



# **ATTACHMENTS**

**Tuesday, 20 September 2022**

**UNDER SEPARATE COVER**

**Ordinary Council Meeting**



## Table of Contents

---

6.1	Minutes Ordinary Meeting held 16 August 2022	
	Attachment 1 Minutes Ordinary Meeting 16 August 2022 .....	4
12.1	Delegates' Report September 2022	
	Attachment 1 Rous County Ordinary Meeting held on 17 August 2022 .....	23
15.1	Disclosure of Interests - Update to Procedure and Annual Designated Person Returns	
	Attachment 1 Revised Disclosure of Interest Procedure .....	28
15.2	Councillor Expenses and Facilities Policy	
	Attachment 1 Councillor Expenses and Facilities Policy .....	48
15.3	Financial Analysis Report - August 2022	
	Attachment 1 RVC Investment Pack - August 2022.....	66
16.1	Draft North Coast Regional Plan - Council Submission	
	Attachment 1 Draft North Coast Regional Plan 2041 - Submission by Richmond Valley Council .....	76
17.1	Box Ridge Road Compulsory Acquisition	
	Attachment 1 Preliminary Road Acquisition Plan .....	88
17.2	Strategic Asset Planning and Asset Management Strategy	
	Attachment 1 CPOL 11.1 Asset Management Policy .....	89
	Attachment 2 Asset Management Strategy 2022-2032.....	92
19.2	Agency Information Guide (GIPA Act)	
	Attachment 1 Revised Agency Information Guide.....	120



# **MINUTES**

## **Ordinary Council Meeting 16 August 2022**



## ORDINARY COUNCIL MEETING MINUTES

16 AUGUST 2022

**ORDER OF BUSINESS**

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

Page 2

## ORDINARY COUNCIL MEETING MINUTES

16 AUGUST 2022

19.4	Richmond-Upper Clarence Regional Library Annual Report 2021/2022 .....	14
19.5	Development Applications determined under the Environmental Planning and Assessment Act for the period 1 July 2022 to 31 July 2022.....	14
19.6	Rock Fishing Safety Update .....	14
<b>20</b>	<b>QUESTIONS ON NOTICE .....</b>	<b>15</b>
20.1	Cr Robert Hayes, Question on Notice - Rate Assistance .....	15
<b>21</b>	<b>QUESTIONS FOR NEXT MEETING (IN WRITING).....</b>	<b>15</b>
<b>22</b>	<b>MATTERS REFERRED TO CLOSED COUNCIL .....</b>	<b>16</b>
22.1	Internal Audit and Risk Committee Positions - Expression of Interest.....	16
22.2	Write-Off Of Monies Under Delegation - Flood Impacted Water Accounts.....	16
<b>23</b>	<b>RESOLUTIONS OF CLOSED COUNCIL .....</b>	<b>17</b>

## ORDINARY COUNCIL MEETING MINUTES

16 AUGUST 2022

**MINUTES OF RICHMOND VALLEY COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, 10 GRAHAM PLACE, CASINO  
ON TUESDAY, 16 AUGUST 2022 AT 6PM**

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

**PRESENT:** Cr Robert Mustow (Mayor), Cr Stephen Morrissey (Deputy Mayor), Cr Sam Cornish, Cr Robert Hayes, Cr Sandra Humphrys, Cr Patrick Deegan, Cr Debra McGillan

**IN ATTENDANCE:** Vaughan Macdonald (General Manager), Angela Jones (Director Community Service Delivery), Ryan Gaiter (Director Organisational Services), Ben Zeller (Director Projects & Business Development), Jenna Hazelwood (Leader Strategy), Julie Clark (Personal Assistant to the General Manager and Mayor), Kate Alder-Conn (Governance Coordinator), Lewis Martin (IT Support Officer)

## **1 ACKNOWLEDGEMENT OF COUNTRY**

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

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

## **2 PRAYER**

The meeting opened with a prayer by the General Manager.

## **3 PUBLIC ACCESS**

**Ms Liz Stops** addressed Council in relation to Item 19.1 Delivery Program Progress Report 1 January 2022 – 30 June 2022, with regard to Action EC1.1.2 "New technology opportunities in waste fully explored for RVC specific outcomes in either an LGA or regional context."

Ms Stops raised issues and concerns with alternative waste technologies. A number of specific questions were raised, with a summary of Council's response attached at **Appendix A**.

The Mayor thanked Ms Stops for her attendance and address to the meeting.

**Ms Jill Lyons** addressed Council in relation to Item 16.1 Employment Zone Reforms – Post Exhibition Report on DPE's Phase 2 Implementation and Proposed Amendments to the Richmond Valley LEP.

Ms Lyons asked a series of questions regarding future industries for the Regional Jobs Precinct. A copy of the questions, together with Council's response, is attached at **Appendix B**.

The Mayor thanked Ms Lyons for her attendance and address to the meeting.

A full recording of the addresses to the meeting is available at:

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

## ORDINARY COUNCIL MEETING MINUTES

16 AUGUST 2022

**4 APOLOGIES**

Nil

**5 MAYORAL MINUTES**

Nil

**6 CONFIRMATION OF MINUTES****6.1 MINUTES ORDINARY MEETING HELD 19 JULY 2022****RESOLUTION 160822/1**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

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

**CARRIED****7 MATTERS ARISING OUT OF THE MINUTES**

**Cr Deegan** raised the following questions regarding Item 15.1 Code of Meeting Practice from the July Ordinary Meeting.

- What criteria will the General Manager use to determine a request to speak during Public Access on a matter for information under the new code of meeting practice?
- Are members of the public who can't attend the meeting in person (for example - someone who lives in Broadwater and doesn't have transport, able to participate in Public Access via audio visual technology?
- Is Public Access limited to residents and ratepayers of the Richmond Valley?

The General Manager provided the following information:

Under Section 355 of the *Local Government Act* (the Act), Council's General Manager has a role in ensuring that Council meetings proceed in an orderly manner. The Code of Meeting Practice makes it clear that public access at meetings is at the discretion of the Mayor and/or General Manager, so consultation between the Mayor and GM is a key part of the process.

The public access session provides members of the public with a further opportunity to speak on items before Council makes its decision at the meeting. This is not the only avenue for community input. The community can always have their say on key issues by speaking directly with their elected representatives, making a submission during community consultation, or simply writing to Council seeking information.

In assessing applications to speak, the General Manager considers the following:

- Whether the applicant has met the requirements of the Code of Meeting Practice to lodge their application by 4.30pm on the day before the meeting and nominate the agenda item on which they wish to make an address. Generally late requests are not accepted, unless there are special circumstances.
- The number of speakers who have applied to speak. The Code limits the number of speakers to six – so priority is given to those who wish to address Council on matters that will be determined that evening.

Page 5

## ORDINARY COUNCIL MEETING MINUTES

16 AUGUST 2022

- If there are still unallocated time slots, consideration is given to speakers who want to address matters for information – where no decision is to be made.
- This will include consideration as to whether the matter is of public interest and provides new or additional information to that already contained within the report.

It should be noted that in both this term of Council, and the previous term, speakers who asked to address Council at the public access session, and lodged their application within the timeframe required, have never been refused access.

The introduction of mandatory live streaming for Council meetings, has added additional considerations for the conduct of meetings. Council publishes the recordings on its website and has a duty of care to ensure that its livestreaming service does not contain images or video materials that are defamatory, inappropriate or offensive to the general public. This is why the requirement to view presentations, such as PowerPoint slideshows, or videos that will accompany a public access address, has been included in the Code of Meeting Practice.

The Code of Meeting Practice also includes the option for Councillors to attend meetings via video link, with the approval of the Council. While there is no specific provision for members of the public to address Council via video link, there is nothing to prevent a resident from making such an application to Council.

The Code also does not specifically exclude residents from outside of the Richmond Valley from making a presentation to the Council. However, given the limited number of speaking places at each session, priority will always be given to residents of Richmond Valley communities, whom the elected Councillors represent.

**Cr Hayes** raised the following question regarding Item 14.1 Flood Relief – Development and Construction Fees from the July Ordinary Meeting.

As resolved at the July 2022 Ordinary Meeting, a report is to be presented to Council outlining funding options in line with those provided for 2019 bushfire assistance. When will this report be brought back for consideration?

The General Manager advised that this report is scheduled to be presented to the September 2022 Ordinary Meeting.

**8 DECLARATION OF INTERESTS**

Nil

**9 PETITIONS**

Nil

**10 NOTICE OF MOTION**

Nil

## ORDINARY COUNCIL MEETING MINUTES

16 AUGUST 2022

**11 MAYOR'S REPORT****11.1 MAYORAL ATTENDANCE REPORT 12 JULY - 10 AUGUST 2022****RESOLUTION 160822/2**

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

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

**CARRIED****12 DELEGATES' REPORTS****12.1 DELEGATES REPORT - NATIONAL SALEYARDS EXPO JULY 2022****RESOLUTION 160822/3**

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

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

**CARRIED**

## ORDINARY COUNCIL MEETING MINUTES

16 AUGUST 2022

**13 MATTERS DETERMINED WITHOUT DEBATE****13.1 MATTERS TO BE DETERMINED WITHOUT DEBATE****RESOLUTION 160822/4**

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

That items 15.1 and 17.3 identified be determined without debate.

**CARRIED****14 GENERAL MANAGER****14.1 REDETERMINATION OF ORGANISATION STRUCTURE AND CONFIRMATION OF SENIOR STAFF****EXECUTIVE SUMMARY**

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

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

**RESOLUTION 160822/5**

Moved: Cr Sandra Humphrys

Seconded: Cr Stephen Morrissey

That Council:

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

**CARRIED**

## ORDINARY COUNCIL MEETING MINUTES

16 AUGUST 2022

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

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

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

**RESOLUTION 160822/6**

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

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

**CARRIED****15.2 FINANCIAL ANALYSIS REPORT - JULY 2022****EXECUTIVE SUMMARY**

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

The value of Council's cash and investments at 31 July 2022 is shown below:

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

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

**RESOLUTION 160822/7**

Moved: Cr Robert Mustow

Seconded: Cr Sandra Humphrys

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

**CARRIED**



**16 COMMUNITY SERVICE DELIVERY****16.1 EMPLOYMENT ZONE REFORMS - POST EXHIBITION REPORT ON DPE'S PHASE 2 IMPLEMENTATION AND PROPOSED AMENDMENTS TO THE RICHMOND VALLEY LEP****EXECUTIVE SUMMARY**





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

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

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

This phase was completed on 1 December 2021.

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

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

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

## ORDINARY COUNCIL MEETING MINUTES

16 AUGUST 2022

**RESOLUTION 160822/8**

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

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

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

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

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

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

**RESOLUTION 160822/9**

Moved: Cr Patrick Deegan

Seconded: Cr Sandra Humphrys

That Council:

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

**CARRIED**

Page 11

## ORDINARY COUNCIL MEETING MINUTES

16 AUGUST 2022

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

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

**RESOLUTION 160822/10**

Moved: Cr Robert Hayes

Seconded: Cr Sam Cornish

That Council:

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

**CARRIED**

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

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

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

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

## ORDINARY COUNCIL MEETING MINUTES

16 AUGUST 2022

**RESOLUTION 160822/11**

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

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

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

**CARRIED****18 GENERAL BUSINESS**

Nil

**19 MATTERS FOR INFORMATION****RESOLUTION 160822/12**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

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

**CARRIED****19.1 DELIVERY PROGRAM PROGRESS REPORT 1 JANUARY 2022 - 30 JUNE 2022****RESOLUTION 160822/13**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

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

**CARRIED****19.2 GRANT APPLICATION INFORMATION REPORT - JULY 2022****RESOLUTION 160822/14**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

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

**CARRIED**

## ORDINARY COUNCIL MEETING MINUTES

16 AUGUST 2022

**19.3 NORTHERN RIVERS LIVESTOCK EXCHANGE STATISTICS AS AT 30 JUNE 2022****RESOLUTION 160822/15**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

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

**CARRIED****19.4 RICHMOND-UPPER CLARENCE REGIONAL LIBRARY ANNUAL REPORT 2021/2022****RESOLUTION 160822/16**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council:

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

**CARRIED**

The Mayor asked the General Manager to pass on Council's praise to library staff for another successful year.

**19.5 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 JULY 2022 TO 31 JULY 2022****RESOLUTION 160822/17**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council receives and notes the Development Application report for the period 1 July 2022 to 31 July 2022.

**CARRIED****19.6 ROCK FISHING SAFETY UPDATE****RESOLUTION 160822/18**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

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

**CARRIED**

Page 14

## ORDINARY COUNCIL MEETING MINUTES

16 AUGUST 2022

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

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

**Question**

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

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

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

**Response**

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

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

**21 QUESTIONS FOR NEXT MEETING (IN WRITING)****21.1 QUESTIONS FOR NEXT MEETING (IN WRITING)****RECOMMENDATION**

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?*

## ORDINARY COUNCIL MEETING MINUTES

16 AUGUST 2022

- *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?*

**22 MATTERS REFERRED TO CLOSED COUNCIL**

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

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

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

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

This matter is considered to be confidential under Section 10A(2) - (b) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with discussion in relation to the personal hardship of a resident or ratepayer.

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

The Chair called for verbal representations from the gallery.

There were no representations from the gallery.

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

**RESOLUTION 160822/19**

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That:

1. Council resolves to enter Closed Council to consider the business identified in Item 22.1 and 22.2, together with any late reports tabled at the meeting.
2. Pursuant to section 10A(2) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10(2) as outlined above.
3. The correspondence and reports relevant to the subject business be withheld from access to the media and public as required by 11(2) of the *Local Government Act 1993*.

**CARRIED**

Council closed its meeting at 7.34pm.

The Open Council meeting resumed at 7.44pm.

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

**23 RESOLUTIONS OF CLOSED COUNCIL****Item 22.1 Internal Audit and Risk Committee Positions - Expression of Interest**

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.

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

That Council receives and notes the information regarding the write-off of water charges totalling \$28,834.78 for 33 properties experiencing severe flood damage in the 2022 flood event.

The Meeting closed at 7.45pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 20 September 2022.

.....  
**CHAIRPERSON**



## ORDINARY COUNCIL MEETING MINUTES

16 AUGUST 2022

**APPENDIX A**

Re: Item 19.1 Delivery Program Progress Report 1 January 2022 – 30 June 2022, with regard to Action EC1.1.2 “New technology opportunities in waste fully explored for RVC specific outcomes in either an LGA or regional context.”

- *With regard to the item noted above, could Council elaborate on what that the ‘full exploration of technology opportunities’ entailed?*

Response:

The General Manager advised that a more detailed response would be provided at a later date, directly to Ms Stops, and that the matter would be considered at the September 2022 Council meeting.

- *Are the Regional Waste Expressions of Interest publicly available?*

Response:

The General Manager advised that the Expressions of Interest are still under evaluation, and are commercial in confidence. No decisions have been made and Councillors are yet to be briefed on the matter.

Richmond Valley Council is working with other councils in the region to lead an Expression of Interest process to explore alternative waste solutions. Council is interested in seeking a better long-term option than simply sending waste to landfill.

Currently, Richmond Valley kerbside waste collections still have 51% of waste going to landfill, which is costly for ratepayers as well as having environmentally poor outcomes.

- *Has Council made any verbal or written agreements regarding strategies to deal with waste?*

Response:

Council has agreements in place for the disposal of its three waste streams. Landfill waste goes to a facility in Queensland, green waste goes to another Queensland facility and recycling goes to a facility at Chinderah. It is an expensive process to transport waste, therefore Council is looking at all opportunities to reduce the cost.

Council has a Richmond Valley Waste Management Strategy that was endorsed by Councillors in 2020, after community consultation. This strategy acts as a guiding document for Council.

Council has no agreements in place for Energy from Waste. Any agreement of this nature would be required to go through the development application process, which would involve extensive community consultation.

## ORDINARY COUNCIL MEETING MINUTES

16 AUGUST 2022

**APPENDIX B**

Re: Item 16.1 Employment Zone Reforms – Post Exhibition Report on DPE's Phase 2 Implementation and Proposed Amendments to the Richmond Valley LEP.

- *What types of industries is Council speaking with or hoping to attract to the Regional Jobs Precinct at Casino?*

Response:

The Regional Jobs Precinct will seek to build on our existing and emerging agricultural industries, by attracting food processing and value-add businesses. This could include activities such as processing soybeans into plant-based proteins or producing nutraceuticals from locally produced inputs such as tea tree or honey.

We will also be looking to attract the technical services that support agriculture and food processing, as well as logistics suppliers – such as intermodal facilities or cold storage.

Renewable energy operations and other circular economy industries will also be considered. Council will be working closely with Regional NSW to identify and attract the best industries for job creation and value-add to local production.

- *Has Council had any interest from any industries in particular?*

Response:

The Regional Jobs Precinct already hosts a number of well-established and successful businesses and Council is working with the NSW Government to attract more.

We have recently called for Expressions of Interest for 9 lots of council-owned land in Precinct 1 of the RJP. There was strong interest in these lots and Council is currently prioritising proposals, based on their economic benefit to the community and their ability to create jobs. We want to secure investment that will provide long-term benefits to the Richmond Valley by creating the local employment we need.

Discussions with these proponents are still at the commercial in confidence stage.

- *When does Council hope to have the RJP Master Plan completed and ready for public consultation?*

Response:

The current timeframe to have the draft RJP Master Plan and supporting documents on public exhibition is October 2022.

- *How large is each site at the Precinct and if an industry needed more land could they use two or more sites to accommodate their industry?*

Response:

There are numerous properties located within the RJP as it is across several areas of Casino.

The lot sizes range from 1,000m<sup>2</sup> to many hectares. Council's Reynolds Road industrial estate includes 5 lots of around 5,000m<sup>2</sup>, and then lots of 8,000m<sup>2</sup>, 1.7ha, 2ha and 5ha. If an industry required a larger area, it would be possible to purchase two or more sites. However, the proposal would still need to undertake the relevant development approval process.

## Rous Council Meeting 17 August 2022

## Summary of main items of business

**1. General Manager's report: Notices of Motion to 2022 NSW Local Government Conference**

Council agreed to three Notices of Motion being submitted to the upcoming conference:

**Motion 1**

That Local Government NSW lobby the NSW Government to activate s399 of the *Local Government Act 1993* which provides for the creation of a Regulation making provision for:

- (i) the purposes for which contributions may be made
- (ii) the circumstances in which contributions may be required
- (iii) the assessment of contributions
- (iv) the payment of contributions
- (v) the recovery of contributions.

**Motion 2**

That Local Government NSW:

- (i) Acknowledges the devastating impact of floods throughout NSW in 2022.
- (ii) Urges the NSW Government to increase its financial assistance provided to local government through its Floodplain Management Program to maintain existing flood mitigation infrastructure to account for Consumer Price Index (CPI) increases.
- (iii) Calls on the NSW Government to provide a long-term strategy for the State's flood mitigation infrastructure, previously constructed by the NSW Public Works Department that local councils have since inherited. The strategy must clearly define the purpose of the infrastructure, long term solutions for ongoing maintenance, including funding, and how the challenges of climate change and the infrastructure's environmental impact will be addressed.

**Motion 3**

That Local Government NSW:

- (i) Acknowledges the complexity involved with seeking approval from the NSW Government to maintain publicly funded flood mitigation infrastructure on coastal floodplains.
- (ii) Requests that the NSW Government amends the State Environmental Planning Policy for (Infrastructure) 2007 so that flood mitigation authorities do not have to seek regulatory approval from NSW Crown Lands or NSW Department of Primary Industries to undertake routine maintenance of its infrastructure. This acknowledges that any environmental impact can be addressed through the authority's responsibilities under the Environmental Planning and Assessment Act 1979.
- (iii) Lobbies the NSW Government to amend its Protection of the Environment Operations (Waste) Regulation 2014 Waste Management Guidelines so that public authorities can treat acid sulfate soils off-site and that treated acid sulfate soils can be reused both on and off site. This acknowledges that any environmental impact can be addressed through the authority's responsibilities under the Environmental Planning and Assessment Act 1979.

---

## **2. Preliminary 2021/22 End of Year Financial Summary and Budget Carry Forward**

The report provided a preliminary overview of the 2021/22 financial performance of the organisation, detailing the cash transfers to and from reserve and identifying the works to be carried forward to the 2022/23 financial year.

Council received and noted the Preliminary 2021/22 End of Year Financial Summary Report, acknowledging that it is a preliminary summary prior to end of year adjustments and audit.

## **3. Retail water bad debt write-off**

Council approved the write-off of one (1) water filling customer due to bankruptcy and approved the write-off of three (3) retail water billing customers due to Cyble unit issues not accurately recording water usage.

## **4. Retail water customer account assistance**

In accordance with section 356 (1) of the *Local Government Act 1993* and its 'Retail Water Customer Account Assistance' policy, Council approved financial assistance in the amount of \$4,641.29.

## **5. Rous Regional Demand Management Plan 2023-2026**

The draft Regional Demand Management Plan (RDMP) describes the water supply demand management initiatives to be implemented by Rous over the next four years (2023-2026). The RDMP builds on the initiatives and successes of demand management actions implemented by Rous since 1995 and aims to continue to deliver comprehensive and effective water conservation programs throughout the Rous supply footprint.

The draft RDMP was prepared alongside a separate background document, '*RDMP review and Update - Background Information and Recommended Plan Components*'. The draft Plan includes the proposed demand management actions and budgets for the next four-year term and the background information document provides context to the inclusions and exclusions of the Plan.

Council endorsed the RDMP for public exhibition for the period 22 August to 12 September 2022. A copy of the exhibition documents is available here:

<https://rous.nsw.gov.au/on-exhibition>

Constituent councils will be notified in writing advising the Plan is on exhibition.

## **6. Supply of backflow prevention devices**

Council resolved in October 2021 to adopt a revised 'Backflow Prevention' policy which required the implementation of testable backflow prevention devices (TBPD) on all medium and high hazard retail water customers on the Rous water supply network.

Tenders were called for the supply of 1,615 backflow prevention devices to be installed on all medium and high hazard water service connections on the Rous water supply network.

Five tenders were received. Council agreed to accept the tender submitted by Australian Valve Group Pty Ltd for a contract lump sum price of \$261,293.41 (incl GST) for the supply of backflow prevention devices. An additional \$25,000 (incl GST) was approved as a contingency funding amount.

---

## 7. Code of Meeting Practice

Public submissions on the revised Code of Meeting Practice (CoMP) were invited between 16 June 2022 and 28 July 2022. Notice of the public exhibition was provided via Council's website and Facebook account. One submission was received. The submission was considered however no amendment to the CoMP was recommended.

Having undertaken the requisite public consultation of the revised CoMP and following consideration of the single public submission received, Council adopted the revised CoMP without amendment, as publicly exhibited.

## 8. Delegation – General Manager

A review of the Council issued delegation to the General Manager was completed with amendments proposed to the threshold for accepting tenders and debt write-off.

Tenders: Under the current delegation, the General Manager may accept tenders valued up to \$250,000 (incl GST) and tenders in excess of this value are currently accepted by resolution of Council.

Council agreed to the proposed revised delegation increasing this tender and contract acceptance threshold to \$1,000,000 (incl GST) subject to the legislative tendering requirements being fulfilled and an approved budget being present.

Debt write-off: Under Council's existing 'Debt Management and Financial Hardship' and 'Revenue' policies the General Manager is authorised to write-off debts up to the value of \$1,000, including the power to sub-delegate this authority to certain Council staff.

Council agreed to this threshold being increased to \$5,000.

## 9. Rous Cultural, Environmental and Information Centre

The RCEIC was opened to the public on 1 December 2021. Following the flood events of 2022, the Centre was inundated and suffered significant damage. The majority of Rous' fit out was destroyed.

Council agreed that operation of the RCEIC not resume and consequently that staff progress steps to terminate the lease of 207 Molesworth Street, Lismore. Council's opportunity to test and improve its reach and effectiveness in delivering cultural, environmental and related technical information is still an objective which provides a valuable and innovative outcome to be progressed under the auspices of the Reconciliation Action Plan.

## 10. Policies

Council adopted the following policies:

- Debt Management and Financial Hardship
- Retail Water Customer Account Assistance
- Public Interest Disclosures
- Asset Management
- Asset Capitalisation
- Privacy
- Related Party Disclosure.

The 'Payment of fees, expenses and provision of facilities for chairperson and councillors' policy was approved for public exhibition.



## 11. Information reports

### i). Investments – July 2022

- At the RBA's July 2022 meeting, it was decided to increase the cash rate to 1.35%. The 90-day average bank bill swap rate (BBSW) has increased to 2.07%.
  - Total funds invested as at 31 July 2022 = \$39,080,010.
  - The weighted average return on funds invested for the month of July 2022 was 1.48%. This represents an increase of 43 basis point compared to the May 2022 result (1.05%) and is 59 basis points below Council's benchmark (the average 90-day BBSW rate of 2.07%).
  - Interest earned for July 2022 = \$49,948.
  - Cheque account balance as at 31 July 2022 = \$258,643.
  - Ethical holdings represent 33.50% of the total portfolio
- Current holdings in Ethical Financial Institutions equals \$13,000,000. The assessment of Ethical Financial Institutions is undertaken using [www.marketforces.org.au](http://www.marketforces.org.au) which is an affiliate project of the Friends of the Earth Australia.

### ii). Debt write-off information summary

Council received an information report outlining debts approved for write-off under delegation for the period 1 January 2022 to 30 June 2022, totalling \$758.93.

### iii). Water consumption and usage – July 2022

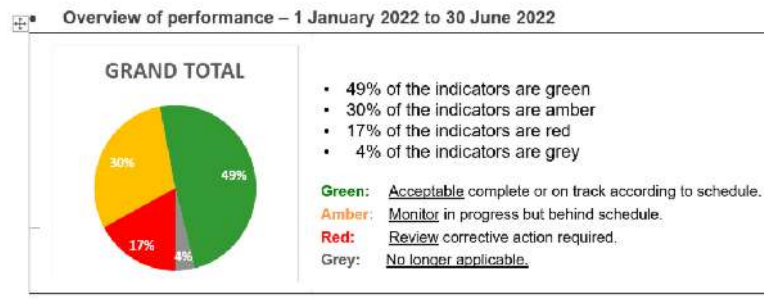
The table below is the July 2022 bulk water sales to the constituent councils in kilolitres compared to the corresponding July sales for 2021 and 2020.

Council	Jul 2020 (kL)	Jul 2021 (kL)	Jul 2022 (kL)	% of Total Sales
Bellina Shire Council	278,123	291,977	280,661	38.83%
Byron Shire Council	197,798	171,109	178,812	24.74%
Lismore City Council	234,988	245,070	222,022	30.72%
Richmond Valley Council	41,394	50,189	41,241	5.71%
<b>TOTAL MONTHLY CONSUMPTION BY CONSTITUENT COUNCILS</b>	<b>752,303</b>	<b>758,345</b>	<b>722,736</b>	

- Rocky Creek Dam capacity as of 31 July 2022 was 100.2%
- Emigrant Creek Dam capacity as of 31 July 2022 was 102.3%

### iv). Delivery program progress update 1 January 2022 to 30 June 2022

This report provides information on Council's achievement of the performance targets in the Integrated Planning and Reporting Delivery program / Operational plan for the period 1 January 2022 to 30 June 2022. (See over page for overview of performance).



