

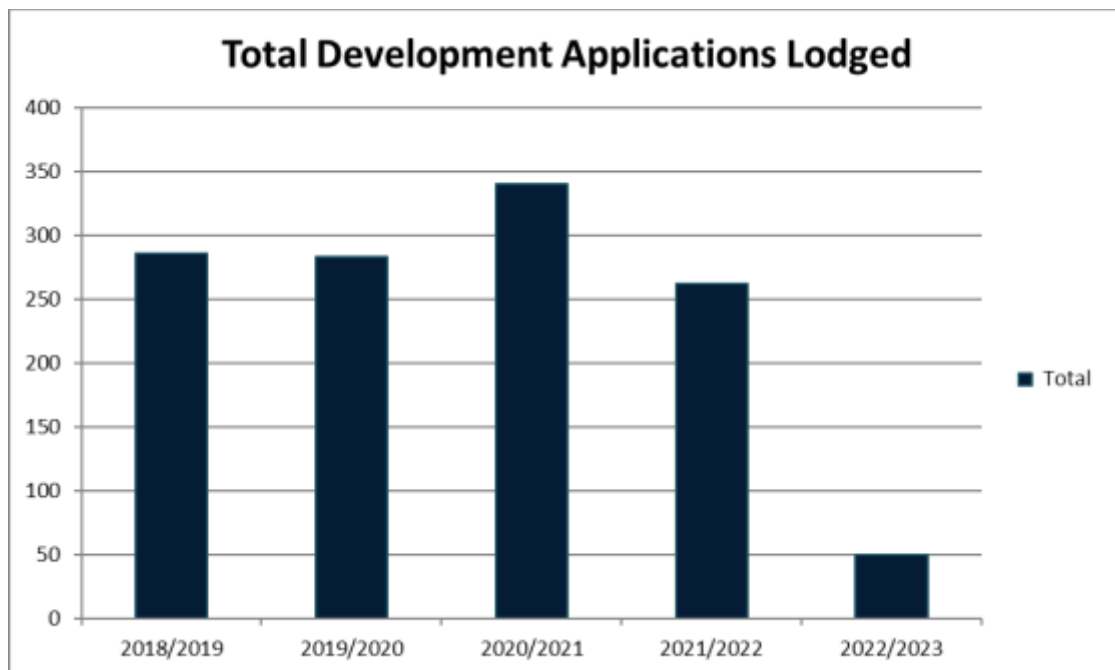


Figure 5: Number of Development Applications per annum over five financial years.

Activity for the month of August 2022

General Approvals (excluding Subdivisions, Section 4.55)	24
Section 4.55 amendments to original consent	0
Subdivision	1
Refused	0
Rejected	0
Withdrawn	2
Complying Development (Council Approved)	2
Complying Development (Private Certifier Approved)	0
TOTAL NUMBER OF APPLICATIONS DETERMINED	27
Average assessment days for applications determined in August 2022	46
No. of Integrated development applications determined in August 2022	2
No. of Designated development applications determined in August 2022	0
No. of building/ compliance inspections undertaken in August 2022.	139

Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 August 2022 to 31 August 2022							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2022/0215	Hampshire (Casino) Pty Ltd	Hampshire (Casino) Pty Ltd	69 Light Street, Casino	Conversion of 46 existing short term sites to 34 long term sites, associated site and road adjustments, demolition, infrastructure and associated works over four stages.	11/05/2022	8/08/2022	\$68,000.00
DA2022/0218	AGS Commercial Pty Ltd	JJM Burstons	12 Rayner Street, Casino	Awning with a variation request to the DCP front building line setback from 6m to 800mm	18/05/2022	15/08/2022	\$10,000.00
DA2022/0221	Riordans Consulting Surveyors Pty Ltd	MJ & JJ Scutt	42 Currajong Street, Evans Head	Strata Subdivision of attached dual occupancy to create two (2) lots	20/05/2022	2/08/2022	\$0.00
DA2022/0235	B Bowman	JH & RW Weston	2/41 Cassia Street, Evans Head	Carport with variation request to be 260mm from the northern side boundary	8/06/2022	4/08/2022	\$15,490.00
DA2022/0236	Northern Rivers Sheds	EA Bright & PA Bastow	97 Naughtons Gap Road, Casino	Rural shed with wash area	9/06/2022	1/08/2022	\$63,420.00
DA2022/0242	Hula Co Pty Ltd	RJ Grissell	20 Wirraway Avenue, Evans Head	Installation of 13,400L swimming pool with associated deck and fencing with a request to vary the DCP to be at the front of the property	14/06/2022	4/08/2022	\$41,990.00
DA2022/0243	JL Lotz	BC & JL Lotz	55 Barker Street, Casino	Shed (7m x 10.5m) and attached carport (7m x 6m) with a total area of 16.5m x 7m	15/06/2022	30/08/2022	\$31,000.00

Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 August 2022 to 31 August 2022							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2022/0245	Crestwood Drafting Services	D Holmes	62 Flatley Place, North Casino	12m x 18m colorbond shed	17/06/2022	26/08/2022	\$39,000.00
DA2022/0246	BA Harley	RA & PA Townsend	62 Canning Drive, Casino	Single storey new dwelling	21/06/2022	10/08/2022	\$509,500.00
DA2022/0247	SA Yates	SA & KM Yates	84 North Street, Casino	Construction of a shed and carport with a variation to the DCP to reduce the setback from the side boundary from 900mm to 500mm	22/06/2022	10/08/2022	\$23,430.00
DA2022/0248	RL Dawson	HJ & R L Dawson	1865 Casino Coraki Road, Coraki	New single storey dwelling	22/06/2022	10/08/2022	\$445,500.00
DA2022/0251	C & D Contracting Pty Ltd	MJ Plint	5120 Summerland Way, Whiporie	Construction of Class 1 dwelling (shed house)	28/06/2022	12/08/2022	\$133,188.00
DA2023/0003	GP Creighton	GP & MJ Creighton	431 Fogwells Road, Yorklea	Bathroom addition to existing rural shed	7/07/2022	18/08/2022	\$7,000.00
DA2023/0004	Professional Planning Group - PPlan	BJ Scott-Hall	57 Verulam View, Spring Grove	New single dwelling	11/07/2022	18/08/2022	\$415,260.00
DA2023/0006	DM Allen	GD & DM Allen	460 Coraki Ellangowan Road, West Coraki	Farm shed	12/07/2022	19/08/2022	\$75,100.00

Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 August 2022 to 31 August 2022							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2023/0007	Newton Denny Chapelle	AM & STE O'Donoghue	40 Ivory Circuit, Casino	Inground swimming pool, associated fencing and shed	13/07/2022	15/08/2022	\$84,450.00
DA2023/0009	MG & KL Hoppe	MG & KL Hoppe	13 Lees Avenue, Casino	Shed and retaining wall	13/07/2022	22/08/2022	\$44,000.00
DA2023/0010	Hayes Building Consultancy	MA Somerville	31 Heath Street, Evans Head	Demolition of existing front patio [19m ²] and the construction of a new larger timber deck area [35m ²] and associated works	14/07/2022	18/08/2022	\$18,700.00
DA2023/0012	W Inwood	RJ & CL Hill	19 Wills Place, Casino	Construction of a 9.0m x 4.0m (x3.5m high) gable-roofed carport, pier-anchored on a crushed blue-metal stone base.	18/07/2022	23/08/2022	\$8,710.00
DA2023/0015	JA Bowles	JA Bowles	16 Parkes Street, Coraki	One bedroom detached extension to existing dwelling	18/07/2022	24/08/2022	\$149,500.00
DA2023/0016	Hayes Building Consultancy	CM & JL Hayward	1/39 Bottlebrush Crescent, Evans Head	Construction of 2 x timber framed fly over roof areas and associated decking at the front of unit 1	18/07/2022	22/08/2022	\$19,470.00
DA2023/0018	Artisan Pools Pty Ltd	DK Ind & KL Petty	39 Verulam View, Spring Grove	Installation of an in ground fiberglass swimming pool and spa with associated equipment and fencing	20/07/2022	22/08/2022	\$56,170.00
DA2023/0027	LD Cooper	MI & LD Cooper	2670 Bruxner Highway, Irvington	As built - existing alteration of a water tank to a swimming pool	2/08/2022	19/08/2022	\$20,000.00

Summary of Flood Affected Development Applications determined under the Environmental Planning and Assessment Act for the period 1 August 2022 to 31 August 2022							
DA2022/0252	Mr J E Jett	JE & JL Jett	185 Rileys Hill Road, Broadwater	Raise existing dwelling with alterations and additions	28/06/2022	17/08/2022	\$172,000.00
DA2023/0014	A Joy	A & JA Joy	1730 Bungawalbin Whiporie Road, Bungawalbin	Raise existing Dwelling	18/07/2022	25/08/2022	\$80,000.00

Summary of CDC Development Applications determined under the Environmental Planning and Assessment Act for the period 1 August 2022 to 31 August 2022							
CDC2022/0022	Hayes Building Consultancy	RJ Casey	13 Booyong Street, Evans Head	Demolition of existing cottage and construction of new 3 bedroom, two level brick veneer house	30/06/2022	16/08/2022	\$572,000.00
CDC2023/0001	North Coast Sheds & Garages Pty Ltd	RW & C Allen	16 Moonem View Drive, Swan Bay	Shed	14/07/2022	26/08/2022	\$49,026.00