## 12. Audit Risk and Improvement Committee (ARIC): meeting update

Council received an information report summarising the key messages from the 25 July 2022 ARIC meeting, covering Risk and Compliance; Audit; Governance; Financial Management; ICT business plan; and Other Matters. The Committee Chair, Brian Wilkinson, presented to Council on the Committee Performance Review 2021-2022.

## 13. Confidential reports

### Richmond Water Laboratories (RWL) strategic options

Council received and noted the information provided in the report and agreed to adopt Option 3. as recommended.

## 14. Notice of Motion: Future Water Project 2060 progress to secure additional water sources

The following NoM was submitted by Cr Cadwallader and approved by Council:

*That Council receive an update from staff on the progress towards securing additional sources of water as outlined in the Future Water Project 2060 Strategy, given the delays to works through the last 18 months of uncertainty and weather, and the approaching 2024 target where our forecasted demand is predicted to exceed supply.*

Council's business paper and draft meeting minutes can be found via the following link:  
<https://rous.nsw.gov.au/business-papers-and-meeting-minutes>

## Procedure

<b>Procedure Title:</b>	<b>Disclosure of Interest</b>
<b>Procedure Number:</b>	PRO 1.15
<b>Focus Area:</b>	Lead and advocate for our community
<b>Responsibility:</b>	Governance
<b>Date Adopted:</b>	Date [Resolution XXXXXX/XX]



## Purpose

To outline how councillors, designated persons and other persons make annual disclosures of interest, how they make disclosures at or before meetings and how councillors make disclosures to the Electoral Funding Authority.

## Scope

Councillors, Council staff, Council delegates and advisors to Council.

## Definitions

See definitions in Code of Conduct – Councillors & Personnel (CPOL 1.1) 2020 Schedule 1 Part 1.

## References

- Code of Conduct – Councillors & Personnel (CPOL 1.1) 2020 Schedule 1 (Part 1 & Part 2) and Schedule 2
- Disclosure of Interest form
- *Election Funding Act 2018*
- Gifts and Benefits Policy (CPOL 1.05) including Councillors and Staff Personal Benefit Disclosure form
- *Privacy and Personal Information Protection Act 1998*

## Procedure

Councillors, Council staff, delegates (e.g. community members who are members of Council committees) and advisors to Council are required to be scrupulously honest in all of their dealings with council business. They are bound by a Code of Conduct and must from time to time make disclosure of pecuniary and non-pecuniary interests.

### Councillors

Councillors must lodge initial, annual and incidental disclosures of interests on the form provided (Schedule 2). Councillors must make disclosures of pecuniary and non-pecuniary interests at council meetings, and they must also make disclosures to the Electoral Funding Authority.



### **Designated Persons**

The General Manager, senior staff and other staff who are “designated persons” must also lodge initial, annual and incidental disclosures of interest and disclose pecuniary and non-pecuniary interests at meetings and prior to making decisions relating to council business.

Council staff with a financial delegation of \$50,000 or more, and those who make significant regulatory and contractual decisions (e.g. planning decisions, decisions about access to information or decisions about large contracts) are required to be included on the list of “designated persons”. A list of Designated Persons is provided in Annexure A.

Committee members and advisors (other than councillors and Council staff) may also be required to make disclosures of interest prior to meetings or the exercise of functions that could give rise to a conflict between the person’s duty in relation to Council and the person’s private interests.

Designated persons must prepare and submit written returns of interest in accordance with Clause 4.21 and must disclose pecuniary interests in accordance with Clause 4.1 of the Model Code of Conduct in accordance with Schedule 2.

A designated person must also disclose in writing to the General Manager the nature of any pecuniary interest the person has in any council matter with which the person is dealing as soon as practicable after becoming aware of the interest. Disclosure is made by completing the Disclosure of pecuniary interests and other matters form at Schedule 2.

### **Disclosure of Interests – Initial, Annual & Incidental**

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 or designated person’s interests as specified in Schedule 1 to the Code of Conduct within 3 months after becoming a councillor or designated person, and 30 June each year.

Return forms will be issued by Council’s Governance Coordinator on an annual basis and in situations where individuals are appointed to a position that Council nominates as a designated person.

In addition to initial and annual returns, there is an obligation under the Code of Conduct to ensure information in a return is kept up to date. If a designated person becomes aware of a new interest that must be disclosed in this return, or an interest that has not previously been disclosed, an updated return must be submitted within 3 months of becoming aware of the previously undisclosed interest.

In the event that a designated person needs to submit an updated return, they are advised to contact Council’s Governance Coordinator as soon as possible, so that the completion and upload of the return can be facilitated.

### **Consideration of Personal Information**

When considering the appropriateness of making public the information contained within a designated person return, the public interest test shall be applied. There is a requirement to establish by clear, logical and probative evidence that the personal and privacy considerations arising under sections 57 and 58 of the *Privacy and Personal Information Protection Act 1998* (PPIP Act) provide a relevant public interest consideration and not a mere personal or private consideration to operate against disclosure.

Section 57 of the PPIP Act prohibits a public sector agency from disclosing personal information kept in a public register unless the agency is satisfied that the information is to be used for a purpose relating to the purpose of the register or the Act under which the register is kept (s 57(1)). Therefore, an agency may require any person who applies to inspect personal information contained in the public register, to provide particulars, in the form of a statutory declaration, as to the intended use of the information to be obtained (s 57(2)).

Section 58 of the PPIP Act provides that a person whose personal information is contained within a public register may request that the public sector agency remove the personal information from the register and not disclose it to the public (s 58(1)). If the public sector agency is satisfied that the safety or wellbeing of any person would be affected by not suppressing the information as requested, the agency must suppress the information in accordance with the request unless the agency is of the opinion that the public interest in maintaining public access to the information outweighs any individual interest in suppressing the information (s 58(2)).

Redactions or information to be withheld are considered on a case by case basis through the application of the public interest test to each individual return, with redactions being made in order to facilitate release of information.

### Disclosure of Interests at Meetings

A councillor or a council committee member who has a pecuniary interest in any matter with which the Council is concerned, and who is present at a meeting of the Council or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable and must not be present at, or in sight of, the meeting of the council or committee during the matter being considered or discussed or during voting on any question in relation to the matter. Disclosures may be made by using the Disclosure of Interest at Ordinary Council Meeting or Council Committee Meetings form (Annexure B).

### Disclosure of Receipt of Gifts and Benefits

Councillors and Council staff are required to make disclosures of personal benefits in accordance with Council's Gifts and Benefits Policy (POL 1.05). Disclosures are made by completing the Councillors and Staff Personal Benefits Disclosure form (Annexure C).

### Councillors and Election Candidates Disclosure of Election Funding

Councillors and candidates for election as councillors are required to make disclosures of election funding in accordance with the *Election Funding Act 2018*.

Disclosures of this nature are administered by the Election Funding Authority. Councillors are required to make Election Funding Disclosures every six months and are solely responsible for their compliance with the legislation.

### Review

This procedure is to be reviewed as required and at least annually.

Version	Date	Reason / Comments
1	July 2019	New procedure
2	September 2019	Update Annexure A
3	March 2020	Update formatting and Annexure A
4	April 2021	Annual review of Annexure A, together with minor adjustments to Annexure B & C and Schedules 1 – 3 (updates to match Model Code of Conduct adopted in 2020).
5	September 2021	Update to Annexure A to add in newly created & renamed manager positions. Inclusion of 'Consideration of Personal Information'. Update to 'References' to include PPIP Act. Update to 'Disclosure of Interests – Initial, Annual & Incidental' to highlight the need to make incidental returns as required.
6	September 2022	Review of designated positions (Annexure A). Update to Disclosure of Interest Return form.

**ANNEXURE A****LIST OF DESIGNATED PERSONS**

At this time, Council designates Councillors, Executive, Managers and staff with a financial delegation of \$50,000 or above. This is subject to change.

Position Title
Mayor
Deputy Mayor
Councillors (5)
General Manager
Chief of Staff
Director Community Service Delivery
Director Organisational Services
Director Projects and Business Development
Manager Development and Certification
Manager Asset Planning
Manager Infrastructure Services
Manager Sustainable Communities and Environment
Manager Customer Experience
Manager Community Connection
Manager People and Culture
Manager Information and Technology Services
Manager Regional Library
Manager Property and Economic Projects
Manager Northern Rivers Livestock Exchange (NRLX) Operations
Waste and Resource Recovery Manager
Manager Project Management Office

**ANNEXURE B****DECLARATION OF INTEREST COUNCIL AND COMMITTEE MEETINGS****DISCLOSURE OF INTEREST**

**BY** .....  
*(full name of person declaring interest)*

**IN THE MATTER OF** *(insert Agenda Item No and Report Subject)* .....

to be considered at the ..... Meeting / ..... Committee Meeting  
*(Ordinary / Extraordinary) (Name of Committee)*

to be held on the ..... day of ..... 20.....

.....  
*(Declarant's Signature) (Date)*

**PECUNIARY INTEREST** *(insert the reason for declaring an interest)*

.....  
*[Tick or cross one box]*

☐ **Pecuniary – interest in a principal environmental planning instrument**

☐ **Pecuniary – other**

☐ **Non-pecuniary – significant conflict**

☐ **Non-pecuniary – insignificant conflict**

**IMPORTANT INFORMATION**

- (1) **Pecuniary – interest in a principal environmental planning instrument** - You do not need to leave chamber/meeting and can participate in the discussion of and vote on the instrument, provided that you make a special disclosure in the prescribed form (Schedule 3 Model Code of Conduct).
- (2) **Pecuniary – other interest** - You must leave chamber/meeting and take no part in the discussion and voting (Part 4 Model Code of Conduct)
- (3) **Non-Pecuniary – significant Conflict** - Recommended that Councillor/committee member leaves chamber/meeting (Part 5 Model Code of Conduct)
- (4) **Non-Pecuniary – insignificant Conflict** - Councillor/committee member may choose to remain in chamber/meeting and participate in discussion and voting (Part 5 Model Code of Conduct)

**ANNEXURE C**

Richmond  
Valley  
Council



## The Model Code of Conduct for Local Councils in NSW

### Councillors and Staff Personal Benefit Disclosure

**GIFTS OR BENEFITS**

1. You must not:
  - seek or accept a bribe or other improper inducement
  - seek gifts or benefits of any kind
  - accept any gift or benefit of more than a token value (for the purpose of this policy, token value is regarded as being a value of \$100.00 or less.)
  - accept an offer of cash or a cash-like gift, regardless of the amount, including but not limited to gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internal credit, memberships or entitlements to discounts.
2. You must not seek or accept any payment, gift or benefit that may create a sense of obligation on your part or may be perceived to be intended or likely to influence you in carrying out your public duty to:
  - act in a particular way (including making a particular decision)
  - fail to act in a particular circumstance
  - otherwise deviate from the proper exercise of your official duties.
3. You may accept gifts or benefits of a nominal or token value that do not create a sense of obligation on your part.

**TOKEN GIFTS AND BENEFITS**

Generally speaking, token gifts and benefits may include:

- gifts of single bottles of reasonably priced alcohol to individual council officials at end of year functions, public occasions or in recognition of work done (such as providing a lecture/training session/address).
- free or subsidised meals, of a modest nature, and/or beverages provided infrequently (and/or reciprocally) that have been arranged primarily for, or in connection with the discussion of official business
- council work related events such as:
  - training, education sessions, workshops
  - conferences
  - council functions or events
  - social functions organised by groups, such as council committees and community organisations
- invitations to and attendance at local social, cultural or sporting events
- ties, scarves, coasters, tie pins, diaries, chocolates or flowers
- prizes of token value

**GIFTS OF VALUE**

- You must never accept an offer of money, regardless of the amount.
- In general, you must not accept gifts and benefits that have more than a nominal or token value. These include, but are not limited to, tickets to major sporting events, corporate hospitality at a corporate facility at a sporting venue, discounted products for personal use, the frequent use of facilities such as gyms, use of holiday homes, free or discounted travel.
- If you receive a gift of more than token value in circumstances where it cannot reasonably be refused or returned, you should accept the gift and disclose this promptly to your supervisor, the Mayor or the General Manager. The supervisor, Mayor or General Manager will ensure that any gifts or benefits of more than token value that are received are recorded in a Gifts Register. The gift or benefit must be surrendered to council, unless the nature of the gift or benefit makes this impractical.
- You must avoid situations in which the appearance may be created that any person or body, through the provision of hospitality or benefits of any kind, is securing or attempting to influence or secure a favour from you or the council.
- You must also take all reasonable steps to ensure that your immediate family members do not receive gifts or benefits that could appear to an impartial observer to be an attempt to influence or secure a favour. Immediate family members ordinarily include parents, spouses, children and siblings.
- Councillors and designated persons must by law disclose a description of any gift or gifts totalling a value exceeding \$500 made by the same person during a period of 12 months or less. *Required to be included in the disclosure of interests returns – section 449.*

Personal Benefit Disclosure by: .....  
(Full Name)

Description of Gift or Benefit: .....

Value of Gift or Benefit: \$ ..... Date Received: .....

Signature: ..... Date: .....

**To be forwarded to the General Manager for notation and recording in Council's Corporate Information System**



## Model Code of Conduct for Local Councils in NSW

**Schedule 1:****Disclosures of Interests and Other Matters in Written Returns Submitted Under Clause 4.21****Part 1: Preliminary****Definitions**

1. For the purposes of the schedules to this code, the following definitions apply:

*address* means:

- a) in relation to a person other than a corporation, the last residential or business address of the person known to the councillor or designated person disclosing the address, or
- b) in relation to a corporation, the address of the registered office of the corporation in New South Wales or, if there is no such office, the address of the principal office of the corporation in the place where it is registered, or
- c) in relation to any real property, the street address of the property.

*de facto partner* has the same meaning as defined in section 21C of the *Interpretation Act 1987*.

*disposition of property* means a conveyance, transfer, assignment, settlement, delivery, payment or other alienation of property, including the following:

- a) the allotment of shares in a company
- b) the creation of a trust in respect of property
- c) the grant or creation of a lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property
- d) the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of a debt, contract or chose in action, or of an interest in respect of property
- e) the exercise by a person of a general power of appointment over property in favour of another person
- f) a transaction entered into by a person who intends by the transaction to diminish, directly or indirectly, the value of the person's own property and to increase the value of the property of another person.

*gift* means a disposition of property made otherwise than by will (whether or not by instrument in writing) without consideration, or with inadequate consideration, in money or money's worth passing from the person to whom the disposition was made to the person who made the disposition, but does not include a financial or other contribution to travel.

*interest* means:

- a) in relation to property, an estate, interest, right or power, at law or in equity, in or over the property, or
- b) in relation to a corporation, a relevant interest (within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth) in securities issued or made available by the corporation.

*listed company* means a company that is listed within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth.

*occupation* includes trade, profession and vocation.

*professional or business association* means an incorporated or unincorporated body or organisation having as one of its objects or activities the promotion of the economic interests of its members in any occupation.

*property* includes money.

*return date* means:

- a) in the case of a return made under clause 4.21(a), the date on which a person became a councillor or designated person
- b) in the case of a return made under clause 4.21(b), 30 June of the year in which the return is made
- c) in the case of a return made under clause 4.21(c), the date on which the councillor or designated person became aware of the interest to be disclosed.

*relative* includes any of the following:

- a) a person's spouse or de facto partner
- b) a person's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- c) a person's spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child

## Model Code of Conduct for Local Councils in NSW

- d) the spouse or de factor partner of a person referred to in paragraphs (b) and (c).

*travel* includes accommodation incidental to a journey.

### Matters relating to the interests that must be included in returns

2. *Interests etc. outside New South Wales:* A reference in this schedule or in schedule 2 to a disclosure concerning a corporation or other thing includes any reference to a disclosure concerning a corporation registered, or other thing arising or received, outside New South Wales.
3. *References to interests in real property:* A reference in this schedule or in schedule 2 to real property in which a councillor or designated person has an interest includes a reference to any real property situated in Australia in which the councillor or designated person has an interest.
4. *Gifts, loans etc. from related corporations:* For the purposes of this schedule and schedule 2, gifts or contributions to travel given, loans made, or goods or services supplied, to a councillor or designated person by two or more corporations that are related to each other for the purposes of section 50 of the *Corporations Act 2001* of the Commonwealth are all given, made or supplied by a single corporation.

### Part 2: Pecuniary interests to be disclosed in returns

#### Real Property

5. A person making a return under clause 4.21 of this code must disclose:
  - a) the street address of each parcel of real property in which they had an interest on the return date, and
  - b) the street address of each parcel of real property in which they had an interest in the period since 30 June of the previous financial year, and
  - c) the nature of the interest.
6. An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
  - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
  - b) as a trustee, if the interest was acquired in the ordinary course of an occupation

not related to their duties as the holder of a position required to make a return.

7. An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a councillor or designated person.
8. For the purposes of clause 5 of this schedule, "interest" includes an option to purchase.

#### Gifts

9. A person making a return under clause 4.21 of this code must disclose:
  - a) a description of each gift received in the period since 30 June of the previous financial year, and
  - b) the name and address of the donor of each of the gifts.
10. A gift need not be included in a return if:
  - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
  - b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
  - c) the donor was a relative of the donee, or
  - d) subject to paragraph (a), it was received prior to the person becoming a councillor or designated person.
11. For the purposes of clause 10 of this schedule, the amount of a gift other than money is an amount equal to the value of the property given.

#### Contributions to travel

12. A person making a return under clause 4.21 of this code must disclose:
  - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person in the period since 30 June of the previous financial year, and
  - b) the dates on which the travel was undertaken, and
  - c) the names of the states and territories, and of the overseas countries, in which the travel was undertaken.
13. A financial or other contribution to any travel need not be disclosed under this clause if it:
  - a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from



## Model Code of Conduct for Local Councils in NSW

- travel in government or council vehicles), or
  - b) was made by a relative of the traveller, or
  - c) was made in the ordinary course of an occupation of the traveller that is not related to their functions as the holder of a position requiring the making of a return, or
  - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12-month period or less, or
  - e) was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
  - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales, or to enable the traveller to represent the party within Australia, or
  - g) subject to paragraph (d) it was received prior to the person becoming a councillor or designated person.
14. For the purposes of clause 13 of this schedule, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.

## Interests and positions in corporations

15. A person making a return under clause 4.21 of this code must disclose:
- a) the name and address of each corporation in which they had an interest or held a position (whether remunerated or not) on the return date, and
  - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
  - c) the nature of the interest, or the position held, in each of the corporations, and
  - d) a description of the principal objects (if any) of each of the corporations, except in the case of a listed company.
16. An interest in, or a position held in, a corporation need not be disclosed if the corporation is:
- a) formed for the purpose of providing recreation or amusement, or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and

- b) required to apply its profits or other income in promoting its objects, and
- c) prohibited from paying any dividend to its members.

17. An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
18. An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a councillor or designated person.

## Interests as a property developer or a close associate of a property developer

19. A person making a return under clause 4.21 of this code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.
20. For the purposes of clause 19 of this schedule:  
*close associate*, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the *Electoral Funding Act 2018*.  
*property developer* has the same meaning as it has in Division 7 of Part 3 of the *Electoral Funding Act 2018*.

## Positions in trade unions and professional or business associations

21. A person making a return under clause 4.21 of the code must disclose:
- a) the name of each trade union, and of each professional or business association, in which they held any position (whether remunerated or not) on the return date, and
  - b) the name of each trade union, and of each professional or business association, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
  - c) a description of the position held in each of the unions and associations.
22. A position held in a trade union or a professional or business association need not be disclosed if the person ceased to

## Model Code of Conduct for Local Councils in NSW

hold the position prior to becoming a councillor or designated person.

### Dispositions of real property

23. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to reacquire the property.
24. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June of the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.
25. A disposition of real property need not be disclosed if it was made prior to a person becoming a councillor or designated person.

### Sources of income

26. A person making a return under clause 4.21 of this code must disclose:
  - a) each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on the following 30 June, and
  - b) each source of income received by the person in the period since 30 June of the previous financial year.
27. A reference in clause 26 of this schedule to each source of income received, or reasonably expected to be received, by a person is a reference to:
  - a) in relation to income from an occupation of the person:
    - (i) a description of the occupation, and
    - (ii) if the person is employed or the holder of an office, the name and address of their employer, or a description of the office, and
    - (iii) if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or

- b) in relation to income from a trust, the name and address of the settlor and the trustee, or
- c) in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.

28. The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
29. The source of any income received by the person that they ceased to receive prior to becoming a councillor or designated person need not be disclosed.
30. A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

### Debts

31. A person making a return under clause 4.21 of this code must disclose the name and address of each person to whom the person was liable to pay any debt:
  - a) on the return date, and
  - b) at any time in the period since 30 June of the previous financial year.
32. A liability to pay a debt must be disclosed by a person in a return made under clause 4.21 whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time in the period since 30 June of the previous financial year, as the case may be.
33. A liability to pay a debt need not be disclosed by a person in a return if:
  - a) the amount to be paid did not exceed \$500 on the return date or in the period since 30 June of the previous financial year, as the case may be, unless:
    - (i) the debt was one of two or more debts that the person was liable to pay to one person on the return date, or at any time in the period since 30 June of the previous financial year, as the case may be, and
    - (ii) the amounts to be paid exceeded, in the aggregate, \$500, or
  - b) the person was liable to pay the debt to a relative, or

## Model Code of Conduct for Local Councils in NSW

- c) in the case of a debt arising from a loan of money the person was liable to pay the debt to an authorised deposit-taking institution or other person whose ordinary business includes the lending of money, and the loan was made in the ordinary course of business of the lender, or
  - d) in the case of a debt arising from the supply of goods or services:
    - (i) the goods or services were supplied in the period of 12 months immediately preceding the return date, or were supplied in the period since 30 June of the previous financial year, as the case may be, or
    - (ii) the goods or services were supplied in the ordinary course of any occupation of the person that is not related to their duties as the holder of a position required to make a return, or
  - e) subject to paragraph (a), the debt was discharged prior to the person becoming a councillor or designated person.
- 3. If you have previously lodged a return with the general manager and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the general manager, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a councillor or designated person, (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
  - 4. If you have previously lodged a return with the general manager and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
  - 5. This form must be completed using block letters or typed.
  - 6. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.
  - 7. If there are no pecuniary interests or other matters of the kind required to be disclosed under a heading in this form, the word "NIL" is to be placed in an appropriate space under that heading.

## Discretionary Disclosures

34. A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.

## Schedule 2:

## Form of Written Return of Interests Submitted Under Clause 4.21

## 'Disclosures by councillors and designated persons' return

1. The pecuniary interests and other matters to be disclosed in this return are prescribed by Schedule 1 of the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).
2. If this is the first return you have been required to lodge with the general manager after becoming a councillor or designated person, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a councillor or designated person.

## Important information

This information is being collected for the purpose of complying with clause 4.21 of the Model Code of Conduct.

You must not lodge a return that you know or ought reasonably to know is false or misleading in a material particular (see clause 4.23 of the Model Code of Conduct). Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the council, the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

The information collected on this form will be kept by the general manager in a register of returns. The general manager is required to table all returns at a council meeting.

Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements

[Model Code of Conduct for Local Councils in NSW](#)

of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

You have an obligation to keep the information contained in this return up to date. If you become aware of a new interest that must be disclosed in this return, or an interest that you have previously failed to disclose, you must submit an updated return within three months of becoming aware of the previously undisclosed interest.

## Model Code of Conduct for Local Councils in NSW

ANNUAL RETURN  
20\_\_ / 20\_\_

## DISCLOSURE OF INTERESTS

COMPLETE THIS FORM, SIGN AND DATE THEN RETURN TO  
COUNCIL'S GOVERNANCE DEPARTMENT

Please ensure where you have nothing to declare, that you write the word 'NIL'

<b>MY FULL NAME</b>	<b>GIVEN NAME:</b>	<b>SURNAME:</b>
<b>RETURN PERIOD:</b>		

**A REAL PROPERTY**

**TIP:** You must include: (i) either the postal addresses OR particulars of title, i.e. Lot and SP/DP of properties anywhere in Australia that you had an interest in at any time during the return period; (ii) the nature of your interest, i.e. owner, part owner, lessee, beneficiary, occupier or other

Address of each parcel of real property in which I had an interest at any time during the return period	Nature of my interest:
---	------------------------

**MY PLACE(S) OF RESIDENCE:**

No:	Street:	Lot & DP:	
Suburb:		State:	
No:	Street:	Lot & DP:	
Suburb:		State:	

**OTHER REAL PROPERTY POSTAL ADDRESS DETAILS:**

No:	Street:	Lot & DP:	
Suburb:		State:	
No:	Street:	Lot & DP:	
Suburb:		State:	
No:	Street:	Lot & DP:	
Suburb:		State:	
No:	Street:	Lot & DP:	
Suburb:		State:	
No:	Street:	Lot & DP:	
Suburb:		State:	
No:	Street:	Lot & DP:	
Suburb:		State:	

If insufficient space, please attach a schedule to this form.

Please tick if adding an attachment ☐



## Model Code of Conduct for Local Councils in NSW

ANNUAL RETURN 20__ / 20__		DISCLOSURE OF INTERESTS <small>COMPLETE THIS FORM, SIGN AND DATE THEN RETURN TO COUNCIL'S GOVERNANCE DEPARTMENT</small>	
<b>B SOURCES OF INCOME</b>			
<b>TIP:</b> Only provide information where the amount of income from an occupation, a Trust or other source, exceeded \$500.			
<b>1 SOURCES OF MY INCOME FROM AN OCCUPATION(S)</b> <small>(sources, <i>not amounts</i>, of income I received from my occupation(s) at any time during the return period)</small>			
<b>Position Held</b> <small>e.g. Labourer, Cadet, Project Officer, Manager, etc.</small>	<b>Name and Address of Employer or Description of Office held (if applicable)</b> <small>If self employed include business name &amp; business address</small>	<b>Name of Partnership (if applicable)</b>	
<b>2 SOURCES OF MY INCOME FROM A TRUST</b> <small>(sources of income, <i>not amounts</i>, I received from a Trust during the return period)</small>			
If you have nothing to declare, write 'NIL' in the adjacent Box			
<b>NAME AND ADDRESS OF SETTLOR</b> <b>TIP:</b> The 'Settlor' is the name of a person who created the Trust	<b>NAME AND ADDRESS OF TRUSTEE</b>		
<b>3 OTHER SOURCES OF MY INCOME</b> <small>(sources of other income, <i>not amounts</i>, I received at any time during the return period)</small>			
<b>TIP:</b> a Other sources of income may include income from rental property, investments, business activities, welfare payments; b You must include a description sufficient to identify the person, property or business activity from whom, or the circumstances in which, that income was received.			
If you have nothing to declare, write 'NIL' in the adjacent box			
<b>C GIFTS</b>			
<b>TIP:</b> Only include a description of a single gift or multiple gifts from the same donor, the total value of which exceeded \$100			
If you have nothing to declare, write the word 'NIL' in the adjacent box and move to Section D			
If you declare a gift  then you MUST also complete a Personal Benefit Disclosure Form and return to the General Manager.			
<b>DESCRIPTION OF EACH GIFT RECEIVED BY ME AT ANY TIME DURING THE RETURN PERIOD</b>	<b>NAME AND ADDRESS OF GIFT DONOR</b>		

## Model Code of Conduct for Local Councils in NSW

<b>ANNUAL RETURN</b> 20__ / 20__	<b>DISCLOSURE OF INTERESTS</b> COMPLETE THIS FORM, SIGN AND DATE THEN RETURN TO COUNCIL'S GOVERNANCE DEPARTMENT
-------------------------------------	---

<b>D CONTRIBUTIONS TO TRAVEL</b>			
<b>TIP:</b> Do not include payments by Council for your work-related travel			
If you have nothing to declare, write the word 'NIL' in the adjacent box and move to Section E		➡	
NAME AND ADDRESS OF EACH PERSON WHO MADE GREATER THAN \$250 FINANCIAL OR OTHER CONTRIBUTION TO ANY TRAVEL UNDERTAKEN BY ME DURING THE RETURN PERIOD	DATES TRAVEL WAS UNDERTAKEN	NAME OF STATES, TERRITORIES OF THE COMMONWEALTH AND OTHER COUNTRIES IN WHICH TRAVEL WAS UNDERTAKEN	

<b>E INTERESTS AND POSITIONS IN CORPORATIONS</b>			
<b>TIP:</b> (i) Declare only if your shareholding was greater than 10% of voting rights in the corporation (ii) You must declare any position (not shareholder) you held in a corporation (including not-for-profit corporation) such as Director, whether or not you held shares in the corporation or the position was a paid position			
If you have nothing to declare, write the word 'NIL' in the adjacent box and move to Section F		➡	
NAME AND ADDRESS OF EACH CORPORATION IN WHICH I HAD AN INTEREST OR HELD A POSITION AT ANY TIME DURING THE RETURN PERIOD	NATURE OF INTEREST (IF ANY) <small>EG SHAREHOLDER</small>	DESCRIPTION OF POSITION (IF ANY) <small>EG DIRECTOR, COMPANY SECRETARY</small>	PRINCIPAL OBJECTS OF CORPORATION (EXCEPT IN CASE OF LISTED COMPANY)

<b>F PROPERTY DEVELOPER</b>	
<b>TIP:</b> In this section, you must disclose if you are a 'property developer' or a close associate of an individual or corporation that is a 'property developer' for the purposes of the <i>Electoral Funding Act 2018</i> . (i) You will be a close associate of a person who is a property developer if you are (a) the spouse of the person, or (b) where the person has made a 'relevant planning application' that is pending, you are in a joint venture or partnership with the person in connection with the 'relevant planning application' and you are likely to obtain a financial gain if it is approved or carried out. (ii) You will be a close associate of a corporation that is a property developer if (a) you or your spouse are a director or officer of the corporation (b) you or your spouse have voting power in the corporation or a related body corporate of the corporation that is greater than 20% (c) where the corporation is a trustee, manager or responsible entity in relation to a trust, you hold more than 20% of the units in the trust (in the case of a unit trust) or you are a beneficiary of the trust (in the case of a discretionary trust), or (d) where the corporation has made a 'relevant planning application' that is pending, you are in a joint venture or partnership with the corporation in connection with the 'relevant planning application' and you are likely to obtain a financial gain if it is approved or carried out.	
Were you a property developer or a close associate of a property developer on the return date?	


## Model Code of Conduct for Local Councils in NSW

ANNUAL RETURN  
20\_\_ / 20\_\_


## DISCLOSURE OF INTERESTS

COMPLETE THIS FORM, SIGN AND DATE THEN RETURN TO  
COUNCIL'S GOVERNANCE DEPARTMENT**G POSITIONS IN TRADE UNIONS OR PROFESSIONAL/BUSINESS ASSOCIATIONS** **TIP:** Do not include general membership but include details of any positions held whether remunerated or notIf you have nothing to declare, write the word 'NIL' in the adjacent box  
and move to Section H

NAME OF EACH TRADE UNION AND EACH PROFESSIONAL OR BUSINESS ASSOCIATION IN WHICH I HELD ANY POSITION (WHETHER REMUNERATED OR NOT) AT ANY TIME DURING THE RETURN PERIOD	DESCRIPTION OF POSITION

**H DEBTS** **TIP:** You do not need to provide information on (i) the amounts; (ii) debts for less than \$500; (iii) debts to any relative, bank, building society, credit union or other financial institution such as for your home mortgage, credit card or department storeIf you have nothing to declare, write the word 'NIL' in the adjacent box  
and move to Section I

NAME AND ADDRESS OF EACH PERSON OR ORGANISATION (CREDITOR) TO WHOM I WAS LIABLE TO PAY ANY DEBT AT ANY TIME DURING THE RETURN PERIOD	
NAME OF CREDITOR	ADDRESS OF CREDITOR

**I DISPOSITIONS OF REAL PROPERTY** **TIP:** You must disclose details:

- of each disposal of real property since your last return was made by which you wholly or partly retained the use or benefit of the property or the right to repurchase the property;
- of each disposal of real property by other persons or entities whereby you wholly or partly obtained the use of the property;
- disposal includes –
  - grant of a lease or licence for all or part of the land,
  - mortgage over your land,
  - grant of easement over land by which you retain the ability to use the land,
  - sale of land (or grant of option by you) with (i) a lease or licence granted to you or a right for you to repurchase the land, (ii) an easement or covenant over the land in favour of you
- creation of an option to purchase land in favour of you;
- creation by you of a charge over your land;
- transfer by you of an interest in your land to a Trustee of a Trust of which you are a beneficiary;
- transfer of land to your spouse or by your spouse to a third party whereby you continue to occupy the land;
- transfer of title of your land subject to you continuing to receive a benefit, e.g. rent from the land.

If you have nothing to declare, write the word 'NIL' in the adjacent box  
and move to Section J

Should you require more detailed explanation on the information to be provided in this Section, you should refer to Clauses 188(1) and 188(2) of the Local Government (General) Regulation 2021.



## Model Code of Conduct for Local Councils in NSW

ANNUAL RETURN 20__ / 20__		DISCLOSURE OF INTERESTS <small>COMPLETE THIS FORM, SIGN AND DATE THEN RETURN TO COUNCIL'S GOVERNANCE DEPARTMENT</small>						
<b>1 PARTICULARS OF EACH DISPOSITION OF REAL PROPERTY BY ME AT ANY TIME DURING THE RETURN PERIOD AS A RESULT OF WHICH I RETAINED, EITHER WHOLLY OR IN PART, THE USE AND BENEFIT OF THE PROPERTY OR THE RIGHT TO REACQUIRE THE PROPERTY AT A LATER DATE</b>								
No:	Street:	Lot & DP:	Suburb:	State:				
No:	Street:	Lot & DP:	Suburb:	State:				
No:	Street:	Lot & DP:	Suburb:	State:				
<b>2 PARTICULARS OF EACH DISPOSITION OF REAL PROPERTY TO A PERSON BY ANOTHER PERSON UNDER ARRANGEMENTS MADE BY ME, BEING DISPOSITIONS MADE AT ANY TIME DURING THE RETURN PERIOD, AS A RESULT OF WHICH I OBTAINED EITHER WHOLLY OR IN PART, THE USE AND BENEFIT OF THE PROPERTY</b>								
No:	Street:	Lot & DP:	Suburb:	State:				
No:	Street:	Lot & DP:	Suburb:	State:				
No:	Street:	Lot & DP:	Suburb:	State:				
<b>J DISCRETIONARY DISCLOSURES</b>								
<b>TIP:</b> To be completed if you wish to make any additional disclosures								
If you have nothing to declare, write the word 'NIL' in the adjacent box and go to sign and date to complete this return <div style="float: right; text-align: right;"> </div>								
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; padding: 5px;"><b>SIGNATURE:</b></td> <td style="height: 40px;"></td> </tr> <tr> <td style="padding: 5px;"><b>DATE:</b></td> <td style="height: 40px;"></td> </tr> </table>					<b>SIGNATURE:</b>		<b>DATE:</b>	
<b>SIGNATURE:</b>								
<b>DATE:</b>								

*Model Code of Conduct for Local Councils in NSW***Schedule 3:****Form of Special Disclosure of Pecuniary Interest Submitted Under Clause 4.37**

1. This form must be completed using block letters or typed.
2. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

This form must be completed by you before the commencement of the council or council committee meeting at which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

**Important Information**

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.36(c) of the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).

The special disclosure must relate only to a pecuniary interest that a councillor has in the councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Model Code of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Model Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

"Relative" is defined by clause 4.4 of the Model Code of Conduct as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

which is considered at a meeting of the [name of council or council committee (as the case requires)]

Pecuniary interest	
Address of the affected principal place of residence of the councillor or an associated person, company or body (the identified land)	
Relationship of identified land to the councillor [Tick or cross one box.]	<input type="checkbox"/> The councillor has an interest in the land (e.g. is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise).  <input type="checkbox"/> An associated person of the councillor has an interest in the land.  <input type="checkbox"/> An associated company or body of the councillor has an interest in the land.
Matter giving rise to pecuniary interest <sup>1</sup>	
Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land) <sup>2</sup> [Tick or cross one box]	<input type="checkbox"/> The identified land.  <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	
Effect of proposed change of zone/planning control on councillor or associated person [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	

Date \_\_\_\_\_

<sup>1</sup> Clause 4.1 of the Model Code of Conduct provides that a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter, or if the interest is of a kind specified in clause 4.6 of the Model Code of Conduct.

<sup>2</sup> A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in clause 4.3 of the Model Code of Conduct has a proprietary interest.

## Council Policy

**Policy Title:** Councillor Expenses and Facilities Policy  
**Policy Number:** 1.07  
**Focus Area:** Lead and advocate for our community  
**Responsibility:** Governance  
**Meeting Adopted:** Date of Council Meeting – Resolution Number



### CONTENTS

Part	Description	Page No.
<b>Part A</b>	<b>Introduction</b>	1
1.	Introduction	1
2.	Objectives	1
3.	Principles	2
4.	Private or political benefit	3
<b>Part B</b>	<b>Expenses</b>	4
5.	General expenses	4
6.	Specific expenses	4
7.	Insurance	7
8.	Legal assistance	8
<b>Part C</b>	<b>Facilities</b>	9
9.	General facilities for Councillors	9
10.	Additional facilities for Councillors	9
11.	Superannuation	10
<b>Part D</b>	<b>Processes</b>	11
12.	Approval, payment and reimbursement arrangements	11
13.	Disputes	12
14.	Return or retention of facilities	12
15.	Publication	13
16.	Reporting	13
17.	Breaches	13
<b>Part E</b>	<b>Appendices</b>	14
<b>Appendix I</b>	Definitions	14
<b>Appendix II</b>	Related legislation, guidelines and policies	15
<b>Appendix III</b>	Legislative provisions	15
<b>Appendix IV</b>	Reporting requirements	17

## POLICY OVERVIEW

This policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors to help them undertake their civic duties.

It ensures accountability and transparency and seeks to align Councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

The policy has been prepared in accordance with the *Local Government Act 1993* (the Act) and Local Government (General) Regulation 2021 (the Regulation) and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

The policy sets out the amounts Council will pay for specific expenses and facilities. Expenses not explicitly addressed in this policy will not be paid or reimbursed. Additional costs incurred by a Councillor in excess of these limits are considered a personal expense and are the responsibility of the Councillor. Councillors must provide claims for reimbursement within three months of an expense being incurred. Claims made after this time may not be approved.

## PART A - INTRODUCTION

### 1. Introduction

- 1.1 The provision of expenses and facilities enables Councillors to fulfil their civic duties as the elected representatives of Richmond Valley Council.
- 1.2 The community is entitled to know the extent of expenses paid to Councillors, as well as the facilities provided.
- 1.3 The purpose of this policy is to clearly state the facilities and support that are available to Councillors to assist them in fulfilling their civic duties.
- 1.4 Council staff are empowered to question or refuse a request for payment from a Councillor when it does not accord with this policy.
- 1.5 Expenses and facilities provided by this policy are in addition to fees paid to Councillors. The minimum and maximum fees a Council may pay each Councillor are set by the Local Government Remuneration Tribunal as per Section 241 of the Act and reviewed annually. Council must adopt its annual fees within this set range.

### 2. Objectives

- 2.1 The objectives of this policy are to:
  - Enable the reasonable and appropriate reimbursement of expenses incurred by Councillors while undertaking their civic duties;
  - Enable facilities of a reasonable and appropriate standard to be provided to Councillors to support them in undertaking their civic duties;
  - Ensure accountability and transparency in reimbursement of expenses and provision of facilities to Councillors;
  - Ensure facilities and expenses provided to Councillors meet community expectations;
  - Support a diversity of representation; and
  - Fulfil the Council's statutory responsibilities.



### 3. Principles

#### 3.1 Council commits to the following principles:

- Proper conduct: Councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions.
- Reasonable expenses: providing for Councillors to be reimbursed for expenses reasonably incurred as part of their role as Councillor.
- Participation and access: enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor.
- Equity: there must be equitable access to expenses and facilities for all Councillors.
- Appropriate use of resources: providing clear direction on the appropriate use of Council resources in accordance with legal requirements and community expectations.
- Accountability and transparency: clearly stating and reporting on the expenses and facilities provided to Councillors.

### 4. Private or political benefit

- 4.1 Councillors must not obtain private or political benefit from any expense or facility provided under this policy.
- 4.2 Private use of Council equipment and facilities by Councillors may occur from time to time. For example, telephoning home to advise that a Council meeting will run later than expected.
- 4.3 Such incidental private use does not require a compensatory payment back to Council.
- 4.4 Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of Council facilities does occur, Councillors must reimburse the Council.
- 4.5 Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:
  - production of election material;
  - use of Council resources and equipment for campaigning;
  - use of official Council letterhead, publications, websites or services for political benefit; and
  - fundraising activities of political parties or individuals, including political fundraising events.

## PART B - EXPENSES

### 5. General expenses

- 5.1 All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this policy.
- 5.2 Expenses not explicitly addressed in this policy will not be paid or reimbursed.

### 6. Specific expenses

#### *General travel arrangements and expenses*

- 6.1 All travel by Councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.
- 6.2 The mayor and each Councillor may be reimbursed for travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars within NSW. This includes reimbursement:
  - for public transport fares;
  - for the use of a private vehicle or hire car;
  - for parking costs for Council and other meetings;
  - for tolls; and
  - for documented ride-share programs, such as Uber, where tax invoices can be issued.
- 6.3 Allowances for the use of a private vehicle will be reimbursed by kilometre at the rate contained in the Local Government (State) Award.
- 6.4 Councillors seeking to be reimbursed for use of a private vehicle must keep records of the date, distance and purpose of travel being claimed. Copies of the relevant record must be provided with the claim.

#### *Interstate, overseas and long-distance intrastate travel expenses*

- 6.5 In accordance with Section 4, Council will scrutinise the value and need for Councillors to undertake overseas travel. Councils should avoid interstate, overseas and long-distance intrastate trips unless direct and tangible benefits can be established for the Council and the local community. This includes travel to sister and friendship cities.
- 6.6 Councillors seeking approval for any interstate and long-distance intrastate travel must submit a case to, and obtain the approval of, the General Manager prior to travel.
- 6.7 Councillors seeking approval for any overseas travel must submit a case to, and obtain the approval of, a full Council meeting prior to travel.
- 6.8 The case should include:
  - objectives to be achieved in travel, including an explanation of how the travel aligns with current Council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the Councillor's civic duties;
  - who is to take part in the travel;
  - duration and itinerary of travel; and
  - a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.

- 6.9 For interstate and long-distance intrastate journeys, the class of air travel is to be economy class or as determined by the General Manager.
- 6.10 For international travel, the class of air travel is to be economy class or as determined by the General Manager.
- 6.11 Bookings for approved air travel are to be made through the General Manager's office.
- 6.12 For air travel that is reimbursed as Council business, Councillors will not accrue points from the airline's frequent flyer program. This is considered a private benefit.
- 6.13 A Councillor who travels in a private vehicle will be reimbursed by kilometre at the rate contained in the Local Government (State) Award or airfare, whichever is the lower.

#### *Travel expenses not paid by Council*

- 6.14 Council will not pay any traffic or parking fines or administrative charges for road toll accounts.

#### *Accommodation and meals*

- 6.15 In circumstances where it would introduce undue risk for a Councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for accommodation and meals on the night before or after the meeting may be approved by the General Manager. This includes where a meeting finishes later than 9.00pm or starts earlier than 7.00am and the Councillor lives more than 50 kilometres from the meeting location.
- 6.16 Council will reimburse costs for accommodation and meals while Councillors are undertaking prior approved travel or professional development outside the Richmond Valley area. Accommodation is to be at a standard of up to four-star rating.
- 6.17 The daily limits for accommodation and meal expenses within Australia are to be consistent with those set out in Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.
- 6.18 The daily limits for accommodation and meal expenses outside Australia are to be determined in advance by the General Manager, being mindful of Clause 6.17.

#### *Refreshments for Council related meetings*

- 6.19 Appropriate refreshments will be available for Council meetings, Council committee meetings, Councillor briefings, approved meetings and engagements, and official Council functions as approved by the General Manager.
- 6.20 As an indicative guide for the standard of refreshments to be provided at Council related meetings, the General Manager must be mindful of Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.

#### *Professional development*

- 6.21 Council will set aside an amount annually in its budget to facilitate professional development of Councillors through programs, training, education courses and membership of professional bodies.



- 6.22 In the first year of a new Council term, Council will provide a comprehensive induction program for all Councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development funding.
- 6.23 Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the Councillor's civic duties, the Councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.
- 6.24 Approval for professional development activities is subject to a prior written request to the General Manager outlining the:
- details of the proposed professional development;
  - relevance to Council priorities and business; and
  - relevance to the exercise of the Councillor's civic duties.
- 6.25 In assessing a Councillor request for a professional development activity, the General Manager must consider the factors set out in Clause 6.26, as well as the cost of the professional development in relation to the Councillor's remaining budget.

#### *Conferences and seminars*

- 6.26 Council is committed to ensuring its Councillors are up to date with contemporary issues facing Council and the community, and local government in NSW.
- 6.27 Council will set aside an amount annually in its budget to facilitate Councillor attendance at conferences and seminars. This allocation is for all Councillors. The General Manager will ensure that access to expenses relating to conferences and seminars is distributed equitably.
- 6.28 Approval to attend a conference or seminar is subject to a written request to the General Manager. In assessing a Councillor request, the General Manager must consider factors including the:
- relevance of the topics and presenters to current Council priorities and business and the exercise of the Councillor's civic duties; and
  - cost of the conference or seminar in relation to the total remaining budget.
- 6.29 Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences approved by the General Manager. Council will also meet the reasonable cost of meals when they are not included in the conference fees. Reimbursement for accommodation and meals not included in the conference fees will be subject to Clauses 6.16-6.18.

#### *Information and communications technology (ICT) expenses*

- 6.30 Council will provide Councillors with appropriate electronic equipment for communication services. This may include mobile phones, tablets and associated data. All equipment is to be utilised within the guidelines outlined in relevant Council policies and procedures.
- 6.31 Council will reimburse costs for mobile telephone calls equal to fifty percent (50%) of the total cost of the mobile telephone account claimed up to a maximum of \$100.00 per quarter.

### *Special requirement and carer expenses*

- 6.32 Council encourages wide participation and interest in civic office. It will seek to ensure Council premises and associated facilities are accessible, including provision for sight or hearing-impaired Councillors and those with other disabilities.
- 6.33 In addition to the provisions above, the General Manager may authorise the provision of reasonable additional facilities and expenses in order to allow a Councillor with a disability to perform their civic duties.
- 6.34 Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to reimbursement of carer's expenses when provided by a registered provider if a Councillor is required to arrange such while on reasonable Council business.
- 6.35 Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.
- 6.36 In the event of caring for an adult person, Councillors will need to provide suitable evidence to the General Manager that reimbursement is applicable. This may take the form of advice from a medical practitioner.

### *Home office*

- 6.37 Council will provide a filing cabinet up to a four-drawer capacity while Councillors are in office.

### *Accompanying persons*

- 6.38 Council will meet the costs of a Councillor's accompanying person in the following circumstances:
- Cost of registration and official conference dinner at the Local Government NSW Annual Conference. Cost of accommodation and travel are to be met by the Councillor.
  - Payment of expenses at official Council functions that are of a formal or ceremonial nature within the Council's area, for example, Australia Day Awards and Civic Receptions.
  - Payment of expenses for the accompanying person of a Mayor (or Councillor when they are representing the Mayor), when they are called upon to attend an official function of Council or carry out an official duty while accompanying the Mayor outside Council's area, but within the State. This is to be restricted to direct costs associated with the function.

## **7 Insurance**

- 7.1 In accordance with Section 382 of the *Local Government Act*, Council is required to make arrangements for adequate insurance against public liability and professional liability, with Councillors to receive the benefit of insurance cover for:
- Public liability (for matters arising out of Councillor's performance of their civic duties and/or exercise of their council functions);
  - Professional indemnity (for matters arising out of Councillor's performance of their civic duties and/or exercise of their council functions); and
  - Personal injury while on council business (this cover does not include workers' compensation payments or arrangements).

- 7.2 All insurances are subject to any limitations or conditions set out in the policies of insurance.
- 7.3 Council shall pay the insurance policy excess in respect of any claim accepted by Council's insurers, whether defended or not.
- 7.4 Appropriate travel insurances will be provided for any Councillors travelling on approved interstate and overseas travel on Council business.

## 8 Legal assistance

- 8.1 Council may, if requested, indemnify or reimburse the reasonable legal expenses of:
- a Councillor defending an action arising from the performance in good faith of a function under the *Local Government Act* provided that the outcome of the legal proceedings is favourable to the Councillor;
  - a Councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act and the outcome of the legal proceedings is favourable to the Councillor;
  - a Councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the Councillor.
- 8.2 In the case of a code of conduct complaint made against a Councillor, legal costs will only be made available where the matter has been referred by the General Manager to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the Councillor.
- 8.3 Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a Councillor acted corruptly would not be covered by this section.
- 8.4 Council will not meet the legal costs:
- of legal proceedings initiated by a Councillor under any circumstances;
  - of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation;
  - for any costs incurred by Senior Counsel; or
  - for legal proceedings that do not involve a Councillor performing their role as a Councillor.
- 8.5 Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a Council meeting prior to costs being incurred.

## PART C - FACILITIES

### 9 General facilities for Councillors

#### *Facilities*

- 9.1 Council will provide the following facilities to Councillors to assist them to effectively discharge their civic duties:
- corporate clothing, which may be made up of business shirts, corporate tie or scarf and corporate style jacket;
  - personal protective equipment for use during site visits if deemed required by the General Manager;
  - a name badge which may be worn at official functions, indicating that the wearer holds the office of a Councillor and/or Mayor or Deputy Mayor;
  - business cards; and
  - access to telephone, email and photocopy facilities for Council business as required.
- 9.2 Councillors may book meeting rooms for official business in a specified Council building at no cost. Rooms may be booked through Council's Personal Assistant to the General Manager and Mayor.
- 9.3 The provision of facilities will be of a standard deemed by the General Manager as appropriate for the purpose.

#### *Administrative support*

- 9.4 Council will provide administrative support to Councillors to assist them with their civic duties only. Administrative support may be provided by staff as arranged by the General Manager.
- 9.5 As per Section 4, Council staff are expected to assist Councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

### 10 Additional facilities for the Mayor

- 10.1 Private use of the Mayoral vehicle from the range of vehicles available to management and senior staff in accordance with Council's Motor Vehicle Lease agreement with a payment equivalent of 25% of the staff contribution, or as approved by the General Manager, together with the use of a fuel card.
- 10.2 A parking space at Council's offices will be reserved for the Mayor's Council-issued vehicle for use on official business, professional development and attendance at the Mayor's office.
- 10.3 Council will provide the Mayor with a furnished office incorporating a computer, telephone and meeting space. Together with access to a telephone, email and photocopy facilities.
- 10.4 In performing his or her civic duties, the Mayor will be assisted by staff providing administrative and secretarial support, as determined by the General Manager.
- 10.5 Ceremonial clothing including Mayoral robes and/or chain of office will be provided.
- 10.6 As per Section 4, staff in the Mayor's office are expected to work on official business only, and not for matters of personal or political interest, including campaigning.

## 11 Superannuation

- 11.1 Under Section 254B *Local Government Act 1993*, a council may make a superannuation contribution payment as a contribution to a superannuation account nominated by a Councillor, starting from the financial year commencing 1 July 2022.
- 11.2 The amount of a superannuation contribution payment is the amount the Council would have been required to contribute under the Commonwealth superannuation legislation as if the Councillor were an employee of Council.
- 11.3 A superannuation contribution payment is payable with, and at the same intervals as the annual fee is payable to the Councillor.
- 11.4 A Council is only permitted to make a superannuation contribution payment if a resolution has been passed at an open meeting of Council.
- 11.5 Council resolved at its Ordinary Meeting held 17 May 2022, to commence payment of superannuation equivalent in amount to superannuation guarantee payments, from 1 July 2022. This was resolved under Resolution 170522/5.

DRAFT

## PART D - PROCESSES

### 12 Approval, payment and reimbursement arrangements

- 12.1 Expenses should only be incurred by Councillors in accordance with the provisions of this policy.
- 12.2 Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.
- 12.3 Up to the maximum limits specified in this policy, approval for the following may be sought after the expense is incurred:
- local travel relating to the conduct of official business
  - carer costs
- 12.4 Final approval for payments made under this policy will be granted by the General Manager or their delegate.

#### *Direct payment*

- 12.5 Council may approve and directly pay expenses. Requests for direct payment must be submitted to the General Manager for assessment against this policy using the prescribed form, with sufficient information and time to allow for the claim to be assessed and processed.

#### *Reimbursement*

- 12.6 All claims for reimbursement of expenses incurred must be made on the prescribed form, supported by appropriate receipts and/or tax invoices and be submitted to the General Manager.

#### *Advance payment*

- 12.7 Council may pay a cash advance for Councillors attending approved conferences, seminars or professional development.
- 12.8 The maximum value of a cash advance per day for a conference, seminar or professional development (if applicable) will be determined by the General Manager.
- 12.9 Requests for advance payment must be submitted to the General Manager for assessment against this policy using the prescribed form with sufficient information and time to allow for the claim to be assessed and processed.
- 12.10 Councillors must fully reconcile all expenses against the cost of the advance within one month of incurring the cost and/or returning home. This includes providing to Council:
- a full reconciliation of all expenses including appropriate receipts and/or tax invoices; and
  - reimbursement of any amount of the advance payment not spent in attending to official business or professional development.