Summary of Development Applications Refused under the Environmental Planning and Assessment Act for the period 1 August 2022 to 31 August 2022							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
Nil							

Summary of Development Applications Withdrawn or Rejected under the Environmental Planning and Assessment Act for the period 1 August 2022 to 31 August 2022							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2022/0190	MK Watts	MK Watts	4 Lancaster Street, Casino	Change of use of existing shed to create a secondary dwelling, including internal alterations, additions & ancillary works	25/03/2022	23/08/2022	\$20,700.00
DA2023/0008	Hayes Building Consultancy	EG & PJ Watson	11 Evans Road, Evans Head	New fly over insulated roof system fixed to timber framing and located on an existing concrete slab forward of the existing front building line with a variation to the DCP to vary the front building line from the required 6m to 900mm.	13/7/2022	12/08/2022	\$15,070.00

ATTACHMENT(S)

Nil

20 QUESTIONS ON NOTICE**20.1 RESPONSE TO QUESTIONS; CR PATRICK DEEGAN, REGIONAL JOBS PRECINCT AND EXPRESSION OF INTEREST FOR REGIONAL WASTE SOLUTIONS**

Director: Vaughan Macdonald

Responsible Officer: Vaughan Macdonald

The following question on notice was received from Councillor Patrick Deegan.

Question

Cr Patrick Deegan asked the following question in writing.

“Noting references to the Regional Jobs Precinct and the Expression of Interest (EOI) for regional waste solutions during tonight’s meeting, I note that on 8 July this year, new state legislation came into effect: Protection of the Environment Operations (General) Amendment (Thermal Energy from Waste) Regulation 2022.

This legislation bans new Energy to Waste (EtW) facilities in NSW, apart from four locations, including the Richmond Valley Jobs Precinct (RJP), or in locations where it replaces a less environmentally sound fuel.

Understanding that the above EOI might or might not result in a proposal for EtW, can a report come to the September Ordinary Meeting addressing the following points:

- The NSW Government’s Chief Scientist and Engineer’s Report on Energy from Waste (updated with additional advice), dated November 2020, quotes a paper that recommends the avoidance of proximity to food production. As the RJP is identified in the above legislation as one of the possible locations for EtW, do the businesses of Casino and the Richmond Valley and local agricultural industries meet the definition of food production, and how does this possible location fit with the abovementioned recommendation?*
- The NSW Environment Protection Authority Energy from Waste Infrastructure Plan, dated September 2021, indicates EfW should be located away from high density residential areas due to risks from pollution. If EfW is unsuitable for high density residential areas due to pollution, what are the risks, if any, for areas with lower populations?*
- Richmond Valley Council’s current practice is to landfill 51% of its waste. What are the environmental impacts of this practice and how does it compare to alternative options?”*

Response

All forms of residual waste treatment including landfill, Energy from Waste facilities (EfW) and other technologies potentially pose risks to human health. That is why the Environment Protection Authority (EPA) applies stringent conditions to these activities. For EfW, this includes emissions standards to enable emissions to be managed and controlled. Emissions to air standards for energy recovery facilities in NSW are the most stringent in the world and are set out in the ‘NSW Energy from Waste Policy Statement’ (EPA, 2021). The NSW standards are more prescriptive than the European Union Industrial Emissions Directive 2010/75/EU (IED). The IED governs emissions from all industrial activities in the European Union. It is broadly regarded as the world standard for emissions control. This has now been surpassed by the NSW requirements. An energy recovery facility operating in NSW will be required to have lower emissions to air than any industrial facility operating in Europe.

The IED was used as the defacto standard for the two EfW facilities under construction in Western Australia. Emissions from modern EfW facilities are monitored in real time and available on public websites. They are generally lower than those required by the standards. EfW facilities need to be within an economically viable transport distance of waste sources, so are invariably sited close to developed areas where waste is generated. Proximity to food production and residential areas (of any density) are not a factor that determines the emissions standards to be met.

Proximity to Food Production

It is important to read the full detail and context of the Chief Scientist & Engineer's Report. The following paragraph is preceded by a paragraph which cites EnRisk (2018) as stating there is "no causal evidence that health effects from incinerators emitting to EU IED standards occur." The paragraph containing the reference to proximity to food production states:

"I note a more recent systematic review of health impacts (Tait et al, 2020) that concludes that older incinerator technology and infrequent maintenance are linked with adverse health effects, with fewer effects associated with more modern plants. As with the EnRisk review, the authors note study limitations preclude firmer conclusions, and recommend a precautionary approach. The authors make several recommendations, including design to world's best practice standards; adherence to upgrade and maintenance schedules and avoidance of proximity to food production. The first two can be addressed through the regulatory assessment and compliance process. The latter (exposure through food) should be addressed through the Human Health Risk Assessment (HHRA) that applicants are required to prepare."