### *Notification*

- 12.11 If a claim is approved, Council will make payment directly or reimburse the Councillor through accounts payable.
- 12.12 If a claim is refused, Council will inform the Councillor in writing that the claim has been refused and the reason for the refusal.

### *Reimbursement to Council*

- 12.13 If Council has incurred an expense on behalf of a Councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this policy:
- Council will invoice the Councillor for the expense;
  - the Councillor will reimburse Council for that expense within 14 days of the invoice date.
- 12.14 If the Councillor cannot reimburse Council within 14 days of the invoice date, they are to submit a written explanation to the General Manager. The General Manager may elect to deduct the amount from the Councillor's allowance.

### *Timeframe for reimbursement*

- 12.15 Unless otherwise specified in this policy, Councillors must provide all claims for reimbursement within three months of an expense being incurred. Claims made after this time may not be approved.

## **13 Disputes**

- 13.1 If a Councillor disputes a determination under this policy, the Councillor should discuss the matter with the General Manager.
- 13.2 If the Councillor and the General Manager cannot resolve the dispute, the Councillor may submit a notice of motion to a Council meeting seeking to have the dispute resolved.

## **14 Return or retention of facilities**

- 14.1 All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a Councillor or Mayor ceasing to hold office or at the cessation of their civic duties.
- 14.2 Should a Councillor desire to keep any equipment allocated by Council, then this policy enables the Councillor to make application to the General Manager to purchase any such equipment. The General Manager will determine an agreed fair market price or written down value for the item of equipment.
- 14.3 The prices for all equipment purchased by Councillors under Clause 13.2 will be recorded in Council's Annual Report.

## 15 Publication

15.1 This policy will be published on Council's website following adoption by Council meeting resolution.

## 16 Reporting

16.1 Council will report on the provision of expenses and facilities to Councillors as required in the Act and Regulations.

## 17 Breaches

17.1 Suspected breaches of this policy are to be reported to the General Manager.

17.2 Alleged breaches of this policy shall be dealt with by following the processes outlined for breaches of the Code of Conduct, as detailed in the Code and in the Procedures for the Administration of the Code.

DRAFT



## PART E - APPENDICES

### Appendix I: Definitions

The following definitions apply throughout this policy.

Term	Definition
accompanying person	Means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a Councillor
appropriate refreshments	Means food and beverages provided by Council to support Councillors undertaking official business
Act	Means the <i>Local Government Act 1993 (NSW)</i>
clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this policy
Code of Conduct	Means the Code of Conduct adopted by Council
Councillor	Means a person elected or appointed to civic office as a member of the governing body of Council who is not suspended, including the Mayor
General Manager	Means the General Manager of Council and includes their delegate or authorised representative
incidental personal use	Means use that is infrequent and brief and use that does not breach this policy or the Code of Conduct
long distance intrastate travel	Means travel to other parts of NSW of more than three hours duration by private vehicle
maximum limit	Means the maximum limit for an expense or facility provided in the text
official business	Means functions that the Mayor or Councillors are required or invited to attend to fulfil their legislated role and responsibilities for Council or result in a direct benefit for Council and/or for the local government area, and includes: <ul style="list-style-type: none"> <li>meetings of Council and committees of the whole</li> <li>meetings of committees facilitated by Council</li> <li>civic receptions hosted or sponsored by Council</li> <li>meetings, functions, workshops and other events to which attendance by a Councillor has been requested or approved by Council</li> </ul>
professional development	Means a seminar, conference, training course or other development opportunity relevant to the role of a Councillor or the Mayor
Regulation	Means the Local Government (General) Regulation 2021 (NSW)
year	Means the financial year, that is the 12-month period commencing on 1 July each year

### *Appendix II: Related legislation, guidelines and policies*

- Code of Conduct (adopted by Richmond Valley Council)
- Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW (2009)
- *Local Government Act 1993*, sections 252, 253 and 254
- Local Government (General) Regulation 2021, clauses 217 and 403
- Office of Local Government Circular 09-36 Guidelines for Payment of Expenses and Facilities (2009)
- Office of Local Government Circular 17-17 Councillor Expenses and Facilities Policy – Better Practice Template (2017).

### *Appendix III: Legislative provisions*

#### **Local Government Act 1993**

##### Section 252      Payment of expenses and provision of facilities

- (1) Within the first 12 months of each term of a council, the council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor (if there is one) and the other councillors in relation to discharging the functions of civic office.
- (2) The policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the mayor or a councillor of a facility provided by the council to the mayor or councillor.
- (3) A council must not pay any expenses incurred or to be incurred by, or provide any facilities to, the mayor, the deputy mayor (if there is one) or a councillor otherwise than in accordance with a policy under this section.
- (4) A council may from time to time amend a policy under this section.
- (5) A policy under this section must comply with the provisions of this Act, the regulations and any relevant guidelines issued under section 23A.

##### Section 253      Requirements before policy concerning expenses and facilities can be adopted or amended

- (1) A council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.
- (2) Before adopting or amending the policy, the council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.
- (3) Despite subsections (1) and (2), a council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.
- (5) A council must comply with this section when proposing to adopt a policy in accordance with section 252(1) even if the council proposes to adopt a policy that is the same as its existing policy.

Section 254      Decision to be made in open meeting

The council or a council committee all the members of which are councillors must not close to the public that part of its meeting at which a policy for the payment of expenses or provision of facilities is adopted or amended, or at which any proposal concerning those matters is discussed or considered.

Section 382      Insurance against liability

(1) A council must make arrangements for its adequate insurance against public liability and professional liability.

(2) The regulations may make provision with respect to—

- arrangements for insurance
- minimum amounts of insurance
- risk management
- claims management
- the keeping of records concerning insurance
- other matters concerning insurance.

DRAFT

## Appendix IV: Reporting requirements

### Local Government (General) Regulation 2021

#### Clause 217 Additional information for inclusion in annual report

(1) For the purposes of section 428(4)(b) of the Act, an annual report of a council is to include the following information—

(a) details (including the purpose) of overseas visits undertaken during the year by councillors, council staff or other persons while representing the council (including visits sponsored by other organisations),

(a1) details of the total cost during the year of the payment of the expenses of, and the provision of facilities to, councillors in relation to their civic functions (as paid by the council, reimbursed to the councillor or reconciled with the councillor), including separate details on the total cost of each of the following—

- (i) the provision during the year of dedicated office equipment allocated to councillors on a personal basis, such as laptop computers, mobile telephones and landline telephones and facsimile machines installed in councillors' homes (including equipment and line rental costs and internet access costs but not including call costs),
- (ii) telephone calls made by councillors, including calls made from mobile telephones provided by the council and from landline telephones and facsimile services installed in councillors' homes,
- (iii) the attendance of councillors at conferences and seminars,
- (iiia) the provision of induction training for councillors, supplementary induction training for mayors and professional development programs for mayors and other councillors,
- (iv) other training of mayors and councillors and the provision of skill development for mayors and councillors,
- (v) interstate visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses,
- (vi) overseas visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses,
- (vii) the expenses of any spouse, partner or other person who accompanied a councillor in the performance of his or her civic functions, being expenses payable in accordance with the Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors for Local Councils in NSW prepared by the Secretary from time to time,
- (viii) expenses involved in the provision of care for a child of, or an immediate family member of, a councillor, to allow the councillor to undertake his or her civic functions.

#### Clause 403 Payment of expenses and provision of facilities

(1) A policy under section 252 of the Act must not include any provision enabling a council—

(a) to pay any councillor an allowance in the nature of a general expense allowance, or

(b) to make a motor vehicle owned or leased by the council available for the exclusive or primary use or disposition of a particular councillor other than a mayor.

(2) A policy under the Act, section 252 must provide for the making of payment of expenses associated with carer responsibilities that are adequate or reasonable.

## REVIEW

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

Version	Date	Reason / Comments
1	15 November 2016	Payment of Expenses and Provision of Facilities to Councillors Policy adopted by Council under Resolution Number 151116/8
2	Date	Policy renamed to Councillor Expenses and Facilities Policy. The policy has been amended in line with the Office of Local Government suggested template.

DRAFT



# Concise Investment Report Pack

Richmond Valley Council

1 August 2022 to 31 August 2022



## Contents

1. Portfolio Valuation As At 31 August 2022
2. Portfolio Valuation By Categories As At 31 August 2022
3. Investment Revenue Received For 1 August 2022 to 31 August 2022
4. Comparison of Investment Revenue Earned to Original Budget and Investment Portfolio by Month 2022 - 2023 YTD
5. Environmentally Sustainable Investment Performance Report for the Period Ending 31 August 2022 Relative To 31 July 2022





## 1. Portfolio Valuation As At 31 August 2022

	Fixed Interest Security	Security Rating	ISIN	Face Value Original	Face Value Current	Market Value	% Total Value	Running Yield	Weighted Running Yield
<b>At Call Deposit</b>									
	CBA Business Online Saver Acct RVC At Call	S&P ST A1+		8,300,000.00	8,300,000.00	<b>8,300,000.00</b>	9.86%	1.95%	
	CBA General Fund Bk Acct RVC At Call	S&P ST A1+		3,403,109.25	3,403,109.25	<b>3,403,109.25</b>	4.04%	1.45%	
	CBA Trust Acct RVC At Call	S&P ST A1+		87,050.17	87,050.17	<b>87,050.17</b>	0.10%	0.00%	
	MACQ 940323454 At Call	Moodys A2		10,015,767.62	10,015,767.62	<b>10,015,767.62</b>	11.89%	1.95%	
	NAB Business Cheque Acct RVC At Call	S&P ST A1+		24.70	24.70	<b>24.70</b>	0.00%	0.00%	
				<b>21,805,951.74</b>	<b>21,805,951.74</b>	<b>21,805,951.74</b>	<b>25.90%</b>		<b>0.48%</b>
<b>Floating Rate Note</b>									
	Auswide 0.9 06 Nov 2023 FRN	Moodys Baa2	AU3FN0057352	750,000.00	750,000.00	<b>750,000.00</b>	0.89%	3.16%	
	Auswide 0.6 22 Mar 2024 FRN	Moodys Baa2	AU3FN0059317	1,500,000.00	1,500,000.00	<b>1,500,000.00</b>	1.78%	2.38%	
	MACQ 0.48 09 Dec 2025 FRN	Moodys A2	AU3FN0057709	1,000,390.00	1,000,390.00	<b>1,000,390.00</b>	1.19%	1.96%	
	MYS 0.65 16 Jun 2025 FRN	Moodys Baa2	AU3FN0061024	1,500,000.00	1,500,000.00	<b>1,500,000.00</b>	1.78%	2.39%	
				<b>4,750,390.00</b>	<b>4,750,390.00</b>	<b>4,750,390.00</b>	<b>5.64%</b>		<b>0.56%</b>
<b>Fixed Rate Bond</b>									
	NTTC 1.1 15 Dec 2025 - Issued 10 September	Moodys Aa3		2,000,000.00	2,000,000.00	<b>2,000,000.00</b>	2.38%	1.10%	
				<b>2,000,000.00</b>	<b>2,000,000.00</b>	<b>2,000,000.00</b>	<b>2.38%</b>		<b>0.03%</b>
<b>Unit Trust</b>									
	NSWTC Long Term Growth Fund UT			3,000,000.00	2,872,542.87	<b>2,872,542.87</b>	3.41%		
	NSWTC Medium Term Growth Fund UT			11,005,029.35	11,773,243.67	<b>11,773,243.67</b>	13.98%		
				<b>14,005,029.35</b>	<b>14,645,786.54</b>	<b>14,645,786.54</b>	<b>17.39%</b>		<b>-1.88%</b>





## 1. Portfolio Valuation As At 31 August 2022

Term Deposit								
AMP 3.7 06 Feb 2023 181DAY TD	S&P ST A2	1,000,000.00	1,000,000.00	1,000,000.00	1.19%	3.70%		
AMP 3.65 20 Feb 2023 182DAY TD	S&P ST A2	2,000,000.00	2,000,000.00	2,000,000.00	2.38%	3.65%		
AMP 3.7 27 Feb 2023 182DAY TD	S&P ST A2	1,000,000.00	1,000,000.00	1,000,000.00	1.19%	3.70%		
AUBANK 2.4 19 Sep 2022 61DAY TD	S&P ST A2	2,000,000.00	2,000,000.00	2,000,000.00	2.38%	2.40%		
AUBANK 2.25 11 Nov 2022 184DAY TD	S&P ST A2	2,000,000.00	2,000,000.00	2,000,000.00	2.38%	2.25%		
Auswide 2.95 23 Nov 2022 90DAY TD	Moodys ST P-2	1,000,000.00	1,000,000.00	1,000,000.00	1.19%	2.95%		
Auswide 3.7 23 Feb 2023 182DAY TD	Moodys ST P-2	2,000,000.00	2,000,000.00	2,000,000.00	2.38%	3.70%		
Auswide 3.7 23 Feb 2023 182DAY TD	Moodys ST P-2	2,000,000.00	2,000,000.00	2,000,000.00	2.38%	3.70%		
Auswide 3.7 27 Feb 2023 181DAY TD	Moodys ST P-2	1,000,000.00	1,000,000.00	1,000,000.00	1.19%	3.70%		
CCU 2.05 Sep 2022 90DAY TD	Unrated ST UR	2,000,000.00	2,000,000.00	2,000,000.00	2.38%	2.00%		
CCU 2.45 14 Sep 2022 90DAY TD	Unrated ST UR	2,000,000.00	2,000,000.00	2,000,000.00	2.38%	2.45%		
CACU 2.15 07 Sep 2022 90DAY TD	Unrated ST UR	1,000,000.00	1,000,000.00	1,000,000.00	1.19%	2.15%		
CACU 2.35 17 Nov 2022 184DAY TD	Unrated ST UR	1,000,000.00	1,000,000.00	1,000,000.00	1.19%	2.35%		
JUDO 0.8 01 Sep 2022 365DAY TD	S&P ST A3	1,000,000.00	1,000,000.00	1,000,000.00	1.19%	0.80%		
JUDO 0.85 05 Sep 2022 181DAY TD	S&P ST A3	1,000,000.00	1,000,000.00	1,000,000.00	1.19%	0.85%		
JUDO 2.7 24 Oct 2022 90DAY TD	S&P ST A3	1,000,000.00	1,000,000.00	1,000,000.00	1.19%	2.70%		
JUDO 2.35 08 Nov 2022 180DAY TD	S&P ST A3	2,000,000.00	2,000,000.00	2,000,000.00	2.38%	2.35%		
MACQ 3.2 30 Nov 2022 91DAY TD	Moodys ST P-1	2,000,000.00	2,000,000.00	2,000,000.00	2.38%	3.20%		
ME Bank 0.75 12 Sep 2022 182DAY TD	Moodys ST P-2	1,000,000.00	1,000,000.00	1,000,000.00	1.19%	0.75%		
ME Bank 1.75 24 Oct 2022 180DAY TD	Moodys ST P-2	1,000,000.00	1,000,000.00	1,000,000.00	1.19%	1.75%		
ME Bank 2.45 05 Dec 2022 181DAY TD	Moodys ST P-2	1,000,000.00	1,000,000.00	1,000,000.00	1.19%	2.45%		
ME Bank 3.6 24 Jan 2023 181DAY TD	Moodys ST P-2	2,000,000.00	2,000,000.00	2,000,000.00	2.38%	3.60%		
MYS 2.5 28 Nov 2022 182DAY TD	Moodys ST P-2	1,000,000.00	1,000,000.00	1,000,000.00	1.19%	2.50%		
SCC 1.9 01 Sep 2022 90DAY TD	Unrated ST UR	2,000,000.00	2,000,000.00	2,000,000.00	2.38%	1.90%		
SCC 2.6 19 Sep 2022 90DAY TD	Unrated ST UR	1,000,000.00	1,000,000.00	1,000,000.00	1.19%	2.60%		
SCC 3.28 Nov 2022 90DAY TD	Unrated ST UR	1,000,000.00	1,000,000.00	1,000,000.00	1.19%	3.00%		
SCC 3.28 Nov 2022 91DAY TD	Unrated ST UR	1,000,000.00	1,000,000.00	1,000,000.00	1.19%	3.00%		
SCC 3.28 Nov 2022 91DAY TD	Unrated ST UR	1,000,000.00	1,000,000.00	1,000,000.00	1.19%	3.00%		
TMC 3.27 Sep 2022 91DAY TD	Unrated ST UR	1,000,000.00	1,000,000.00	1,000,000.00	1.19%	3.00%		
Westpac 0.99 26 Sep 2022 182DAY TD	S&P ST A1+	1,000,000.00	1,000,000.00	1,000,000.00	1.19%	0.99%		
		41,000,000.00	41,000,000.00	41,000,000.00	48.69%		1.25%	
<b>Portfolio Total</b>		<b>83,561,371.09</b>	<b>84,202,128.28</b>	<b>84,202,128.28</b>	<b>100%</b>		<b>0.44%</b>	

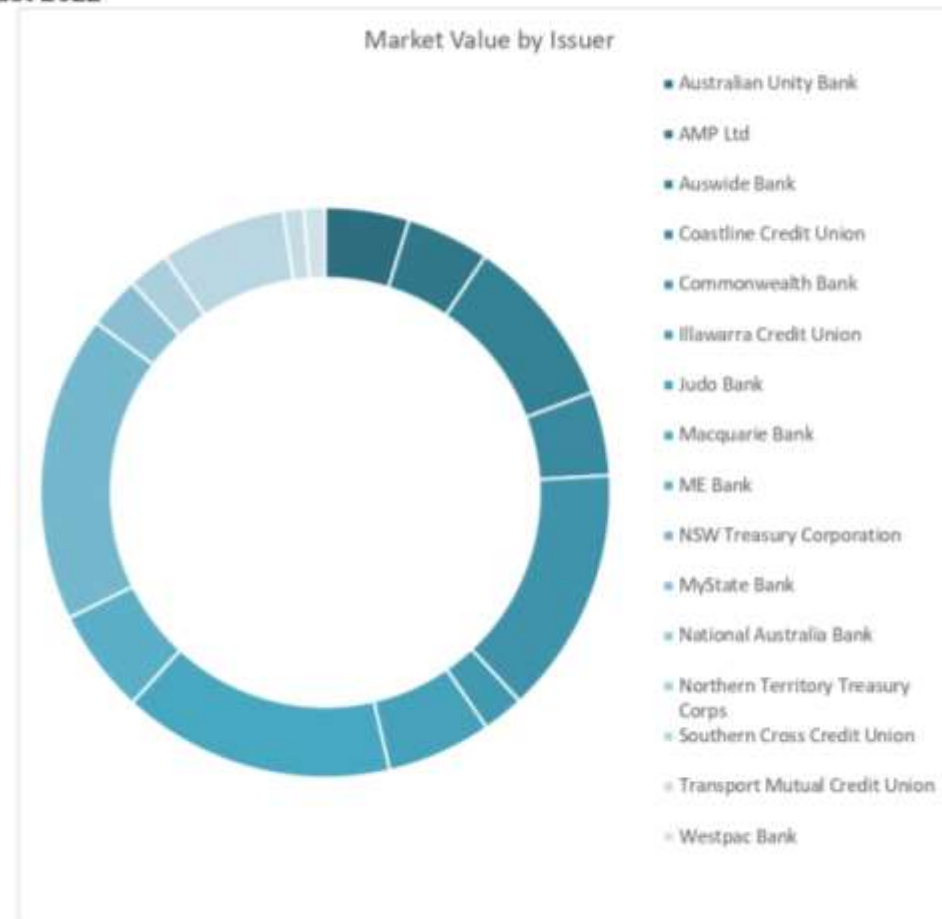
## 2. Portfolio Valuation By Categories As At 31 August 2022

Security Type	Market Value	% Total Value
Fixed Rate Bond	2,000,000.00	2.38%
At Call Deposit	21,805,951.74	25.90%
Term Deposit	41,000,000.00	48.69%
Floating Rate Note	4,750,390.00	5.64%
Unit Trust	14,645,786.54	17.39%
<b>Portfolio Total</b>	<b>84,202,128.28</b>	<b>100.00%</b>



## 2. Portfolio Valuation By Categories As At 31 August 2022

Issuer	Market Value	% Total
AMP Bank Ltd	4,000,000.00	4.75%
Australian Unity Bank	4,000,000.00	4.75%
Auswide Bank Limited	8,250,000.00	9.80%
Coastline Credit Union Ltd	4,000,000.00	4.75%
Commonwealth Bank of Australia Ltd	11,790,159.42	14.00%
Illawarra Credit Union Ltd	2,000,000.00	2.38%
Judo Bank	5,000,000.00	5.94%
Macquarie Bank	13,016,157.62	15.46%
Members Equity Bank Ltd	5,000,000.00	5.94%
MyState Bank Ltd	2,500,000.00	2.97%
National Australia Bank Ltd	24.70	0.00%
Northern Territory Treasury Corporation	2,000,000.00	2.38%
NSW Treasury Corporation	14,645,786.54	17.39%
Southern Cross CU	6,000,000.00	7.13%
Transport Mutual Credit Union Limited	1,000,000.00	1.19%
Westpac Banking Corporation Ltd	1,000,000.00	1.19%
<b>Portfolio Total</b>	<b>84,202,128.28</b>	<b>100.00%</b>





### 3. Investment Revenue Received For 1 August 2022 to 31 August 2022

Security	Issuer	Settlement Date	Face Value (Basis of Interest Calculation)	Consideration Notional	Income Type
Auswide 0.9 06 Nov 2023 FRN	Auswide Bank Limited	8 Aug 2022	750,000.00	3,516.12	Security Coupon Interest
JUDO 0.8 09 Aug 2022 180DAY TD	Judo Bank	9 Aug 2022	1,000,000.00	3,945.21	Security Coupon Interest
CACU 1.65 22 Aug 2022 91DAY TD	Illawarra Credit Union Ltd	22 Aug 2022	1,000,000.00	4,113.70	Security Coupon Interest
CACU 1.65 22 Aug 2022 91DAY TD	Illawarra Credit Union Ltd	22 Aug 2022	1,000,000.00	4,113.70	Security Coupon Interest
CCU 1.65 29 Aug 2022 91DAY TD	Coastline Credit Union Ltd	29 Aug 2022	1,000,000.00	4,113.70	Security Coupon Interest
ME Bank 0.6 29 Aug 2022 182DAY TD	Members Equity Bank Ltd	29 Aug 2022	2,000,000.00	5,983.56	Security Coupon Interest
SCC 1.8 29 Aug 2022 91DAY TD	Southern Cross CU	29 Aug 2022	1,000,000.00	4,487.67	Security Coupon Interest
Auswide 0.7 30 Aug 2022 180DAY TD	Auswide Bank Limited	30 Aug 2022	1,000,000.00	3,452.05	Security Coupon Interest
ME Bank 0.6 30 Aug 2022 180DAY TD	Members Equity Bank Ltd	30 Aug 2022	1,000,000.00	2,958.90	Security Coupon Interest
Auswide 1.85 31 Aug 2022 92DAY TD	Auswide Bank Limited	31 Aug 2022	2,000,000.00	9,326.03	Security Coupon Interest
Other		31 Aug 2022		15,767.62	Bank Interest
Other		31 Aug 2022		12,779.25	Bank Interest
Other		31 Aug 2022		1,122.98	Bank Interest
Other		31 Aug 2022		38.28	Bank Interest
				<b>75,718.77</b>	
Medium Term Growth Fund	NSW Treasury Corporation			(119,227.81)	Fair Value Gain/(Loss)
Long Term Growth Fund	NSW Treasury Corporation			(14,414.56)	Fair Value Gain/(Loss)
				<b>(133,642.37)</b>	
<b>TOTAL</b>				<b>-57,923.60</b>	



4. Comparison of Investment Revenue Earned to Original Budget and Investment Portfolio by Month 2022 - 2023 YTD







## 5. Environmentally Sustainable Investment Performance Report for the Period Ending 31 August 2022 Relative To 31 July 2022

### Portfolio Summary by Fossil Fuel Lending ADIs

ADI Lending Status	% Total	Current Period	% Total	Prior Period
<b>Fossil Fuel Lending ADIs</b>				
AMP Bank Ltd	4.8%	4,000,000.00	0.0%	0.00
Commonwealth Bank of Australia Ltd	14.0%	11,790,159.42	9.9%	7,512,754.43
Macquarie Bank	15.5%	13,016,157.62	14.5%	11,009,869.37
National Australia Bank Ltd	0.0%	24.70	0.0%	24.70
Westpac Banking Corporation Ltd	1.2%	1,000,000.00	1.3%	1,000,000.00
	<b>35.4%</b>	<b>29,806,341.74</b>	<b>25.7%</b>	<b>19,522,648.50</b>
<b>Non Fossil Fuel Lending ADIs</b>				
Australian Unity Bank	4.8%	4,000,000.00	5.3%	4,000,000.00
Auswide Bank Limited	9.8%	8,250,000.00	6.9%	5,250,000.00
Coastline Credit Union Ltd	4.8%	4,000,000.00	6.6%	5,000,000.00
Illawarra Credit Union Ltd	2.4%	2,000,000.00	5.3%	4,000,000.00
Judo Bank	5.9%	5,000,000.00	7.9%	6,000,000.00
Members Equity Bank Ltd	5.9%	5,000,000.00	10.5%	8,000,000.00
MyState Bank Ltd	3.0%	2,500,000.00	3.3%	2,500,000.00
Northern Territory Treasury Corporation	2.4%	2,000,000.00	2.6%	2,000,000.00
NSW Treasury Corporation	17.4%	14,645,786.54	19.4%	14,779,428.91
Southern Cross CU	7.1%	6,000,000.00	5.3%	4,000,000.00
Transport Mutual Credit Union Limited	1.2%	1,000,000.00	1.3%	1,000,000.00
	<b>64.6%</b>	<b>54,395,786.54</b>	<b>74.3%</b>	<b>56,529,428.91</b>
<b>Total Portfolio</b>		<b>84,202,128.28</b>		<b>76,052,077.41</b>

All amounts shown in the table and charts are Current Face Values.

The above percentages are relative to the portfolio total and may be affected by rounding.

A fossil fuel lending ADI appearing in the non-fossil fuel related table will indicate that the portfolio contains a "green bond" issued by that ADI.

### Fossil Fuel vs Non Fossil Fuel Lending ADI



- Fossil Fuel Lending ADIs (35.40%)
- Non Fossil Fuel Lending ADIs (64.60%)





Disclaimer:

Laminar Capital Pty Ltd ABN 33 134 784 740 (AFSL 476686), its officers, employees, agents and associates ("Associates") from time to time hold interests in securities of, or earn brokerage, fees and other benefits from, corporations or investment vehicles referred to in documents provided to clients. All information contained herein is confidential and proprietary to Laminar Capital and, accordingly, this material is not to be reproduced in whole or in part or used for any purpose except as authorised by Laminar Capital. It is to be treated as strictly confidential and not disclosed directly or indirectly to any other person, firm or entity.

Distribution of this information to anyone other than the original recipient and that party's advisers is unauthorised. Any reproduction of these materials, in whole or in part, or the divulgence of any of its contents, without the prior consent of Laminar Capital is prohibited. Any securities recommendation or comments (including an opinion) contained in this document is general advice only and does not take into account your personal objectives, financial situation or needs. Laminar Capital is not acting in a fiduciary capacity. Recommendations or statements of opinion expressed may change without notice. You should not act on a recommendation or statement of opinion without first considering the appropriateness of the general advice to your personal circumstances or consulting your investment advisor to determine whether the recommendation or statement of opinion is appropriate for your investment objectives, financial situation or needs.

Laminar Capital believes that the information contained in this document is accurate when issued. Laminar Capital does not warrant that the information contained herein is accurate, reliable, complete or up-to-date, and, to the fullest extent permitted by law, disclaims all liability of Laminar Capital and its Associates for any loss or damage suffered by any person by reason of the use by that person of, or their reliance on, any information contained in this document or any error or defect in this document, whether arising from the negligence of Laminar Capital or its Associates or otherwise. No action should be taken on the basis of or in reliance on the information, opinions or conclusions contained in this document.

Laminar Capital acts as principal when we buy and sell fixed interest securities in the secondary markets. The yield that we quote to you incorporates any margin that we may receive. The margin is the difference between the price at which we, as principal, buy the security and the price at which we sell the security to you. Laminar Capital may also receive placement fees from Issuers for distributing securities on their behalf.

This document is not, and is not intended to be, an offer or invitation for subscription or sale, or a recommendation, with respect to any securities, nor is it to form the basis of any contract or commitment. This document does not purport to identify the nature of the specific market or other risks associated with these products. Before entering into any transaction in relation to the products, the investor should ensure that it fully understands the terms of the products and the transaction, relevant risk factors, the nature and extent of the investor's risk of loss and the nature of the contractual relationship into which the investor is entering. Prior to investing in these products, an investor should determine, based on its own independent review and such professional advice as it deems appropriate, the economic risks and merits, the legal, tax accounting characteristics and risk, and the consequences of an investment in them. This is not a substantive commentary or analysis by Laminar Capital and has not been prepared as a research product or comments by a research analyst.

LAMINAR CAPITAL PTY LTD  
ACN 134 784 740  
WWW.LAMINARCAPITAL.COM.AU

MELBOURNE OFFICE: LEVEL 5 RIALTO NORTH, 525 COLLINS STREET, MELBOURNE, VIC 3000 T 61 3 9001 6990 F 61 3 9001 6933  
SYDNEY OFFICE: LEVEL 18 ANGEL PLACE, 123 PITT STREET, SYDNEY NSW, 2000 T 61 2 8094 1230  
BRISBANE OFFICE: LEVEL 15 CENTRAL PLAZA 1, 345 QUEEN STREET, BRISBANE QLD, 4000 T 61 7 3123 5370



# Draft North Coast Regional Plan 2041



# SUBMISSION

24 AUGUST 2022





*The 2022 flood has changed the dynamic of the Northern Rivers - and the way we must plan for the future.*

## Executive summary

Richmond Valley Council welcomes the opportunity to comment on the Draft North Coast Regional Plan 2041.

The Richmond Valley is the Northern Rivers' main agricultural hub and an emerging leader in manufacturing, transport/logistics and alternative energy technologies. It is home to 23,500 residents, who value the relaxed and welcoming lifestyle of the Valley, its unique environment and cultural heritage. Our community has a strong connection to the Northern Rivers region and the plans that will shape its future development are of great importance to us – particularly as the region continues to recover from the unprecedented flooding of February/March 2022.

In this regard, Council finds the Draft Regional Plan 2041 disappointing and under-developed. At a time when North Coast communities need a whole-of-government vision for renewal and growth, and clear pathways for strategic investment to achieve this vision, the Draft Plan is largely silent on the role the NSW Government will play to actively shape the future of the Northern Rivers. There is no detail on major infrastructure plans or investment, no vision for the development of essential community services, such as health, aged care and education and no detail on basic considerations, such as where new schools, police stations, or hospital services will be established.

Apart from a series of high-level aspirational statements, the plan largely consists of strategies to guide local planning, on the assumption that influencing the local plans of the 12 councils within the region will somehow deliver a cohesive vision for growth and change.



## Submission: Draft North Coast Regional Plan 2041

This is an unrealistic assumption. The NSW Government needs to take the lead in establishing and delivering regional growth and change, in consultation with North Coast communities. As presented, the Regional Plan fails to achieve this level of leadership.

While the Draft Plan builds on the directions established in the 2036 iteration, it fails to recognise the realities that Northern Rivers communities are now addressing on a daily basis. The catastrophic 2022 floods and the ongoing COVID pandemic have not only changed the face of our region but shifted the dynamics that underpin regional economies and community connections. This is a profound and permanent change - and the way we plan for the future of this region must also change.

If the Northern Rivers is to become a safe and resilient community in the future, we must move away from the historical model of consolidating services in a "regional city" and recognise the strategic significance of emerging centres, such as Casino and Ballina to share and off-set regional risks.

It is disappointing that the Draft Plan once again fails to recognise Casino's role as a strategic centre in the Northern Rivers, despite the NSW Government's current commitment to establish regionally significant industry, investment and accelerated housing development through the Regional Jobs Precinct program. This needs to be urgently addressed. The critical role Casino plays in providing flood-safe land for essential services, industries, retail and housing should be recognised as strategically significant to the region's future with the appropriate designation in the Draft Plan.

Notably, the Draft Plan also excludes the Richmond Valley from the North Coast Urban Development Program. This is despite the significant housing growth envisaged through the Regional Jobs Precinct, the area's capacity to provide flood safe land for development and its approved access to the NSW Regional Housing Fund. Richmond Valley Council has invested in a comprehensive Urban Growth Management Strategy to identify housing opportunities for the next 20 years and is strongly of the view that our local government area should be included in the North Coast Urban Development Program's initial stage, so we can deliver the housing and infrastructure necessary for the Regional Jobs Precinct activation.

Council is also concerned with the limited consultation undertaken with local government and other key stakeholders in developing the Draft Plan, compared to previous iterations of the document. We would welcome the opportunity to undertake further, targeted discussions on the Draft Plan before the document is finalised.





### Creating a vision for renewal and growth

North Coast communities expected that a "Regional Plan" for the next 20 years would bring together various NSW Government strategies and policy directions to create a whole-of-government vision for growth and investment. Instead, the Draft Plan focuses mainly on land-use planning issues at the local scale, without connecting these directions to the regionally significant infrastructure and services required to support them. This was a concern identified in previous iterations of the Plan, but rather than address the issue, the 2041 iteration appears to have devolved into a series of aspirational statements with no clear targets or action plans. It would seem these practical measures are scheduled for future development. At some unspecified time in the future, the Urban Development Program will be established for a limited number of councils (excluding Richmond Valley) and at some future time, sub-regional reviews of housing supply needs and locations will take place. Surely these reviews should have been completed to inform the 2041 Draft Plan and provide clear housing targets for communities.

The Draft Plan is largely silent on the policy direction North Coast communities need in order to plan successfully for well-managed, sustainable growth. Issues such as the NSW Government's future vision for development of health services, aged care and education facilities in the region need to be clarified. How will regional hospitals be developed and expanded over the next 20 years? How does the Government plan to address regional shortages of GPs and other health professionals? How many new schools will be needed to cater for the anticipated growth – and where will they be located? How and where could regional waste facilities be established? How will critical freight routes, State and regional roads be developed in the next 10 years? What is the vision for economic development in the Northern Rivers? And how will the NSW Government lead the response to disaster risk management in the region? None of these questions have been satisfactorily answered in the Draft Plan.

Instead of providing guidance on the "big ticket" items, the Draft Plan focuses on smaller-scale localised solutions, with the assumption that local councils will lead this change. Objective 5 of the Draft Plan largely devolves the responsibility for natural disaster risk management down to councils, although these risks occur at a sub-regional scale. Strategy 6.2 goes further to suggest that councils should use strategic planning and waste management strategies to deal with waste from natural disasters. The 2022 flood produced some 80,000 tonnes of waste in the Richmond Valley – six times the community's annual contribution to landfill. Clearly, this is a problem beyond the scale of local government operations which cannot be addressed through local strategic planning.

In contrast, the Australian Government has recognised the need to take leadership on regional risk management solutions by funding the Northern Rivers Resilience Initiative, to create a regional flood model and flood mitigation measures. This level of leadership needs to be reflected in State responses. The findings of the NSW Independent Flood Inquiry have made it clear that State Government needs to play a stronger role in natural disaster risk management across the regions. The Draft North Coast Plan should be amended to reflect these recommendations.

As presented, the Draft Plan falls significantly short of providing clear direction on what role the NSW Government will play in leading future investment and strategic direction for the North Coast region. It does not clearly delineate who will be responsible for delivering each of the strategies, nor provide any timeframes or parameters for the eight DPE actions and seven state agency collaboration activities



*Despite record flood levels in the region, the Casino CBD experienced only minor flood incursion in the February/March event, with essential businesses re-opened for trade within 24-72 hours.*

### Changing regional dynamics

The catastrophic floods of February/March 2022 have changed the face of the Northern Rivers region and redefined regional dynamics. This disaster has clearly demonstrated the inherent risks of consolidating essential services in a regional city that is vulnerable to repeated natural disasters. Climate change is rendering the old “hub and satellite” planning model redundant. Our recent experience has shown that traditional regional hierarchies fail when the main business district is rendered inoperable through repeated flood devastation and the whole region’s capacity to recover is threatened. The Draft Regional Plan fails to acknowledge these changing dynamics. Instead, it proceeds with the assumption that Lismore will continue to serve as an expanding regional city and that development will continue on lands, such as the CBD and airport precincts, which suffered major devastation in the 2017 and 2022 floods. This is an unrealistic assumption without significant flood mitigation that places lives at risk.

While Lismore will continue to play a significant role in the region, providing health, education and other key services, there is clearly a need to offset flooding risks by strengthening the role of strategic centres such as Ballina and Casino. It should be noted that, despite record flood levels in the region, Casino’s CBD suffered only minor incursion from flood waters in the February/March event, with essential retail re-opening for trade within 24-72 hours. This provided critical support for Lismore residents who were unable to access basic food supply and medical services.

Additionally, the Northern Rivers Livestock Exchange continued to provide services to support animal welfare throughout the flood event and Casino’s direct road links to Grafton enabled early access to essential food supplies and freight when the Pacific Motorway was impassable. Clearly Casino has a critical part to play in anchoring the regional economy and disaster-proofing the Northern Rivers. The Draft Plan should acknowledge and seek to further develop this role, in line with the Regional Jobs Precinct vision by designating Casino as a Strategic Centre.





### Providing realistic housing solutions

Richmond Valley Council supports the Draft Plan's direction to encourage housing diversity, increase infill opportunities and support affordable housing options, however there is some question as to whether the strategies proposed will achieve these outcomes.

The Draft Plan anticipates a minimum 41,300 additional houses will be required on the North Coast over the next 20 years but provides no discussion as to how this figure was determined – noting that current demand is 3,212 dwellings in the past year. The NSW Government's population growth projections have long been a matter of contention with local councils, who are well-placed to monitor emerging local housing trends and actively implement growth strategies within their LGAs. Further consultation between DPE and local government is required to explore anticipated housing demand.

### Urban Development Program

Council believes the proposed Urban Development Program to ensure a 10-year housing pipeline across the North Coast is an appropriate solution, given the current high demand for rental and owner-occupied housing in the region. The COVID tree change exodus from the cities, and the shift to work from home options placed a heavy strain on an already stressed regional housing and rental market in 2020-21 and further decreased affordability. This has been further exacerbated by the 2022 floods, which rendered more than 5000 homes across the region uninhabitable.

In this environment, it is appropriate to set housing targets and actively support appropriate levels of development on suitable land. However, it is also important to ensure that adequate infrastructure is in place to support increased housing development.

Council is greatly concerned that it has been omitted from the initial stage of the North Coast UDP, while neighbouring councils of Byron, Ballina, Tweed and Lismore have been included. Council questions the wisdom of actively supporting further housing development in Lismore – when questions around future flood risk are yet to be resolved – while excluding areas such as Casino, which are actively being developed for industrial and housing growth through the NSW Government's Regional Job Precinct program. The Richmond Valley should be included in the initial stage of the UDP to ensure that this vision can be delivered. Council has already undertaken considerable work, in partnership with Regional NSW, to develop Masterplans and Place Plans for Casino and to prepare a growth management strategy for the entire Richmond Valley LGA. We are in a strong position to progress with sustainable housing development on flood-safe lands within the region and should be included in the UDP as a priority. It should also be noted that Richmond Valley Council is one of five councils on the North Coast identified by the NSW Regional Housing Fund as having a significant role to play in providing new housing supply.

### Providing a range of housing options

Strategy 1.2 of the Draft Plan proposes that local council plans should encourage and facilitate a range of housing options in well located areas. The majority of North Coast councils, including Richmond Valley, would argue that they already do that. However, providing appropriate pathways through the LSPS, LEP and DCP won't, of itself, achieve the housing diversity envisaged. For example, Richmond Valley Council already provides significant opportunity for increased housing density in popular coastal areas, such as Evans Head, but, to date, this opportunity has not been taken up to the full extent by the market.

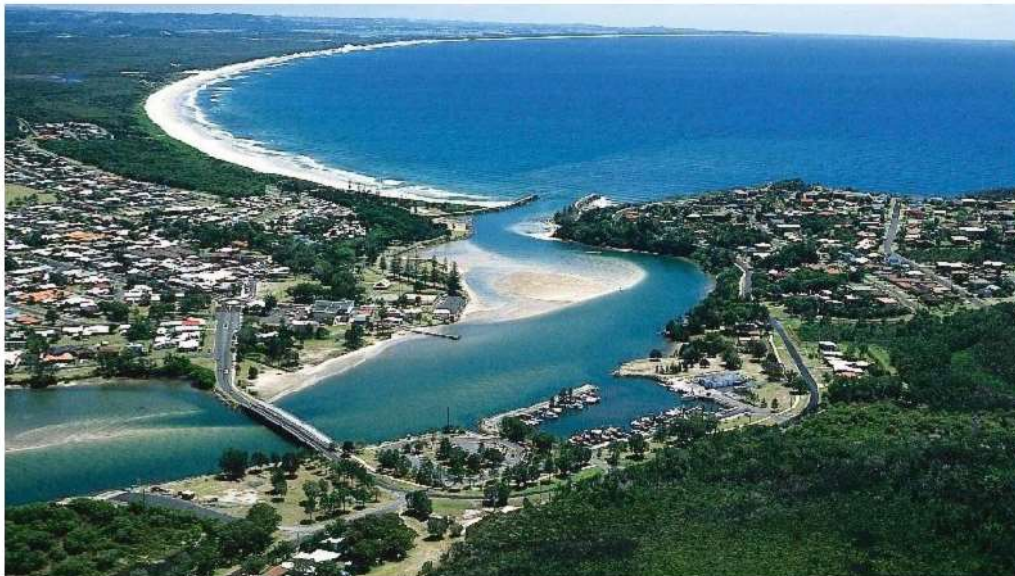




## Submission: Draft North Coast Regional Plan 2041

Although Council has managed to achieve a 47% uptake of medium density/small lot housing across its urban areas (excluding rural residential) there is still considerable unrealised opportunity.

Housing choice is largely market driven and led by major housing suppliers. While ever project home companies continue to flood the market with designs for single dwellings of three or more bedrooms, this will continue to be the dominant housing choice. Local councils are not in a position to negotiate alternative outcomes with major suppliers, who work across regions to achieve economies of scale. The NSW Government needs to take the lead in working with major providers to shift their perspective of market demand and expand the range of housing options on offer through negotiated pilot schemes.



*Coastal communities such as Evans Head are experiencing increasing market demand for housing.*

While the Draft Plan actively promotes the options for smaller homes and increased density of development, it fails to recognise the need to support this shift with access to appropriate services, such as public transport and health care. These services are largely centred in regional cities on the North Coast, where housing prices exclude those who would benefit most from this type of development, such as the elderly, or those with a disability. The assumption that "smaller homes are cheaper" only applies if you are downsizing within the same community.

The Draft Plan needs to provide for aging in place options, where older people can remain connected to their social support networks, while still enjoying access to appropriate services. This can only be achieved by a departure from the city-centric model of planning and an active commitment by the NSW Government to increase public transport and health services for regional towns. Councils play a part in promoting active local transport through developing and implementing Pedestrian Access and Mobility Plans, as funding permits, but larger scale public transport – buses, trains and emerging options, is a matter for State government to lead.

There are also social issues that influence housing choice, particularly for older residents. Some choose larger 3-4 bedroom homes because they believe these are a better investment, if they need to sell the dwelling in future to pay for higher levels of care. Others feel obliged to hold on to larger homes to provide children or grandchildren with an



## Submission: Draft North Coast Regional Plan 2041

inheritance that will allow them to enter an otherwise unaffordable housing market. These broader social issues need to be considered in strategic planning.

Supporting the implementation of mixed-use zones within central business districts may also help to provide more accessible housing options in regional towns, particularly for 1-2 person households. Shop-top housing and apartments have been successfully integrated in other regional centres in NSW and DPE may wish to develop a program to assist local councils with CBD master-planning to achieve these aims.

### Addressing Short-Term Rental Accommodation challenges

Although the Draft Plan addresses housing diversity and growing the visitor economy, it is largely silent on the issue of Short-Term Rental Accommodation (STRA), which is rapidly consuming available housing along the coastal strip. While Council acknowledges the need for a reasonable stock of STRA to support tourism, provide options for seasonal workers and additional emergency accommodation, it is important to strike an appropriate balance between long-term residential rentals and short-term holiday accommodation. Providing a broader range of tourist accommodation on the North Coast, supported by appropriate planning pathways, is a better solution than converting much-needed residential housing stock into STRA. When an appropriate balance is not achieved, communities begin to decline – with a lack of affordable rental housing for families and key workers. Participation in community activities, sporting groups and school enrolments decline and local businesses find it challenging to attract and retain hospitality and support workers when there is insufficient long-term secure housing in a community.

The NSW Government's policy approach to STRA has so far failed to achieve a realistic balance of housing options in popular coastal areas and more direct intervention is required. It should be recognised that the primary purpose of STRA is not residential, and appropriate planning approvals should be required for visitor/holiday accommodation. This would allow local councils to also apply an appropriate rating structure to these properties and support a shift back towards a higher percentage of long-term residential rentals within the market.

### Providing emergency accommodation and disaster-resilient housing.

The Draft Plan identifies the need to provide appropriate accommodation options for seasonal and itinerant workers but fails to acknowledge the need to also provide for emergency housing accommodation in the wake of natural disasters. The Independent Flood Inquiry highlighted the need to be better prepared with a range of support options, including pre-approved emergency housing sites – identified in consultation with local councils – and pre-arranged access to temporary housing infrastructure. Emergency housing needs to be led by State-level reconstruction authorities, but the time to address these needs is not after a major disaster has occurred. Six months after the Northern Rivers flood events, more than 1500 people are still waiting for temporary accommodation options. Planning and support for emergency housing needs to be undertaken as part of natural disaster preparation and the Draft Plan should provide more guidance in this regard. Council notes that the Draft Plan recognises the need to improve the resilience of housing design and promote planning outcomes that reduce exposure to natural hazards. However, the responsibility of carrying out this work seems largely devolved to local government, when it requires an active partnership with all levels of government. Collaborative Activity 1, referencing development of the North Coast Enabling Regional Adaptation report is particularly oblique in explaining the role that the NSW Government intends to play in this space and further detail is required.





## Submission: Draft North Coast Regional Plan 2041

**Where should future development be located?**

The Northern Rivers floods have brought home the harsh realities of living on a coastal flood plain and the challenges communities face in planning where future development should be located. The Draft Plan acknowledges this, but largely leaves it up to local councils to resolve. Given the widespread impacts of flooding on coastal communities it is not practical nor possible to move every home and public building out of the pathway of future floods, but there are a number of strategies that could be employed to reduce future risks including:

- Improving the consistency of flood modelling and risk management planning so that high risk areas are identified and suitable planning controls are set in place for these areas. At present local councils are largely responsible for overseeing this process, with some support from the NSW Government and the Draft Plan continues to devolve this responsibility to the local level. This results in a fragmented model, with each local government area preparing its own risk management plans. In future a regional approach to flood planning and risk mitigation should be considered and embedded in regional planning. The Northern Rivers Resilience Initiative, currently being delivered by the National Resilience Agency and CSIRO, in consultation with the Northern Rivers community, may provide a model that can be applied in future.
- Improving the information that purchasers receive when they buy a house, to encourage informed decisions on risk management. Under the provisions of the *Environmental Planning and Assessment Act 1979*, prospective home purchasers apply to local councils for a Section 10.7 certificate, which shows the zoning of the property, its relevant state, regional and local planning controls and other property constraints such as land contamination, relevant flood planning controls and bushfire prone land. While this information, along with additional requirements to be introduced from 1 October 2022, should assist purchasers to make informed decisions about whether to buy a particular property, it would appear that in many cases the information is either disregarded or misunderstood. To help purchases make informed choices about flood risk, the Department of Planning and Environment should work with local councils to consider other ways to present this information in a user-friendly format.
- Providing house raising and buy-back schemes for flood-affected properties. This is a complex issue that should not be addressed on a local basis. A regional approach, as recommended by the Independent Flood Inquiry, is required to ensure consistency and sufficient resourcing.



### Valuing agricultural lands

The Draft Plan rightly acknowledges the importance of supporting the productivity of agricultural land. Agriculture underpins the regional economy and there is a strong future in developing value-add opportunities such as food manufacturing, agri-tourism and agri-tech industries. The Richmond Valley Regional Jobs Precinct will provide an important catalyst for further developing these industries, whilst continuing to support the region's largest meat processing and saleyards facilities. In this regard, it is disappointing that Objective 14 of the Draft Plan, which aims to deliver new industries to the region, makes no reference to the Richmond Valley Regional Jobs precinct.

Another notable omission is reference to the North Coast sugar industry. While the Draft Plan provides discussion on the value of the berry industry, beef and dairy production and emerging agricultural industries, it fails to mention the significant role of sugar production, processing and associated industries in the North Coast regional economy. A recent economic impact statement, commissioned by Richmond Valley Council in response to the February/March flood event, identified the regional significance of the industry, providing annual cane production in excess of \$1.7m tonnes and more than 1800 direct local jobs. The significance of sugar production and processing on the North Coast should be acknowledged in the Draft Plan.

While Council supports the need to protect agricultural production it also acknowledges the need to achieve an appropriate balance between agricultural enterprise and increasing demand for residential and commercial lands in the Northern Rivers. In this regard, the process of identifying and protecting Important Agricultural Land needs to be robust and reliable, with mapping at sufficient scale and accuracy to support informed decisions. A comprehensive review of existing Important Agricultural Lands on the North Coast should be undertaken as a priority, to ensure this level of confidence. The Draft Plan acknowledges that not all mapped important farmland may be suitable for agricultural production, for various reasons. Where this farmland adjoins residential or industrial areas, a realistic assessment of potential productivity is particularly important. The Urban Growth Area Variation Principles go some way towards achieving this but rely heavily on the accuracy of the farmland mapping. Maintaining appropriate buffers between residential and commercial





## Submission: Draft North Coast Regional Plan 2041

development and agricultural production will also be essential to reduce future land use conflicts. In this regard, Council supports the Draft Plan's strategy to ensure that future rural residential development is carefully planned and managed.

The Draft Plan should also give consideration to options for incentivizing development of farmlands currently within the urban growth boundaries. For example, Casino has parcels of privately-owned land within the identified urban growth area that have full access to services but are currently not being developed for residential purposes. The Draft Plan provides no consideration as to how private land-owners can be encouraged and supported to activate appropriately located lands to deliver more housing in identified urban areas. This is largely not a matter for local government to address. It requires a regional approach and may be an appropriate focus for the Housing Taskforce.

### **Strengthening regional transport links**

The Draft Plan focuses strongly on the role of the Pacific Motorway in linking coastal communities and Southern Queensland but provides only tacit acknowledgement of the need to strengthen east-west connections across the region. Neither does it acknowledge the vital role of regional roads in supporting freight movements for agricultural and manufacturing industries. There is limited reference to other north-south connections to Queensland, such as the Summerland Way (which was also missed as an intra-regional connection between Casino and Grafton in Figure 8) and the need to invest in further development of these important transport routes.

Additionally, while the role of the Bruxner Highway is acknowledged, the Draft Plan is silent on the emerging significance of regional connections such as MR145, the Woodburn-Casino Road in providing critical freight links from inland centres to the Pacific Highway. Neither does the Draft Plan consider the movement of freight within the North Coast region. There is an assumption that everything travels along major road or rail connections to Queensland and beyond, but no recognition that a considerable part of the production and value-add process occurs within the confines of the region. This is particularly relevant for the beef, dairy, tea tree and sugar industries, where regional roads play a significant role in supporting the transport of stock, milk and harvested materials to processing facilities within the Northern Rivers (such as the Casino Food Co-op and Sunshine Sugar Mill) before the final product is shipped to external markets. The value of these regional roads and bridges, and the need to increase government investment in their maintenance and renewal, should be highlighted in the Draft Plan.





Richmond Valley Council's \$14million NRLX redevelopment has positioned the facility as the leading livestock exchange in Northern NSW

### Richmond Valley narrative

While Council acknowledges the value of providing narrative on each local government area within the North Coast Draft Plan, the local narratives provided are cursory and lacking in essential detail. The following comments are provided on the Richmond Valley narrative:

- The narrative includes a photo of the Casino livestock saleyard that is more than five years out of date. Richmond Valley Council has since invested over \$14 million in a comprehensive upgrade of this facility, to position it as the leading livestock exchange in Northern NSW. This achievement should be acknowledged in the narrative by providing a current photograph of this modern facility and appropriate commentary on its significance.
- The liveable and resilient strategies include water security but fail to highlight the importance of maintaining the water quality of the Richmond River and the health of the Richmond River catchment.
- The map on Pg 133 does not include the entire Richmond Valley LGA. Southern settlements such as Whiporie are omitted.
- The map also continues to mis-name urban investigation land at North Casino as Nammoona. This is incorrect. The land should be designated as North Casino.
- New zoned land at South Casino is missing from Urban Growth Boundary
- Industrial land at Coraki Quarry is missing from map
- Council has prepared the *Rebuilding the Richmond Valley – Recovery Plan 2022-25* which sets our vision to help restore the Richmond Valley and build back better and stronger so we are ready to face the next challenge and embrace future opportunities. It is available at [www.richmondvalley.nsw.gov.au](http://www.richmondvalley.nsw.gov.au)



Client: BOGAL LALC  
Project: BOX RIDGE ROAD SUBDIVISION  
LOT 316 DP 755361  
BOX RIDGE ROAD, CORAKI  
Drawing Title: ROAD RESERVE AREA PLAN

Revision  
A



## Council Policy



<b>Policy Title:</b>	<b>Asset Management Policy</b>
<b>Policy Number:</b>	11.01
<b>Focus Area:</b>	Manage community resources and provide great service
<b>Responsibility:</b>	Asset Planning
<b>Meeting Adopted:</b>	Date of Council Meeting – Resolution Number

### OBJECTIVE

The Asset Management Policy supports Council's vision and strategic objectives, sets guidelines for implementing consistent asset management processes throughout the local government area to manage assets so they provide the appropriate level of service to meet the community's needs and expectations in a financially sustainable manner.