Thus, the possible impact on food production is raised in one paper (Tait et al) cited by the Chief Scientist. That paper also provides the mitigation strategy (HHRA), which is embedded in the NSW development assessment process. Any proposed facility would be required to satisfy this requirement to achieve an approval.

Risks to Areas of Lower Populations

The NSW Energy from Waste Infrastructure Plan (EPA 2021) states:

"All energy from waste facilities, regardless of their location, must comply with the Policy Statement, including demonstrated supply of feedstock in accordance with the resource recovery criteria. The Policy Statement was revised in June 2021 on the advice of the Chief Scientist and Engineer and sets out the most rigorous environmental controls in the world."

The Policy Statement also requires proponents of energy from waste facilities to provide effective information and public consultation about their proposals. Proponents need to engage in genuine dialogue with the community by providing accurate and reliable information. Operators of an energy from waste facility need to be 'good neighbours', particularly if they are near a residential setting and where there are workers in other nearby facilities."

Any proponent who lodges a development application will be required to meet these standards and all requirements under NSW legislation before an approval could be issued.

The decision by the NSW Government to allow Energy from Waste facilities in regional areas of NSW is based on the precautionary principle of avoiding areas with higher populations and future growth where existing higher levels of pollution are likely, such as Greater Sydney. The EfW Infrastructure Plan provides guidance on suitable locations for EfW facilities noting that:

"Regional precincts that are located on arterial transport routes have enormous potential to become circular economy precincts, where energy recovery sits at the centre of a network of complementary industries that can create jobs and drive innovation"

The Infrastructure Plan includes eight key considerations for selecting suitable locations including sites that:

- *Support existing waste, net zero and regional growth strategies*
- *Are close to existing or planned infrastructure*
- *Are away from high density residential areas*
- *Are compatible with environmental and climatic factors (air quality)*
- *Are connected to existing or planned road and rail infrastructure*
- *Create jobs*
- *Support secure and sustainable access to energy in locations that need it*

- *Attract investment and economic opportunities to communities who need it*

The NSW Government identified the Richmond Valley Jobs Precinct in the EfW Infrastructure Plan. This is due to an EfW facility being a potential solution to the waste challenges being investigated by Councils along the North Coast into Alternate Waste Treatment Solutions at that time. EfW facilities are recognised by the NSW Government as part of its Circular Economy as a potential solution for residual waste.

It should also be noted that EfW facilities are currently located in high density areas of major cities in Asia and Europe.

Environmental Impacts of Landfill

Council's current kerbside waste collection has 51% going to landfill. When Construction and Demolition and Commercial and Industrial wastes are added, total waste landfilled is estimated to be at least 60%.

The environmental impacts of landfill include:

- Polluting land in a controlled manner. Landfills are regulated by the EPA and the licence allows pollution subject to certain controls and conditions.
- Generating leachate from deposited waste. This is a toxic liquid saturated with organic matter and metals which requires careful management and containment. Monitoring bores are put in place and regular analysis and assessment is continually carried out to ensure there is no migration of leachate into the ground water.
- Discharging hazardous gases into the atmosphere including methane which is more than 25 times as potent as carbon dioxide, which contributes to climate change.
- Landfilling requires cover materials which impact our natural resource supplies such as soils and clays as this material can never be recovered.

Modelling in the 'North Coast Waste Investment Review' (Arcadis) found that landfill disposal of residual waste is the worst performing option in terms of greenhouse gas emissions. The review investigated a number of scenarios and states:

"All alternative scenarios perform better than BAU (landfill) in terms of carbon abatement because they avoid GHG (greenhouse gas) emissions associated with both direct application of putrescible waste to landfill and the production of electricity from non-renewable energy sources. The most critical generator of GHG from the management of municipal waste streams is the landfilling of organic-rich putrescible waste (i.e. before additional source separation of organics or MBT processing), which is converted to high Global Warming Potential methane when decomposing in the landfill. Emissions associated with waste processing (energy and fuel consumption) make a moderate contribution to net emissions calculations. Transport's contribution to overall emissions is negligible."

RECOMMENDATION

That the response to the question regarding the Regional Jobs Precinct and the Expression of Interest (EOI) for regional waste solutions raised by Councillor Patrick Deegan be received and noted.

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 Tender VP311535 - Design and Construct JackyBulbin Bridge Replacement

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

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

22.2 Tender VP314224 Upgrades to Richmond Valley Council's Four (4) Sewage Pump Station Switchboard Platforms

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

This matter is considered to be confidential under Section 10A(2) - (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).

22.3 Replacement of Casino Indoor Sports Stadium Flooring

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

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

23 RESOLUTIONS OF CLOSED COUNCIL