Council takes a whole of life approach to asset management, recognising that assets must be planned, provided, maintained and renewed so that they continue to meet the service delivery needs of the community, within the context of providing best value to the community.

This is achieved by ensuring that Council has the information, knowledge and understanding of long-term risk of managing public infrastructure.

The Asset Management policy links with the IP&R planning framework and supports the development of the Asset Management Strategy and specific Asset Management Plan(s).

### SCOPE

This policy applies to all infrastructure related service provision such as road and transport, storm water drainage infrastructure, water and sewerage infrastructure, Council owned or managed buildings and facilities, land improvements, parks and open spaces including recreational assets.

### POLICY

The *Local Government Act 1993* and the Local Government (General) Regulation 2021 defines Council statutory obligations through Integrated Planning and Reporting requirements to account for and plan for all existing assets under its ownership, and any new assets proposed in its Community Strategic Plan, Delivery Program and associated Resourcing Strategy.

Richmond Valley Council must:

- Prepare an Asset Management Strategy and individual Asset Management Plan(s) for each class of assets that support the Community Strategic Plan and Delivery Program.
- Ensure that the Asset Management Strategy and Plan(s) cover a minimum timeframe of 10 years.
- Ensure that the Asset Management Strategy includes an overarching Council endorsed Asset Management Policy.
- Ensure that the Asset Management Strategy identifies assets that are critical to operations and outline risk management strategies for these assets.

- Ensure that the Asset Management Strategy includes specific actions required to improve Council's asset management capability and projected resource requirements and timeframes.
- Ensure Asset Management Plan(s) encompass all assets under Council's control and must identify asset service standards.
- Ensure the Asset Management Plan(s) contain long-term projections of asset maintenance, rehabilitation and replacement, including forecast costs (for reflection in the Long-Term Financial Plan).

Figure 1 below shows the planning components that frame the Asset Management requirements as part of the IP&R planning framework.



Figure 1 - Planning components that frame the Asset Management requirement.

In 2022 Council was undertaking community consultation to develop a new Community Strategic Plan 2040 to replace the Richmond Valley Made 2030 - Community Strategic Plan. During this process in February and March of 2022, the local government area was affected by two major flood events with an estimated damage to infrastructure assets of over \$150 million. In response Council delayed finalisation of the Community Strategic Plan and developed a strategic recovery plan 'Rebuilding the Richmond Valley' with key focus areas on rebuilding and the restoration of essential and community infrastructure assets. This plan will guide Council's strategic direction for the 2022-23 financial year, until the revised Community Strategic Plan 2040 is completed. At this time the Asset Management Policy will be revised.

### Policy Principles

Council's Asset Management policy is based on the following principles to guide a systematic asset management methodology across all areas of Council. They are:

- All legislative requirements and asset management principles to be integrated with existing planning and operating processes.
- Take a lifecycle approach – apply a whole of life methodology for managing infrastructure assets including planning, acquisition, operation, maintenance, renewal and disposal.
- Best value – balance financial, environmental and social aspects to achieve best value.
- Decision support systems and knowledge – core systems will include up to date infrastructure asset information to inform decisions.
- Inspection regime to be used as part of asset management to ensure service levels are maintained and to identify asset renewal priorities.
- Continuous improvement of asset management practices.
- Regardless of service levels, implemented service levels and renewals will be based on adopted budget estimates.
- Funding asset renewals are to be identified in Asset Management Plan(s) and long-term financial plans will be considered in the annual budget process.
- Change or future service levels will be determined in consultation with the community.
- Manage risks associated with infrastructure assets.
- The General Manager has the authority to transfer funds from operation/maintenance program to a capital works program preceding a quarterly budget review (or vice versa) as long as the transfer is within the already established overall program budget.

### REFERENCES

1. *Local Government Act 1993*
2. *Local Government (General) Regulation 2021*
3. *Integrated Planning and Reporting Guidelines for Local Government in NSW*
4. *ISO 55001 Asset Management Quality Systems*

### REVIEW

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

Version Number	Date	Reason / Comments
1	2008	New policy
2	14/07/2015	Review
3	16/02/2021	Review
4	Date	Update from Operational Policy to Council Policy. Review to incorporate legislative changes and alignment with delivery plans, Strategic Asset Management Strategy and Asset Management Plan(s).





# Richmond Valley Council

Asset Management Strategy 2022-2032





## Contents

Executive Summary .....	2
Introduction .....	3
Background .....	3
Purpose and Objective .....	4
Asset Management Planning Process .....	4
Compliance and Integrating Strategic Asset Management Planning with Financial Planning and Community Planning .....	6
Asset Management at Council .....	7
Whole-of-life asset management .....	7
New asset pathway planning .....	7
Routine operations and maintenance for assets .....	8
Asset renewal/upgrade pathway .....	9
Disposal of assets pathway .....	9
Critical Assets and Risk Management Strategies .....	10
Asset Management Structure .....	11
Asset Management Steering Committee .....	12
Status of Councils Assets - Where are we now? .....	13
Infrastructure assets .....	13
Condition of assets .....	14
Financial health of assets .....	15
Future Direction – Where do we want to be? .....	18
Council's Vision, Mission, Goals and Objectives .....	18
Asset Management Policy .....	18
Asset Management Vision .....	19
How Will We Get There? .....	20
Financial value and funding allocation methodology .....	21
Future Asset Renewal Profile .....	21
Reporting and Monitoring of Performance and Review of the Plan .....	22
Measures and Targets .....	23
Asset Management Improvement Plan .....	23
Appendix A – 10 Year projected infrastructure expenditure .....	25



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.

## Executive Summary

Richmond Valley Council is responsible for Infrastructure, Property, Plant and Equipment assets with a total replacement value of \$1.06 billion<sup>1</sup>. These assets assist Council to deliver services to the community and provide personal and economic benefits for the area. Council is required to make decisions on where to allocate money and resources to provide and maintain assets delivering the services required. The demand for services has always been greater than the funds to provide services, and a constant process of evaluation is required to meet core service standards balanced with community needs and expectations.

This strategy is prepared to assist Council in meeting the guiding principles outlined in Section 8 of the *Local Government Act 1993* for planning strategically, using the integrated planning and reporting framework to build strong, healthy and prosperous communities. Council's legislative requirement provides accountability for planning of existing and future infrastructure assets within its Community Strategic Plan, Delivery Programs, and associated Resourcing Strategy in consultation with the community.

The asset management strategy is to enable Council to show:

- The "whole of organisation" view and current state of assets underpinning Council services identifying capital investment, asset retention and disposal implications identified from the asset planning process;
- The integration of Council's asset management with Council's vision, strategic objectives and long term strategic plan;
- The delivery of services to meet the diverse needs of the local community incorporating the future planning of long term and identification of cumulative effects of actions on future generations;
- How its assets will meet the service delivery needs of its community and;
- The framework to guide the continuous improvement and maintenance of asset management practices.

The Asset Management Strategy collates information and recommendations relating to individual assets within categories with the aim to improve suitability and sufficiency, fitness for purpose and value for money, as well as achieving the Council's core aims.

The strategy also outlines an asset management improvement plan detailing a program of tasks to be completed, and resources required to bring Council to a minimum 'core' level of asset serviceability conditions with a focus on 'whole of life' asset management foundations.



<sup>1</sup> Not including non-infrastructure assets such as information, communication and technology assets, fleet, plant and equipment.

## Introduction

### Background

The Richmond Valley Council area covers 3,050km<sup>2</sup> and extends from the coastline at Evans Head to the foothills of the Great Dividing Range to the west interspersed with state forests, national parks and nature reserves, also containing both urban and rural communities.

The largest township is Casino which is centrally located between a series of other regional towns including Lismore, Ballina and Grafton. Richmond Valley includes smaller surrounding communities including (in descending order of population) Evans Head, Coraki, Woodburn, Broadwater, Rappville, Rileys Hill and Whiporie with a total estimated resident population (ERP) in 2019 of 23,465<sup>2</sup>. Richmond Valley is traversed by 4 major transport arterials comprising: The Pacific Highway, Summerland Way and North Coast Rail Line, providing direct access to South East Queensland; and the Bruxner Highway providing east-west connectivity from the coast to the New England Tablelands. Major airports are located at Ballina, Coolangatta and Brisbane.

Historically, population growth for the area is strongly influenced by residential projects rather than a demand of people moving into the area. Covid-19 pandemic resulted in a higher than predicted growth across regional areas in Australia including Richmond Valley. Casino was identified as a Regional Jobs Growth Precinct in early 2021 enabling a range of improvements to boost investment and employment opportunities. This requires a major overhaul of urban footprint and infrastructure to meet the housing needs of the growing workforce into the future. The draft Growth Management Strategy predicts a consistent population growth rates of 1-1.6% per annum over the next 20 years. This results in an increased demand and management of public infrastructure to support the growing local economy, housing market, natural environment, community-based facilities and associated public infrastructure services.



Figure 1: Map showing Richmond Valley Local Government Area

<sup>2</sup> (source: id Community/Richmond Valley Council)



## Purpose and Objective

The purpose of the Asset Management Strategy is to define and document the necessary approaches to be undertaken to achieve the implementation of Council's Asset Management Policy.

The Strategy's objective is to establish a framework to guide the planning, construction, maintenance and operation of the infrastructure essential for providing services to the community.

## Asset Management Planning Process

Asset management planning is a comprehensive process aimed at ensuring assets are managed and maintained in a way that enables affordable services to be provided in an economically optimal way. Service levels are determined by an assessment of Council's financial sustainability balanced with priorities and community demands.

Asset management planning process commences with defining stakeholder needs and Council's legislative obligations, incorporating into Council's Community Strategic Plan. This is reflected in Council's Asset Management Policy, Asset Management Strategy, Asset Management Plan(s) and operational/delivery plans, which are linked to the Long-Term Financial Plan and Resourcing strategies.

The broad aims of the asset management process include:

- provision of value for money in the delivery of services;
- provision of services in line with community desires and expectations;
- accountability for the use of scarce resources; and
- demonstrate responsible and responsive asset management practices.

The asset management planning process and its relationship to Council's organisational process is shown in Figure 2.



Figure 2: Asset management planning process

The **Asset Management Policy** delivers the legislative requirements, principles and guidelines and sets the framework of asset management linking the asset management strategy and plans to the Community Strategic Plan, Long Term Financial Plan and Resource Strategy.

The **Asset Management Strategy** provides a “whole of organisation” view of assets in a strategic document that identifies the capital investment, asset retention and disposal implications identified from the asset planning process as outlined in individual Asset Management Plan(s).

The Asset Management Strategy document is aimed at:

- Maximising the service potential of existing assets by ensuring they are appropriately used and maintained;
- Reducing the demand for new assets through demand management techniques and consideration of alternative service delivery options;
- Achieving greater value for money through a rigorous management and evaluation process which takes into account life cycle costing, value management techniques and partnerships with the Government and Private Sectors;
- Eliminating unnecessary acquisition and holding of assets by ensuring the community are aware of the full costs of holding and using assets; and
- Focusing attention on results by clearly assigning responsibility, accountability and reporting requirements in relation to asset management.

The **Asset Management Plan(s)** outline actions and resources to provide a defined level of service in the individual asset category which forms the basis of the Asset Management Strategy. The asset management plans ensure Council meets community expectations, strategic and corporate goals, and legislative requirements and in accordance with recognised best practice.

Asset Management Plan(s) are developed for each category of asset outlined in the asset management framework which is inclusive of all infrastructure assets under its control. This includes: Roads and Transport, Water Network, Sewerage Network, Land Building and Open Space, and Stormwater Drainage. The supporting information to justify the Asset Management Strategy recommendations are discussed in depth in the individual category Asset Management Plan(s) supporting the asset management policy, objectives and the processes that enable achieving Councils objectives.

The Asset Management Plan(s) achieves these aims by:

- Clarifying the asset profile of Council;
- Encouraging and supporting discussion on asset management issues;
- Providing a review of the current asset mix;
- Identifying ideal asset mixes that support Council's strategic direction;
- Identify opportunities to alter or combine services delivered by assets;
- Identify the appropriate level of operational performance for assets new and existing;
- Identifies assets for disposal that are surplus to the Council's requirements;
- Addresses asset issues with high levels of community interest;
- Detailing the appropriate condition of physical assets to meet service delivery objectives.

The Asset Management Plan(s) contain:

- A description of the asset (physical details and financial information)
- The objective / purpose of the asset (or each key component of it)
- The service levels we currently deliver and future changes if applicable
- Forecasted future demand requirements for service delivery
- The risks associated with each asset



- The (expected) lifecycle of the asset
- Financial information
- Improvement, maintenance, renewal and disposal program
- Key performance measures
- Annual review cycle.

The level of detail within each individual plan is dependent on the scope and size of the assets contained within the plan. These plans are practical documents that are designed to be easily understood and updated by asset managers. The plan(s) provide the detail to inform the Asset Management Strategy and are modelled on the International Infrastructure Management, ISO 55001, Asset Management and Financial guidelines.

Maintenance is targeted and prioritised to meet level of services and ensure our assets work for the customers and staff who use them, that they are safe, secure, and accessible for the life of the asset.

Annual reviews and infrastructure revaluations are carried out to maximise the benefits that our assets deliver to the community.



### **Compliance and Integrating Strategic Asset Management Planning with Financial Planning and Community Planning**

This Asset Management Strategy supports the guidelines of Section 403 of the *Local Government Act 1993 Act* for regulated planning and reporting. This ensures compliance with the Integrated Planning and Reporting framework incorporating Asset Management Planning being one of the inter-related elements of the Resourcing Strategy. The Asset Management Strategy is supported by Council's Asset Management Policy and individual operational Asset Management Plan(s).

The Asset Management Strategy and individual Asset Management Plan(s) are required to be reviewed every four (4) years in alignment with the Integrated Planning and Reporting Framework planning cycle, ensuring they provide a useful and up-to-date management tool and reference document during the elected term of Council. The review of plan(s) will include changes in objectives, policies, service levels, systems, technology and any other relevant amendment including any references to changes in community expectations.



## Asset Management at Council

### Whole-of-life asset management

Richmond Valley Council has undertaken asset management planning initially to meet legislative requirements and to provide a base for developing a long-term financial plan as required by the Integrated Planning and Reporting Framework. The approach is referred to as “core” asset management and provides basic asset management. Over time Council has worked towards modification of asset management plans through a cycle of continuous improvement that will support the changing needs of Council.

Council has programmed actions that demonstrate progress towards sustainability of assets in a whole-of-life approach. This includes the social, economic and environmental needs of the community are provided at the least cost, risk and impact in a sound governance and decision-making framework.

Considering whole-of-life costing enables informed decision making from the outset, and often leads to a more comprehensive assessment of value for money. It provides a strategic and analytical approach to managing Council’s assets in a sustainable manner.

Incorporating whole-of-life management requires Council to integrate its strategic asset planning with its financial planning to ensure financial sustainability now and into the future.

Council is maintaining dialogue with the community through the process involved with the Integrated Planning and Reporting Framework. Council reviews service levels and revenue required to provide assets that are acceptable to the Community and remain fit for purpose.

The whole-of-life asset costing methodology is referred to total cost of ownership over the entire life of an asset. It estimates accumulated cost of acquisition, operation, maintenance support and disposal or decommissioning the asset (less any income or revenue received) as shown in Figure 3 below.

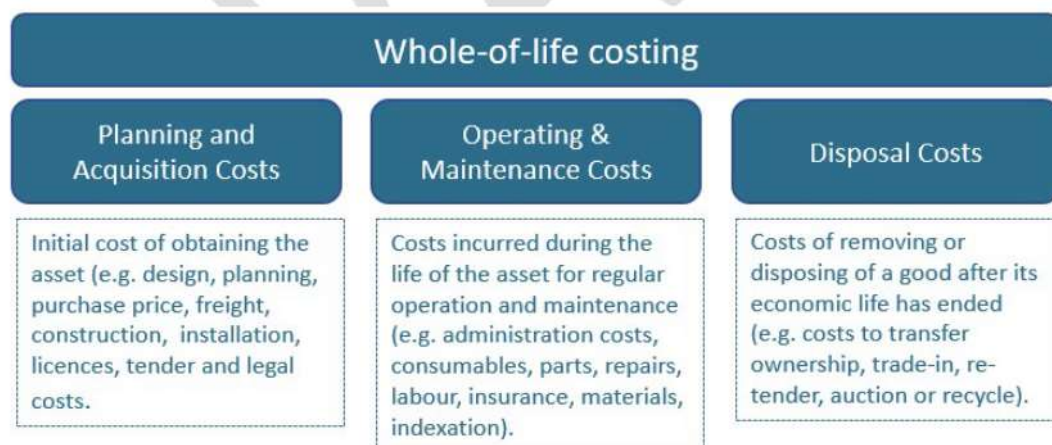


Figure 3 - Whole-of-Life costing elements

### New asset pathway planning

Planning is the first stage of an assets life-cycle when creating new assets that previously did not exist. This process of planning includes new assets created by Council in response to demand, community expectations and future planning, as well as assets created by external private and government agencies that hand over assets at final construction phase.

The planning process considers:

- Do we need the asset?
- Can we afford it?
- Does the asset provide the best value for the community?

The initial planning phase needs to ensure an asset whole-of-life cost evaluation is conducted to recognise the full cost of the asset incorporated into the long term financial plan. This first stage of an asset life cycle is crucial for all stakeholders, from financial teams, asset planning, maintenance operators and the community. The decision to acquire an asset relies on the asset fitting a need to service the community and contributing to Council's operational and financial framework.

The pathway for new asset acquisition is driven from community expectations formulated into Council's Community Strategic Plan. This plan sets community priorities for growth linked to future services and facilities.

New assets are created through various avenues and points of time including urban land release and development, additional supporting infrastructure to support imposing an additional load on existing infrastructure, realisation of development contribution funding allocation, and Council plans and strategies as shown in Figure 4. Masterplans and concept designs provide aspirational ideas and are not a commitment for construction and implementation to the community. Grant funding opportunities should only be realised upon a full asset evaluation based on the whole-of-life evaluation module.



Figure 4 - New asset creation pathway

### **Routine operations and maintenance for assets**

This stage involves any maintenance and repair that may be needed on an asset. During operational activities assets are regularly monitored and checked for any performance issues that could unexpectedly develop and maintenance activities are actioned to prevent any unexpected failures. Expenditure has no effect on asset condition but is necessary to keep the asset appropriately utilised. Asset maintenance is the day-to-day work required to keep maintaining the asset condition rating to continue to operate at the required service levels.



***Asset renewal/upgrade pathway.***

Asset renewal or upgrade stage is the substantial replacement of an asset or a significant asset component to its original size and capacity. Even with good maintenance, assets may deteriorate well before reaching the end of their useful life dependent upon many factors, such as ground conditions and the environment. The upgrade of an asset is related to the extension of an asset or an increase of capacity in response to growth or an increase in the defined levels of service.

Preferred asset condition directly linked to service levels has undertaken community engagement and consultation and will continue to be monitored against Council's asset base. The agreed conditions and levels of service are reflected and through capital improvement, renewals and maintenance activities with allocated funding contained in the Long-Term Financial Plan. Financial constraints limit the ability of Council to deliver all the desired services through current asset management practices.

Actions are identified to bring all Council assets up to the minimum standard required by legislation for each area or activity, including gaps in knowledge, and the need to fund the estimated cost of achieving satisfactory levels of service consistent with community expectations.

***Disposal of assets pathway.***

Finally, at the end of an asset's useful life, it is removed from service and either sold, repurposed, thrown away, or recycled. The useful life is to be evaluated and determined at the asset revaluation stage or in the event of an unplanned failure. Critical assets and assets nearing the end of life should be reviewed annually.

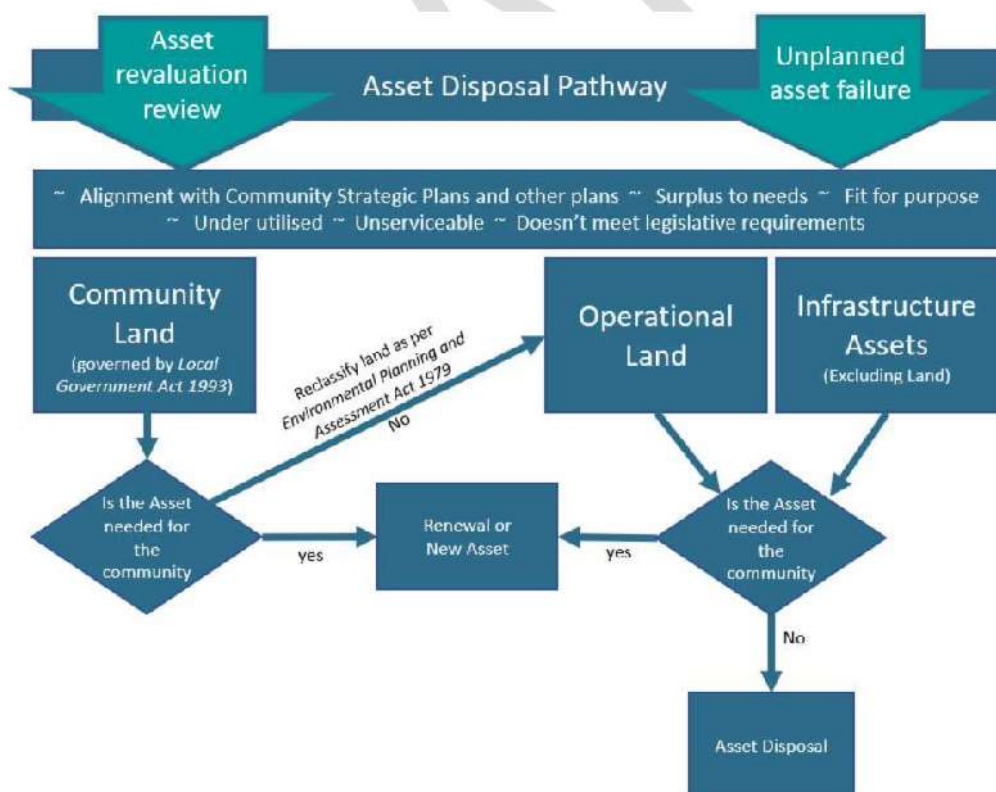


Figure 5 Asset disposal pathway

The underpinning evaluation process for asset disposal considers if the asset:

- has reached the end of its useful life,
- is surplus to requirements,
- has an unplanned asset failure,
- is under-utilised,
- is not fit for purpose,
- is unserviceable, or unsafe or
- does not meet legislative requirements.

An asset at the end of its useful life may have no business value however it will still need to be disposed of efficiently to ensure it does not harm the environment.

If there is a community or operational need for the asset, a replacement is planned through renewal/upgrade or via the new asset pathway and the asset life cycle begins again.

The disposal of real property assets (eg land) is governed by the *Local Government Act 1993* and Local Government (General) Regulations 2021. All sales must be determined by a resolution of Council and cannot be delegated.



### Critical Assets and Risk Management Strategies

All assets identified pose a risk to Council operations should they fail. Strategies to minimise the risk including Council maintaining assets at a level that only require operational maintenance or above to sustain serviceability. Assets nearing the end of their useful life requiring renewal or replacement pose a risk to Council being able to continue the service provided for by the asset.

Council has identified the most critical infrastructure including;

- Water treatment plants and pumping stations.
- Sewerage treatment plants and pumping stations.
- Main pipelines for water and sewerage connecting major infrastructure, e.g. pump stations to treatment plants.
- State, regional, arterial, and collector loop roads which includes any infrastructure such as bridges and culverts structures located on these roads.

The consequences of asset failure can have implications on many areas as identified in Councils' Enterprise Risk Management Framework.

Relative to infrastructure, Richmond Valley acknowledges its responsibility under the *Local Government Act 1993* to act as a faithful steward of community assets and infrastructure. Although Council is open to exploring new technologies, construction techniques and designs, it will also be diligent in ensuring that infrastructure is safe, fit for purpose, sustainable and affordable for our community.



The Enterprise Risk Management Framework identifies:

- Our Operating Environment
- Our Stakeholders
- The Key Risk Areas of Council
- Risk Appetite Statements
- Risk Management Foundations
- Risk Management Processes
- The Roles and Responsibilities within Council and;
- How we Measure Success in Risk Management at Richmond Valley.

Further, the individual asset management plan(s) have identified risks by considering issues relevant to the location, level of service and condition of specific infrastructure categories. Issues are looked at in relation to critical assets with a high consequence of failure rather than just a high probability of failure.



### Asset Management Structure

The organisational structure of Council includes Asset Planning for infrastructure assets within the Project and Business Development directorate of Council. Within the directorate lies a combination of Asset Management & GIS which perform all the strategic planning and maintenance of the asset inventory including condition and financial information.

The operational and scheduled maintenance for Council's assets resides within the Community Service Delivery Directorate of Council.

Council is undertaking a redevelopment of Asset Management Policy, Strategy and Plans for all infrastructure groups to ensure Council assets are planned and managed whilst informing the Long Term Financial Plan. Council's Assets Management Policy, Strategy and Plans(s) will be adopted within 2022/23.

Council nominated an Asset Management Steering Committee that will ensure that projects and initiatives meet Council's strategic objectives. A review of the committee members,

meeting frequency and agenda is currently underway to ensure that the committee is in the best position to manage the direction of Asset Management within Council.

### **Asset Management Steering Committee**

The primary function of the Asset Management Steering Committee is to take responsibility for determining the program, governance, and the achievement of outcomes of infrastructure management activities.

The Asset Management Steering Committee provides operational assistance and professional input to the management of assets that Council owns or is custodian of.

The committee seeks to ensure that:

- The principles and standards of “Best Practice” asset management are applied appropriately and in a uniform manner.
- The appropriate operational mechanisms are in place for the effective engagement of the different internal and external stakeholders with interests in Council’s asset management practices.
- Corporate governance and risk management policies, procedures and guidelines are applied consistently to the management of Council’s assets.
- Organisational confidence in data quality and subsequent information is built and maintained at an acceptable level.
- Overseeing the asset revaluation process. This includes determining methodologies for the condition assessment process of assets as well as determining unit rates, design lives and valuation methodologies.

The Asset Management Steering Committee responsibility is owned and coordinated by the Manager of Asset Planning and shall comprise of key staff throughout the organisation from asset planning, project management, infrastructure services, infrastructure engineers, strategy and finance.

The Committee shall conduct following reviews:

- Policies, Procedures and Guidelines related to the management of Council’s assets.
- Council’s Asset Management plan(s) to ensure currency and completeness of information.
- Review capital works and delivery programs which directly relate to the long term financial plan.
- To make recommendations for budget considerations, infrastructure priorities and projects to the executive about strategic asset management directions.
- To make recommendations about asset management resources.
- Provide strategic direction and guidance for service delivery and asset management.
- Provide advice in relation to service delivery and asset management matters that may be referred by Council.
- Assist relevant Managers in the preparation of recommendations for Council decision.
- Provide a coordinated whole of Council approach through a forum which provides constructive commentary and guidance on issues relative to infrastructure assets.

The role of the steering committee is to ensure the Asset Management Plan(s) reflect the operational activities of Council and meets the intent of the Asset Management Strategy and is in accordance with the Asset Management Policy.

The Asset Management Steering Committee contain Council’s asset custodians including management leadership expertise. The Group is responsible for ensuring the preparation and overview of individual asset management plan(s) including inspection and maintenance schedules, condition surveys and the regular monitoring of cost implications. This document provides a summary of the asset categories and provides the platform for the annual



strategic planning processes for asset maintenance and capital works in line with community agreed levels of service.



## Status of Councils Assets - Where are we now?

The Northern Rivers including Richmond Valley was severely affected by the catastrophic flood events in February and March 2022. The recovery process is to restore infrastructure assets to pre-flood condition as a minimum, restoring essential services and facilities to the community. Councils Recovery Plan also focuses on improving the resilience of infrastructure for future natural disasters as the initial response to rebuilding the community.

The status of Councils assets is reported on the pre-condition flood event pending asset replacements and renewals being implemented as part of the flood recovery capital works programs.

### Infrastructure assets

Table 1 - Assets covered by this strategy at June 2021.

Asset Group	Category Description	Measure
Roads and Transport	Roads sealed network	526 km
	Roads unsealed network	536 km
	Kerb - Surface Drainage	140 km
	Footpaths & Cycleways	63.24 km
	Bridges & Major Culverts	151 (count)
	Traffic Management Devices (including Pedestrian Refuge, Roundabout, Speed Hump, Splitter Island)	423
	Road Ancillary Assets (including Signals, Signs, Road Barriers and Street Lighting)	Various counts
Stormwater	Stormwater Drains	81.5 km
	Stormwater Pits	2701 items
	Stormwater Structures (including gabions, gross pollutant traps, sediment traps, retention ponds)	60 items
	Stormwater Headwalls	686 items

Asset Group	Category Description	Measure
Water	Water pipelines and connections	293 km
	Water meters	7123 (count)
	Water reservoirs, treatment plants & pump stations	21 (count)
	Water treatment plant site infrastructure	334 (count)
	Water hydrants, valves, swabbing pits	3649
Sewerage	Sewerage pipelines and connections	214.5 km
	Sewerage treatment plants and pump stations	38 (count)
	Sewerage pump stations site infrastructure	622 (count)
	Sewerage manholes	2507 (count)
	Sewerage valves, valve pits, rodding ends, vent stacks	318 (count)
Land, Building and Other Structures (LBO)	Buildings	254 (count)
	Land (Council owned and managed)	383 (count)
	Other Structures (bbq, fences, shelters, bins, tables, seats, lighting, signs)	2036
	Land Improvements (playgrounds and equipment, playing surfaces, landscaping, internal facility services eg stormwater, water, electrical)	Various counts



### Condition of assets

Council's condition assessment is rated on a five-point rating scale including:

- Condition 1 – Excellent/Very Good Condition – No work required
- Condition 2 – Good Condition – Only minor maintenance work required
- Condition 3 – Satisfactory Condition – Maintenance work required
- Condition 4 – Poor Condition – Renewal required
- Condition 5 – Very Poor Condition – Urgent renewal/upgrade required.

Council asset planning benchmarks is to maintain asset conditions to a minimum point score of 3 being 'Satisfactory Condition' or above to sustain serviceability. It is recognised that as assets near their end-of-life period conditions will drop at a greater rate and therefore as conditions approach condition 4 they are to be re-evaluated and decisions made as to whether to renew, replace the asset or allow it to deteriorate to an unusable state and hence decommission the asset. The aim is to have all existing assets fulfil their useful life. Further community consultation will be conducted to determine the need for existing and new assets as part of the Integrated Planning and Reporting Framework Process.



Across the different asset categories there are, and will continue to be, differences as to the definition of "condition". These differences are identified in the individual Asset Management Plan(s) but, do not generally affect the assessment of the condition of assets within a category in a way that would be detrimental to effective planning. Table 2 provides detailed information for Council's infrastructure assets and conditions pre-2022 flood event.

Table 2 – Asset in condition as percentage of gross replacement cost 30 June 2021.

Asset Group	Asset Class	% Condition Ratings					Comments
		1	2	3	4	5	
Roads	Roads Sealed	28	42	25	5	0	Renewal funding is satisfactory with ongoing renewal maintained at the current levels of \$1.53M per year for the next five years and \$1.79M over the following 20 years.
	Roads Unsealed	27	53	15	5	0	Funding is satisfactory with ongoing renewal maintained at the current levels of \$720,000 per year for the next five years and \$530,000 over the following 20 years.
	Bridges	3	51	40	5	1	Council has a limited number of timber bridges left to replace, however there are several critical bridges in the network which need to be planned for replacement in the next 10 years.
	Footpaths	82	18	0	0	0	Council existing footpath network is in good condition. Council continues to enhance the footpath cycleway networks and improve the safety of the users. Council utilize information compiled in the PAMP to prioritise works.
Water	Water network	48	47	3	2	0	The current cost to bring conditions up to standard is \$1,250,000 Annual Maintenance cost is \$453,000
Sewer	Sewer network	46	34	13	7	0	The current cost to bring conditions up to standard is \$2,815,000 Annual Maintenance cost is \$1,199,000
LBO	Buildings	42	41	16	1	0	The current cost to bring conditions up to standard is \$169,000 Annual Maintenance cost is \$446,000
	Land Improvements	73	21	5	1	0	The current cost to bring conditions up to standard is Nil Annual Maintenance cost is \$450,000
	Other Structures	89	9	2	0	0	The current cost to bring conditions up to standard is Nil Annual Maintenance cost is \$118,000
	Open Space / Recreational	68	27	4	1	0	The current cost to bring conditions up to standard is Nil Annual Maintenance cost is \$169,000
Drainage	Stormwater network	37	40	17	6	0	The current cost to bring conditions up to standard is \$1,088,000 Annual Maintenance cost is \$243,000

### Financial health of assets

Richmond Valley Council is responsible for the management of assets valued at more than \$1 Billion. These assets play an integral part in delivering the services provided by Council to serve the community.

Richmond Valley Council **Asset Management Strategy 2022-2032**

The Auditor General requires Council to annually report assets performance ratios as a measure of overall asset management sustainability. The ratios represent the health of the organisation in comparison to benchmarks. Council's ratios as a consolidated view are presented in Table 3 below and the financial status of Council's infrastructure assets is shown in Table 4 as at 30 June 2021.

The asset consumption ratio is the average proportion of "as new" condition for assets. This ratio shows the written down value of the depreciable assets relative to their 'as new' value. It highlights the aged condition of physical assets and potential magnitude of capital required into the future to reserve the service potential. Figure 6 provides the asset groups split by replacement value. The asset consumption ratio for remaining service life by asset groups in accordance with financial valuations are shown in Figure 7.

Roads and transport assets are Council's largest asset group comprising at 49% of total asset value with overall average 68% remaining by value. The condition of Council's assets is shown within each respective Asset Management Plan(s). Condition inspections are carried out internally or by external contractors supporting the magnitude of asset consumptions.

Table 3 Performance indicator ratios as at 30 June 2021

Asset consumption ratio 73%	The asset consumption rate target is to maintain between 50% and 75%. A ratio less than 50% indicates a rapid deterioration of the asset base where urgent investment is required to ensure service levels can be maintained. A ratio greater than 75% indicates that Council is over investing in its asset base.
Agreed service level ratio 1.76%	This ratio shows the estimated costs to return assets to an agreed service level. This is calculated by proportion of costs to return asset to serviceable condition against the gross replacement cost.
Asset renewal ratio 86.64%	This ratio shows the rate of assets being renewed compared to the rates they are wearing out. This does not include the acquisition of new assets or refurbishment of assets that increase capacity/performance. This is measured by capital expenditure on renewal or replacement of assets compared to rate of depreciation over the same period.  The target benchmark is to maintain at 100%. A ratio over 110% indicates Council is over-investing in renewal and replacement. A ratio less than 90% indicated under investment in renewal of asset base.
Asset maintenance ratio 129.63%	This ratio shows the rate if assets are being maintained to a required level. This is measured by actual maintained expenditure compared to required maintenance expenditure. The target benchmark is 100%.  A ratio over 110% indicates Council is over-investing in maintenance activities. A ratio less than 90% indicates an under investment resulting in a deterioration and risk to performance and service levels.
Backlog ratio 2.33%	The infrastructure backlog ratio shows the infrastructure backlog in proportion to the total written down value (the value of an asset after accounting for depreciation, reflecting the asset's present worth) of a council's infrastructure. A ratio of less than 2% is considered the benchmark.  The ratio is calculated by the estimated cost to bring assets to a satisfactory condition divided by the total value written down value of roads, water, sewer, buildings and other infrastructure assets.

Table 4: Financial status of assets as at 30 June 2021

Asset Group	Description	Replacement Value	Written Down Value
Roads and Transport	Roads (sealed and unsealed), Bridges, Footpaths, and Cycleways	\$ 440,402,000	\$ 298,407,000
Water	Water network	\$ 95,045,000	\$ 73,089,000
Sewer	Sewerage network	\$ 146,969,000	\$ 112,357,000
Land, Building and Other Structures (LBO)	Land Improvements, Other Structures, Open Space/Recreational, Buildings	\$ 146,389,000	\$ 116,360,000
Drainage	Stormwater	\$ 61,293,000	\$ 50,793,000
<b>Total</b>		<b>\$ 890,098,000</b>	<b>\$ 651,006,000</b>

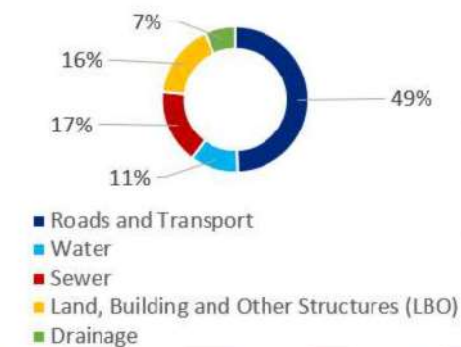


Figure 6: Asset Replacement Values as % of Total Value

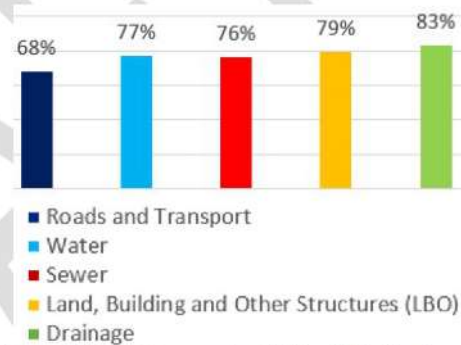


Figure 7: Asset Consumption Ratio - % 'As New' Remaining





## Future Direction – Where do we want to be?

### Council's Vision, Mission, Goals and Objectives

This Asset Management Strategy is prepared in accord with Council's vision, mission and strategic objectives.

Council's vision is:

***A collaborative community working together to advance a resilient and robust economy which reflects a strong sense of community, successful businesses and a healthy environment.***

Council's mission is:

***To protect and improve the quality of life for our community, and for future generations.***

Richmond Valley's three-year recovery plan in response to the 2022 floods focuses on rebuilding Council's flood affected infrastructure to pre-flood condition. Council will target funding through natural disaster funding, government grants, and utilising Council's existing insurance. Part of the rebuilding process includes improving resilience and developing systems and processes to assist in supporting the community should future disasters occur. This will include streamlining Council's processes for grants and claims based upon industry best practice, business needs, and reviews of the existing impacts and business processes. This plan will guide Council's strategic direction for the 2022-23 financial year, until the revised Community Strategic Plan 2040 is completed.

### Asset Management Policy

Council's Asset Management Policy was last reviewed in February 2021. A recent review has been undertaken changing the policy from operational to Council and incorporating changes in alignment with Delivery Plans, Asset Management Strategy, and Plan(s) with a view for adoption within 2022.

The Asset Management Policy supports Council's vision and service delivery objectives for asset management in accordance with the Corporate Plan and applicable legislation.

The Asset Management Strategy is developed to support the Asset Management Policy and to enable Council to show:

- How its assets will meet the affordable service delivery needs of the community into the future;
- Enable Council's Asset Management Policy to be achieved;
- Ensure the integration of Council's asset management with its long term strategic plans, including the Long Term Financial Plan.

The Asset Management Strategy is to guide the Asset Management Plans and the Long Term Financial Plans. These in turn need to be informed by sound data, supported by an integrated asset management system and conducive for improved performance.



### Asset Management Vision

To ensure the long-term financial sustainability of Council, it is essential to balance the community's expectations for services with their ability to pay for the infrastructure assets used to provide the services. Maintenance of service levels for infrastructure services requires appropriate investment over the whole of the asset life.



To assist in achieving this balance in line with the Richmond Valley Vision, Council plans to:

- Support growth through sound infrastructure planning.
- Ensure Council's services and infrastructure are provided in a sustainable manner, with appropriate levels of service to residents, visitors and the environment.
- Undertake a whole-of-lifecycle approach to asset management when assessing infrastructure projects and service delivery.
- Develop asset management culture through whole-of-council approach.

Council aligns its asset portfolio to desired outcomes of the community. It defines the strategic actions that it intends to implement to ensure that its assets best meet its service delivery requirements. The individual approach to determine the appropriate level of detail and complexity of asset management plan(s) is reliant on the asset in question.

Asset planning balances the service delivery potential, and cost, of existing assets against the cost of other resources required to achieve Council service objectives within timeframes and budgets. Service delivery solutions not involving Council's assets, such as contracting, are also to be considered at this point. Strategies for the management of individual assets and services are based on defined service delivery objectives for each asset and identify the current and ideal asset mix to achieve Council's strategic objectives.

Strategies to achieve this position are outlined within the next section.

## How Will We Get There?

The Asset Management Strategy proposes a plan of action to enable the objectives of the Recovery Plan, being the interim Community Strategic Plan as result of the 2022 flooding natural disaster, Asset Management Policy and the Asset Management Vision to be achieved.



Council will focus on improving asset life cycle maintenance, planning to reduce overall maintenance expenditure and improved asset performance. This whole-of-life approach is planning maintenance based on total estimated costs incurred over the anticipated useful life of an asset, including initial construction, ongoing operational and maintenance as well as the final disposal at the end of its life. Analysis is based on choosing the most cost-effective maintenance approach over the long term minimising the overall total cost.

To achieve whole-of-life asset management, the following considerations are required:

- Detailed asset condition audits – a full extensive current condition audit defining maintenance requirements (deferred and ongoing) including cost estimates, work-plans, and prioritisations schedules.
- Maintenance backlogs – Assets in poor condition will need to be brought up to standard prior to whole-of-life management can be programmed.
- Budget redesign – To save money over the medium and long-term, maintenance budgets are likely to have to increase significantly in the short-term. The maintenance budgets are to continue to be implemented and not diverted to unplanned operational expenditure.
- Upfront planning – Building capacity for analysis of the asset and condition register with long term focus measured to industry benchmarks to recognise initial expenditure for future savings.
- Whole-of-life commitment – Implementing strategies to maintain and improve assets conditions to minimise major unplanned future liabilities, which ultimately lead to asset disposition strategies.



### Financial value and funding allocation methodology

Richmond Valley's infrastructure assets are held at fair value. Comprehensive revaluations are performed on each asset group at least every five years, however, the carrying value of assets is assessed by Council at each reporting date to confirm that it is not materially different from current fair value.

Depreciation is calculated using the straight-line method to allocate the cost, net of realisable value, over the assets estimated useful life.

The following are the funding sources identified in the Long-Term Financial Plan to fund the infrastructure renewals and upgrades:

- Rates and annual charges (including special rate variations)
- User charges and fees
- Grant funding – operating and capital
- Loan borrowings
- Section 7.11 and 7.12 developer contributions
- Section 64 developer contributions (water and sewerage assets)
- Other Internally Restricted Reserve funds

Council will determine the appropriate funding mix for the various new works and services programs during review of the Long-Term Financial Planning process.

Council will review and implement a capital works evaluation module for budgeting proposals including the consideration of purpose, need, scope, cost effectiveness, risk, any expected revenue and public value which will be incorporated into the Long-Term Financial Plan.

Council's Long-Term Financial Plan is based on rate growth being limited to the rate pegging percentage as determined by IPART and additional revenue generated from the Special Rate Variation which has been approved for the 4 year period 2019/2020 to 2022/2023. Part of the variation in income is aimed at addressing Council's asset renewal and replacement program and increased asset maintenance spending levels required to ensure assets meet expected performance levels and planned lifecycle. This plan is assisting to address the revenue deficiency that Council faces in terms of sufficiently maintaining assets to required levels and alleviating the pre-existing asset renewal backlog.

### Future Asset Renewal Profile

Council has budget allocation for asset renewal within the Long Term Financial Plan. The asset renewal or upgrade stage is the substantial replacement of an asset or a significant asset component to its original size and capacity. Table 5 provides the budget allocation for the operating and maintenance costs for the 2022-2023 financial year. Figure 8 provides a breakdown of maintenance costs in comparison of Figure 9 being capital replacements. The roads and transport network including an overall cost of 48% of total budget allocation of maintenance and capital combined. This is reflective of the total asset replacement costs at 49% as shown in Figure 6.

The 10-year projected expenditure incorporated into the Long Term Financial Plan is shown in Appendix A.

Table 2 - Asset infrastructure operating and maintenance costs financial year 2022 - 2023.

Asset Group	Asset Class	Annual Maintenance	Annual Capital/Renewal
Roads and Transport	Roads (sealed and unsealed), Bridges, Footpaths, and Cycleways	\$ 2,079,499	\$12,420,818
Water	Water network	\$ 563,735	\$ 964,500
Sewer	Sewerage network	\$ 1,035,039	\$ 916,000
Land, Building and Other Structures (LBO)	Buildings Land Improvements, Other Structures, Open Space/Recreations/ Buildings	\$1,350,679	\$ 351,341
Drainage	Stormwater	\$ 190,370	\$ 25,000

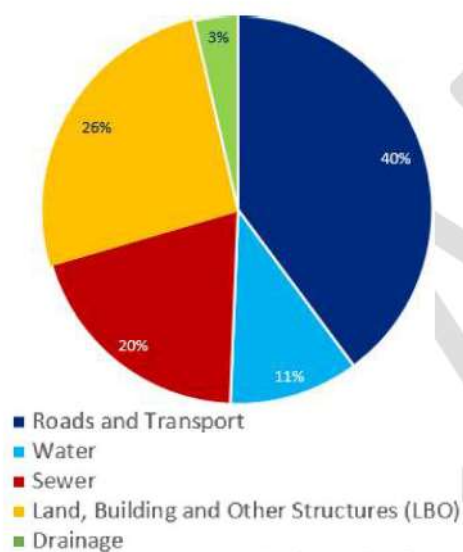


Figure 8: Maintenance costs 2022-2023

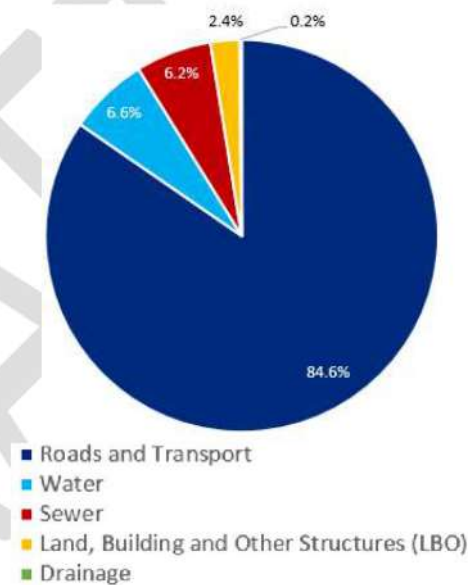


Figure 9: Renewal costs 2022-2023

### Reporting and Monitoring of Performance and Review of the Plan

Monitoring performance in achievement of the targets contained in the Asset Management Strategy is undertaken through a process of translating key performance measures into annually revised Operational Plans and Delivery Plans required under the Integrated Planning and Reporting framework.

Performance reporting will be undertaken by the responsible officers within Council, who will monitor and report on achievement of outcomes as part of the Integrated Planning and Reporting process.

Council will report on assets in the annual financial statements, in accordance with the Local Government Code of Accounting Practice and Financial Reporting, including condition assessment, renewal and maintenance expenditure.



The maintenance of the Asset Management Strategy is an ongoing process that is continually evolving. The Table 6 below outlines activities to be undertaken in future to ensure ongoing improvement of processes and service delivery activities.

### Measures and Targets

The success of Council in meeting the objectives of this Strategy and compliance with the Policy will be measured by the condition benchmark of the assets. The Asset Management Strategy for achieving the asset condition targets is contained in the summary of each asset group. Council's main priority is to ensure that services can be safely delivered via our assets at the level agreed with the community.

The condition of assets will be monitored regularly through implementation of our Asset Management Plan(s) and other Integrated Planning and Reporting processes. Asset Management activities have been planned out to 10 years, as required under the Integrated Planning and Reporting framework.

Council will commit to measuring asset management efforts through an asset consumption ratio, asset renewal funding ratio and asset sustainability ratio annually as part of the evaluation process to ensure sustainable asset portfolio delivery. These KPIs are presented in Council's annual financial reports and assist in understanding resource capacity and provide a valuable input to Council's strategic decision-making process.

### Asset Management Improvement Plan

Richmond Valley will continue to drive improvements in the management of infrastructure assets. Council has undertaken a review in the development of the Asset Management Policy, Asset Management Strategy and the development of individual classes of Asset Management Plan(s).

Council will drive improvements in asset data, condition assessment and management. Council will improve practices including those introduced by the audit office to update registers and asset management systems providing suitable controls to ensure the integrity of the data.

The roadmap for the next three years is to assist Council to evolve into an organisation that is service driven as set out into this strategy and the asset management plan(s). Improvement actions which are specific for certain asset groups are to be detailed in individual Asset Management Plans.

The improvement plan is to be reviewed and updated annually with subsequent reporting to the executive team.

Table 3 Asset Management Improvement Actions

Improvement Type	Asset Management Improvement Plan
Business Process	Review the Asset Management Steering Committee to define membership, purpose and objectives ensuring alignment with key strategic asset management objectives.
Business Process	Review condition audits for all asset categories to standardise collection with imagery/video defining conventions for each category
Business Process	Continually investigate innovative ways to deliver strategic asset management through engaging with the industry at all government levels, and through improved processes and new technologies.
Business Process	Implement an extensive new asset, renewal and disposal pathway evaluation model to be used across all asset classes for improved business decisions.

Improvement Type	Asset Management Improvement Plan
Business Process	Implement strategies to achieve benchmarks for performance indicator ratios so to improve the sustainable health of Council in managing infrastructure assets.
Data Management	Identify critical assets and the potential risks of their failure, incorporating data from condition audit reports, to establish an extensive Risk Register in Council's asset management system.
Data Management	Undertake a comprehensive gap analysis to assess asset data completeness, taking into account service capacity and functionality, currency and accuracy (confidence level) for each asset category.
Plan and Policies	Continue to develop the link between annual budgeting and Long Term Financial Planning
Plan and Policies	Review and update Council's Asset Management Policy, Asset Management Strategy, and Asset Management Plan(s) ensuring alignment with other Council policies and plans.
Plan and Policies	Review service levels in consultation with the community to meet community expectations aligned with Council's provision of the long term financial plan. Review and/or develop asset policies on service levels for each asset class providing clarity for the community.
Professional Development	Develop a training delivery schedule, on skills relevant to Asset Management, where needed across the organisation in coordination with People and Culture.
Systems	Improvement in communicating asset information through reporting, mapping and dashboards for range of stakeholders including statutory reporting requirements.
Systems	Investigate the opportunity to implement an integrated asset management and asset maintenance system.
Systems	Improve and consolidate asset information including documentation and work-as-executed information within Council's asset inventory to improve maintenance, planning and operational activities.
Systems	Improve integrations between Council's asset management systems including such as CRM, Reflect, Recover, disaster management, dial-before-you-dig to facilitate information sharing, improve community response and improved decision making and providing a whole single-view of an asset.
Systems	Review emerging technologies to improve business functions and efficiencies within Council, e.g. artificial intelligence condition inspections, drone data collection.



## Appendix A – 10 Year projected infrastructure expenditure

FORECAST EXPENDITURE											
Asset Category	Forecast Expenditure	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027	2027/2028	2028/2029	2029/2030	2030/2031	2031/2032
Sealed Roads	Operations	2585137	2615247	2673571	2699416	2748801	2891200	2908716	2986597	3031153	3121753
	Maintenance	869369	892697	922460	948177	982712	1007378	1028904	1044660	1075994	1112928
	Renewal	5713528	4471918	4515087	4558838	4400396	4291165	4428429	4496798	4555993	4601775
	Upgrade	7789745	40000	40000	40000	40000	40000	40000	40000	40000	40000
	New Assets	73528	40000	-	-	-	-	-	-	-	-
Unsealed Roads	Operations	379090	386464	397797	404715	415108	438627	446398	463934	479316	504814
	Maintenance	1075490	1102378	1129937	1159403	1189637	1220662	1252501	1285172	1318697	1353098
	Renewal	248566	718883	637550	804601	827860	848557	869770	887942	906568	1025660
	Upgrade	-	-	-	-	-	-	-	-	-	-
	New Assets	-	-	-	-	-	-	-	-	-	-
Bridges	Operations	38713	39682	40675	41739	42835	43959	45114	46297	47512	48760
	Maintenance	31823	32617	33435	34307	35198	36114	37056	38019	39007	40022
	Renewal	815588	-	-	-	-	-	-	-	-	-
	Upgrade	-	-	-	-	-	-	-	-	-	-
	New Assets	-	-	-	-	-	-	-	-	-	-
Footpaths	Operations	83224	84571	87324	88418	90430	97042	96969	99807	100757	104049
	Maintenance	43256	44339	45450	46641	47872	49129	50423	51752	53109	54507
	Renewal	30600	31100	31800	32500	103500	104250	105506	107000	109000	109000
	Upgrade	-	-	-	-	-	-	-	-	-	-
	New Assets	70000	70000	70000	70000	-	-	-	-	-	-
Water	Operational	3528243	3629768	3739260	3836329	3984650	4090602	4187560	4311092	4423564	4585372
	Maintenance	563735	577825	592277	608106	624360	641049	658191	675774	693847	712397
	Renewals	1686000	2384500	3004000	950000	1150000	950000	1050000	1105000	905000	905000
	Upgrade	392000	23000	-	-	-	-	-	-	-	-
	New Assets	430000	685000	705000	1500000	-	-	-	-	-	-

Richmond Valley Council Asset Management Strategy 2022-2032



FORECAST EXPENDITURE											
Asset Category	Forecast Expenditure	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027	2027/2028	2028/2029	2029/2030	2030/2031	2031/2032
Sewerage	Operations	2421237	2491354	2563693	2640939	2760678	2803003	2888016	2975805	3066465	3160109
	Maintenance	1070687	1097463	1124898	1154822	1185542	1217084	1249468	1282712	1316853	1351889
	Renewal	1589180	2390000	1112000	2674000	2046000	1950000	1150000	1950000	1150000	1950000
	Upgrade	1441000	3310000	3190000	5000000	5000000	1450000	1400000	-	-	-
	New Assets	80000	-	-	-	-	-	-	-	-	-
Buildings	Operations	582507	600653	619443	638730	658692	679330	700680	722772	745622	769262
	Maintenance	428496	440115	452290	465477	479590	494944	512003	531463	554388	582343
	Renewal	126341	72411	73497	74600	75719	76855	78123	79397	80906	82443
	Upgrade	13300	-	-	-	-	-	-	-	-	-
	New Assets	-	15000	-	-	-	-	-	-	-	-
Other Structures	Operations	4222	4327	4436	4555	4677	4802	4930	5062	5198	5338
	Maintenance	333157	339589	348078	357155	366467	376025	385835	395900	406229	416832
	Renewal	65000	30000	60000	30000	30000	30000	30000	30000	30000	30000
	Upgrade	-	30000	-	-	-	-	-	-	-	-
	New Assets	3701400	1330000	40000	1190000	1380000	30000	40000	30000	50000	-
Open Space / Recreational Assets	Operations	1701567	1745043	1785979	1828329	1877959	1929528	1983425	2040074	2098513	2158808
	Maintenance	151531	153873	156273	158795	161384	164046	166775	169571	172440	175387
	Renewal	250000	250000	250000	250000	250000	250000	250000	250000	250000	250000
	Upgrade	9725040	-	-	-	-	-	-	-	-	-
	New Assets	779810	-	-	-	-	-	-	-	-	-
Land Improvements	Operations	-	-	-	-	-	-	-	-	-	-
	Maintenance	571115	585361	599964	616050	632585	649556	666995	684903	703295	722174
	Renewal	-	-	-	-	-	-	-	-	-	-
	Upgrade	70000	-	-	-	70000	-	-	-	-	-
	New Assets	10362500	2597800	2197800	2197800	2197800	2690640	8100000	30000	1800000	-



FORECAST EXPENDITURE											
Asset Category	Forecast Expenditure	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027	2027/2028	2028/2029	2029/2030	2030/2031	2031/2032
Drainage	Operations	-	-	-	-	-	-	-	-	-	-
	Maintenance	190370	195130	200011	205351	210846	216477	222265	228203	234302	240570
	Renewal	35000	68000	140000	10000	195000	195000	195000	195000	195000	10000
	Upgrade	324985	324985	324985	-	-	-	-	-	-	-
	New Assets	45000	27000	55000	185000	-	-	-	-	-	-





# Richmond Valley Council

## AGENCY INFORMATION GUIDE

Government Information (Public Access) Act 2009



This document has been approved by the General Manager for commencement on  
**XXXXXXX**.

Vaughan Macdonald

**Date**

DRAFT

**Richmond Valley Council**

Locked Bag 10

CASINO NSW 2470

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

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

## Contents

Overview	4
Structure & functions	5
Principles	7
Vision & values	7
Roles & functions	8
Functions of Council	9
Integrated Planning & Reporting	11
Public Participation	12
Council Committees	13
Information available from Council	15
Access to documents	19



## 1. Overview

This Agency Information Guide has been prepared and published in accordance with the requirements of the *Government Information (Public Access) Act 2009*. It describes the structure and functions of Council, the various types of information Council holds and how the public can access the information.

Council is committed to the principles of open, accountable, fair and effective government and recognises the right of the public to access Council information. Council holds a wide range of information concerning both the Richmond Valley local government area and the operation of Council. Much of this information is available on Council's website.

This publication provides members of the public, community organisations, the media, government agencies and staff with information about:

- Council's vision, values, principles and our commitment to the community;
- The structure and functions of Council;
- The ways in which the functions of Council (in particular, the decision-making functions) affect members of public;
- The avenues available to the public to participate in the formulation of Council policies and the exercise of its functions;
- The kinds of information held by Council and in particular, the information Council makes publicly available;
- The manner in which Council makes information publicly available; and
- The kind of information that is free of charge and that for which a charge is imposed.

## 2. Structure & functions

Richmond Valley Council is a duly constituted body under the *Australian Constitution Act 1902*, *Local Government Act 1993* and associated legislation. This legislation provides the legal framework for an effective, efficient, environmentally responsible and open system of local government.

### Our Council Representatives

At the Richmond Valley Council Local Government Election held on 4 December 2021, the following seven Councillors were elected to represent the Richmond Valley for the council term which will conclude in September 2024.



L to R (back row): Cr Stephen Morrissey (Deputy Mayor), Cr Robert Hayes, Cr Patrick Deegan, Cr Sam Cornish

L to R (front row): Cr Sandra Humphrys, Cr Robert Mustow (Mayor), Cr Debra McGillan

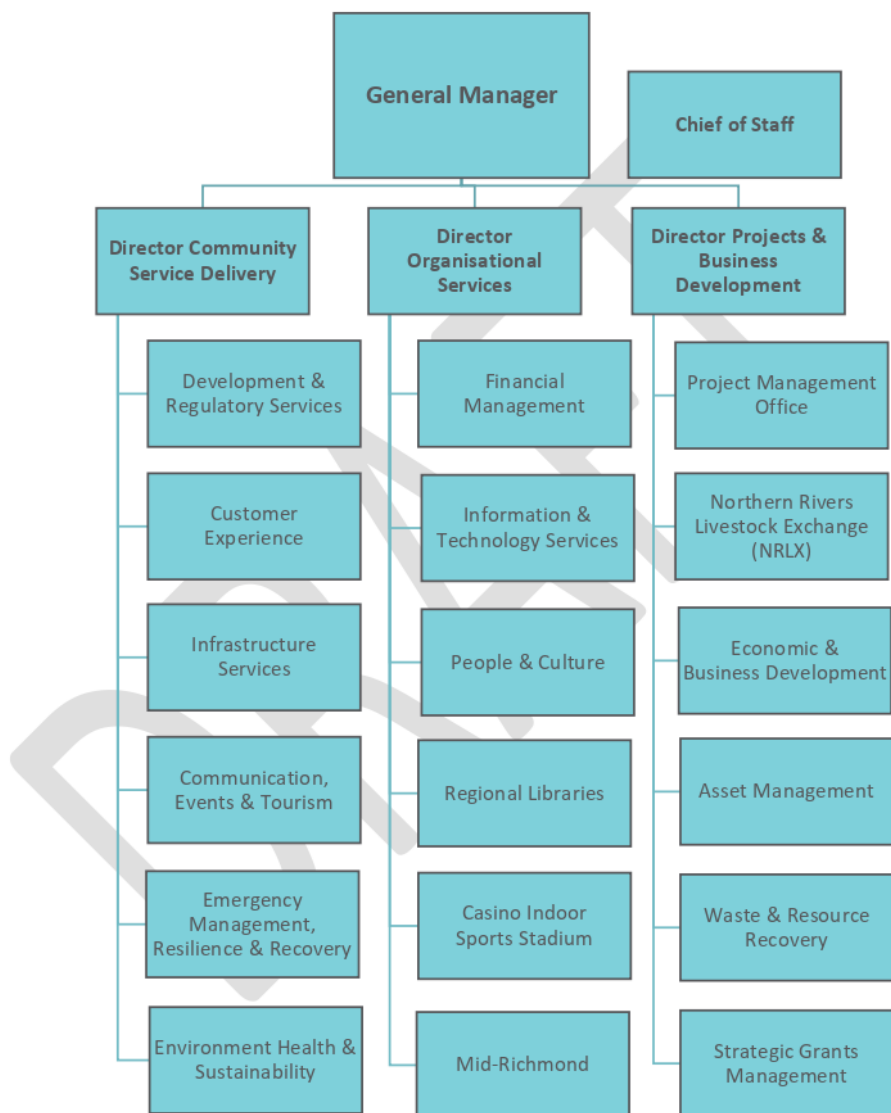
The elected Council is responsible for the direction and control of Council's affairs in accordance with the *Local Government Act* and associated legislation.

Councillors represent the interests of our residents and ratepayers. They provide leadership and guidance to the community; and facilitate communication between the community while maintaining the broader vision, needs and aspirations of the wider Richmond Valley.

## Our Council Structure

Council adopts an organisational structure that will support the General Manager in implementing the actions identified in the Delivery Program and Operational Plan. The structure and functions of Council are determined by the provisions of the *Local Government Act 1993*, Chapter 6.

Council confirmed the below organisational structure at its Ordinary Meeting held 16 August 2022.



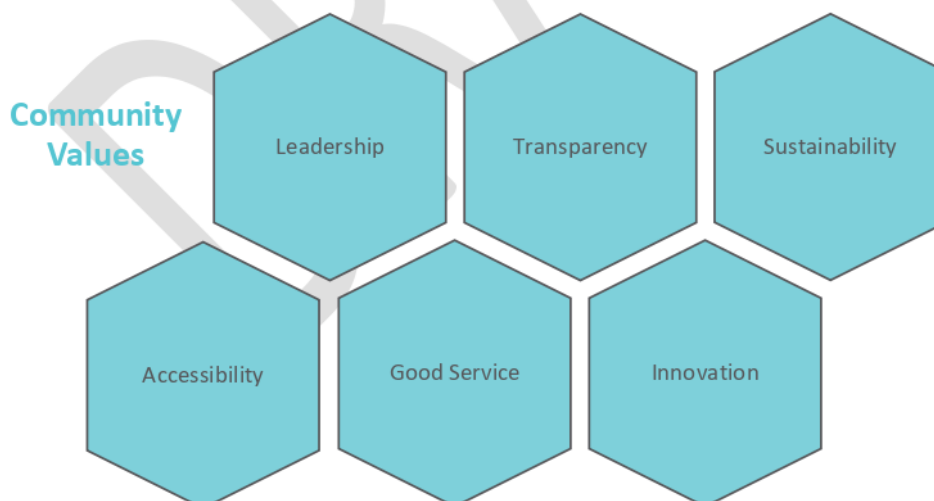
### 3. Principles

The following guiding principles (which are regarded as essential elements for good local government) are to be utilised as part of the everyday decision-making processes, actions and management of Richmond Valley Council:

- Good governance - delivers good performance, minimises risks, ensures transparency and accountability and promotes efficiency and effectiveness.
- Representative democracy and community support - Council's direction and activities are to broadly reflect its community demographics and to have community support.
- Sound policy - clear direction via a policy and planning framework.
- Sufficient resources - human and financial resources to implement its decisions and to fulfil statutory obligations.
- Meaningful planning - a process to translate community needs and aspirations into Council services; to be meaningful, plans must result in actions and outcomes for the community.
- Connectedness - high level of connectivity across all of the community.
- Strong leadership - effective local government and outcomes can only be achieved via strong community leadership through councillors and staff.

### 4. Vision & values

**Community Vision:** A great community with a relaxed lifestyle, beautiful environment and vibrant economy.





## 5. Roles and functions

### Mayor

In accordance with the *Local Government Act 1993* section 226, the role of the mayor is to exercise the policy-making functions of the governing body of the council between meetings of the council (in cases of necessity), to exercise other functions of the council as the council determines, to preside at meetings of the council and to carry out the civic and ceremonial functions of the mayoral office.

### Councillors

In accordance with the *Local Government Act 1993* section 232, the role of councillors includes:

- to provide a civic leadership role in guiding the development of the community strategic plan;
- monitor the implementation of the council's delivery program;
- to direct and control the affairs of the council;
- to participate in the optimum allocation of the council's resources for the benefit of the local government area;
- to play a role in the creation and review of council's policies and objectives relating to the exercise of council's regulatory functions; and
- to review the performance of the council and its delivery of its services.

### Executive Staff

The General Manager, and by delegation, the Executive staff, are responsible for the efficient and effective operation of the Council's organisation and for ensuring the implementation, without undue delay, of decisions of council. Richmond Valley Council's Executive staff include:

Vaughan Macdonald	General Manager
Angela Jones	Director Community Service Delivery
Ryan Gaiter	Director Organisational Services
Ben Zeller	Director Projects and Business Development
Jenna Hazelwood	Chief of Staff

In accordance with the *Local Government Act 1993* section 335, the functions of the General Manager include:

- to assist the council in connection with the development and implementation of the community strategic plan, resourcing strategy, delivery program and operational plan, together with the preparation of its annual report and state of the environment report;
- the day-to-day management of the council;
- to exercise such functions as delegated by the council;
- to appoint staff in accordance with the organisational structure and resources approved by the council; and
- to implement the council's equal employment opportunity management plan.

## Functions of Council

*Local Government Act 1993* (Chapter 5) confers the following functions upon Council:

- Service functions (Chapter 6)
- Regulatory functions (Chapter 7)
- Ancillary functions (Chapter 8)
- Revenue functions (Chapter 15)
- Administrative functions (Chapters 11, 12 and 13), and
- Enforcement functions (Chapters 16 and 17).

Council's priorities and services provided are outlined below:

Priorities	Objectives	Services
RECOVER	OBJECTIVE 1: Help communities to recover and reconnect	<ul style="list-style-type: none"> <li>• Festivals &amp; Events</li> <li>• Libraries</li> <li>• Community Programs &amp; Grants</li> </ul>
	OBJECTIVE 2: Support families and businesses to rebuild	<ul style="list-style-type: none"> <li>• Planning &amp; Development Services</li> <li>• Tourism</li> </ul>
	OBJECTIVE 3: Restore the Richmond Valley's road network	<ul style="list-style-type: none"> <li>• Building &amp; Maintaining Roads</li> </ul>
	OBJECTIVE 4: Restore essential infrastructure	<ul style="list-style-type: none"> <li>• Sports Grounds, Parks &amp; Facilities</li> <li>• Community Centres &amp; Halls</li> <li>• Swimming Pools</li> <li>• Water &amp; Sewerage Services</li> </ul>
PREVENT & PREPARE	OBJECTIVE 5: Restore the environment	<ul style="list-style-type: none"> <li>• Environmental Health</li> </ul>
	OBJECTIVE 6: Improve the disaster resilience of public assets	<ul style="list-style-type: none"> <li>• Stormwater Management</li> <li>• Environmental Management</li> <li>• Emergency Management</li> </ul>
	OBJECTIVE 7: Build resilience in a changing climate	<ul style="list-style-type: none"> <li>• Recovery</li> </ul>
SUSTAIN	OBJECTIVE 8: Strengthen the regional economy	<ul style="list-style-type: none"> <li>• Economic Development</li> <li>• NRLX</li> <li>• Quarries</li> <li>• Private Works</li> </ul>
	OBJECTIVE 9: Address long-term housing needs	<ul style="list-style-type: none"> <li>• Strategic Planning</li> <li>• Real Estate Development</li> </ul>
	OBJECTIVE 10: Lead and advocate for our community	<ul style="list-style-type: none"> <li>• Governance &amp; Advocacy</li> <li>• Community Connection</li> </ul>
	OBJECTIVE 11: Manage community resources and provide great service	<ul style="list-style-type: none"> <li>• Customer Experience</li> <li>• Information Technology Services</li> <li>• People &amp; Culture</li> <li>• Work Health &amp; Safety</li> <li>• Financial Services</li> <li>• Engineering Support &amp; Asset Management</li> <li>• Fleet Management</li> <li>• Cemeteries</li> <li>• Waste Management</li> </ul>

In addition to the *Local Government Act 1993*, Council has a range of functions under other legislation, including but not limited to:

- *Biosecurity Act 2015*
- *Biodiversity Conservation Act 2016*
- *Boarding Houses Act 2012*
- *Building and Development Certifiers Act 2018*
- *Building Code of Australia*
- *Building Professionals Act 2005*
- *Cemeteries and Crematoria Act 2013*
- *Children and Young Persons (Care and Protection) Act 1998*
- *Children's Guardian Act 2019*
- *Civil Liability Act 2002*
- *Coastal Management Act 2016*
- *Community Land Development Act 1989*
- *Community Land Management Act 2021*
- *Companion Animals Act 1998*
- *Companion Animals Regulation 2018*
- *Contaminated Land Management Act 1997*
- *Conveyancing Act 1919*
- *Crown Land Management Act 2016*
- *Crown Lands Act 1996*
- *Dividing Fences Act 1991*
- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2021*
- *Fines Act 1996*
- *Fluoridation of Public Water Supplies Act 1957*
- *Food Act 2003*
- *Government Information (Public Access) Act 2009*
- *Graffiti Control Act 2008*
- *Health Records and Information Privacy Act 2002*
- *Heritage Act 1977*
- *Impounding Act 1993*
- *Land and Environment Court Act 1979*
- *Land Acquisition (Just Terms Compensation) Act 1991*
- *Library Act 1939*
- *Liquor Act 2007*
- *Local Government (General) Regulation 2021*
- *Local Government (State) Award 2020*
- *Native Title (NSW) Act 1994*
- *Noxious Weeds Act 1993*
- *Plumbing and Drainage Act 2011*
- *Privacy and Personal Information Protection Act 1998*
- *Protection of the Environment Operations Act 1997*
- *Protection of the Environment Operations (Clean Air) Regulation 2021*
- *Protection of the Environment Operations (Noise Control) Regulation 2017*
- *Protection of the Environment Operations (Waste) Regulation 2014*
- *Public Health Act 2010*
- *Public Interest Disclosures Act 1994*
- *Public Works and Procurement Act 1912*
- *Radiocommunications Act 1992 (Cth)*
- *Real Property Act 1900*
- *Recreation Vehicles Act 1983*
- *Roads Act 1993*
- *Road Transport Act 2013*
- *Road Transport (General) Regulation 2021*
- *Roads Regulation 2018*
- *Road Rules 2014*
- *State Records Act 1998*
- *Strata Schemes Development Act 2015*
- *Strata Schemes Management Act 2015*
- *Surveying and Spatial Information Act 2002*
- *Swimming Pools Act 1992*
- *Unclaimed Money Act 1995*
- *Waste Avoidance and Resource Recovery Act 2001*
- *Water Management Act 2000*
- *Work Health and Safety Act 2011*
- *Workplace Injury Management and Workers Compensation Act 1998*

## 6. Integrated Planning and Reporting

Councils in NSW are required to develop an Integrated Planning and Reporting (IPR) framework under legislative requirements prescribed in the *Local Government Act 1993*, Chapter 3. This framework has been put in place to encourage councils, the community and other organisations to work together to plan for the future in an efficient and collaborative manner. The IPR has five main components:

- Community Strategic Plan
- Delivery Program and Operational Plan
- Resourcing Strategy
- Annual Report
- End of Term Report

### Community Strategic Plan

Council's Community Strategic Plan (CSP) 'Richmond Valley Made 2030' was initially adopted in June 2017. The CSP identifies the community's main priorities and aspirations for the future and establishes broad strategies for goals. In order to plan and monitor these goals, Council has an established IPR framework consisting of a Resourcing Strategy, Delivery Program and Operational Plan. In order to facilitate community involvement in the ongoing planning processes, Council has adopted a Community Engagement Strategy. Delayed by the February 2022 natural flood disaster, Council's new Community Strategic Plan will be adopted in June 2023.

### Delivery Program and Operational Plan

The Delivery Program is Council's commitment to its community over four years; the length of Council's term and addresses the major areas council will focus on to address the strategies and actions that will be undertaken to address the four-year program. The Operational Plan is a one-year plan that outlines the actions council will undertake in the financial year to implement the Delivery Program and allocates the resources necessary to achieve the actions over the twelve-month period.

### Resourcing Strategy

The Resourcing Strategy consists of the Long-Term Financial Plan, Workforce Plan and Asset Management Plans. They contain information on the time, money, assets and people required by council to progress the projects within the Delivery Program and move towards achieving our community outcomes.

### Annual Report

The Annual Report focuses on Council's implementation of the Delivery Program and Operational Plan. The report includes information prescribed by the Local Government (General) Regulation 2021. The Annual Report assists the community in understanding how council has performed over the financial year.

### End of Term Report

Councils are required every four years to produce an End of Term Report on the progress of implementing the CSP. The report covers the term of office for an elected council.



## 7. Public Participation

Council encourages and provides community members with opportunities to supply input into decision-making processes and participate in the formulation of its policies in the following ways:

- Standing for election as a councillor - the next local government election is due in September 2024;
- Talking to your Councillors - for current contact information please refer to Council's website [www.richmondvalley.nsw.gov.au](http://www.richmondvalley.nsw.gov.au);
- Attendance at Council Meetings - Ordinary Meetings of Council are usually held on the third Tuesday of each month, commencing at 6pm in the Richmond Valley Council Chambers, corner of Walker Street and Graham Place, Casino;
- Viewing Business Papers for Council Meetings - these are published on Council's website as well as being available at Council's Casino and Evans Head offices;
- Addressing Council on an agenda item during the Public Access Session at the commencement of Ordinary Council Meetings;
- Writing to Council on any matter - all correspondence should be addressed to:  
General Manager  
Richmond Valley Council  
Locked Bag 10  
CASINO NSW 2470  
or emailed to [council@richmondvalley.nsw.gov.au](mailto:council@richmondvalley.nsw.gov.au)  
If the matter is outside the policies or delegations on which staff or the General Manager can make a decision, the matter will be referred to the next appropriate Council Meeting.
- Submissions to Community Strategic Plans, Operational Plans, Delivery Program, codes and policies on exhibition;
- Submissions to advertised or notified Development or Subdivision Applications;
- Community surveys; and
- Community Advisory Committees and Section 355 Committees for some functions of Council.

## 8. Council Committees

### Audit Risk and Improvement Committee

As at the date of publication, Council is in the process of appointing an Audit Risk and Improvement Committee (ARIC). Per advice from the Office of Local Government, all councils are required, at a minimum, to have an ARIC that is comprised 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 at their discretion).

Councils also have the option to appoint one non-voting councillor member who meets the criteria for councillor members (this position cannot be filled by the Mayor).

### Richmond Valley Council Local Traffic Committee

The Richmond Valley Council Local Traffic Committee is a statutory committee with operating arrangements covered by the *Roads Act 1993* and the Roads and Traffic Authority Engineering Manual. The function of the committee is to advise Council on traffic related matters referred to it by Council. The committee acts as an advisory body only.

Memberships consists of one Councillor (Cr Robert Hayes), Director Community Service Delivery, one representative each from the Police Traffic Branch and the Roads and Maritime Services, the Member for Lismore and the Member for Clarence.

### Section 355 Committees

The function of the following Section 355 Committees is care, control and management of Council halls or sporting facilities:

- Broadwater Memorial Hall
- Coraki Youth Hall
- Evans Head Recreation Hall
- Fairy Hill Hall
- Leeville Hall
- Rappville Sporting Oval
- Rileys Hill Community Centre
- Stan Payne Oval
- Woodburn Memorial Hall
- Woodburn Oval
- Woodview/Piora Hall

As at the date of publication a review of Council's Section 355 Committees was underway.

### Staff Committees

Internal committees include the Health and Safety Committee (promotion of the safety and welfare of workers) and the Consultative Committee (a forum of communication between the employer and its employees).

**Delegates to External Organisations and Committees**

Organisation	Delegate/Member
Rous County Council	Cr Robert Mustow (Mayor) Cr Sandra Humphrys
Arts Northern Rivers	Cr Patrick Deegan Council Officer
Northern Rivers Joint Organisation Board	Cr Robert Mustow (Mayor)
Evans Head and District Workspace Committee	Director Organisational Services (or nominee)
Local Government NSW (Annual Conference)	Mayor (or nominee)
Northern Rivers Regional Organisation of Councils (NOROC)	Mayor General Manager
Northern Rivers Zone Liaison Committee	Cr Robert Mustow (Mayor) General Manager (or nominee)
Local Emergency Management Committee (LEMC)	General Manager (or nominee)
Local Emergency Management Officer (LEMO)	Director Community Service Delivery

## 9. Information available from Council

Council holds a wide range of information that is available for inspection at Council's Administration Office in Casino. This Agency Information Guide describes the information which members of the public can inspect for free. Reasonable photocopying charges will be charged in accordance with Council's Revenue Policy.

Information may be made available by mandatory open access proactive release, informal release and formal application. Access to information may be subject to an overriding public interest test against disclosure under certain circumstances in accordance with the *Government Information (Public Access) Act 2009*.

### Policy Documents

Policy documents are available for members of the public to access free of charge from Council's website:  
<https://richmondvalley.nsw.gov.au/council/access-to-council-information/policy-documents/>

- Access to Council Records & Privacy Management Plan
- Adverse Event Plan (October 2021)
- Asbestos
- Banking Services
- Bitumen Sealing adjacent to Residences on Unsealed Roads
- Business Ethics
- Cemeteries and Burial
- Change of Name – Rates and Water/Sewer
- Code of Conduct – Councillors and Personnel
- Code of Meeting Practice
- Community Engagement
- Community Financial Assistance Program
- Complaints Management and Mandatory Reporting
- Concealed Water Leaks – Granting of Allowance and Application
- Conference Attendance
- Contributions for Kerb and Guttering and Footpath Paving
- Council Website
- Councillor Access to Information
- Councillor Induction and Professional Development Policy
- Customer Service Charter & Standards
- Dealing with Difficult People
- Debt Recovery
- Development Principles and Development Assessment Panel (DAP)
- Discharge of Liquid Trade Waste to the Sewerage System
- Effluent Reuse (Evans Head)
- Equal Employment Opportunity (EEO)
- Event Support
- Financial Assistance – On-Site Sewerage and Wastewater Management
- Financial Hardship and Application – Residential and Application – Commercial/Business
- Financial Hardship – Natural Disaster and Application
- Fraud and Corruption Control Plan
- Fraud Prevention
- Gathering Information for Legal and Insurance Matters
- Gifts and Benefits
- Heritage Incentives
- Installation of Street Lights and Street Lighting Fact Sheet
- Internal Reporting (Public Interest Disclosures)
- Investments



- Kerbside Dining
- Lease of Road Reserve
- Management of Contaminated Land
- Managing Council's Community Facilities and Halls
- Media
- Naming of Public Parks, Reserves, Sporting Fields and Council Facilities
- Naming of Roads and Bridges
- Payment of Expenses and Provision of Facilities to Councillors
- Permanent Road Closures
- Pressure Sewerage
- Private Works – Charges for Works Under Section 67, Local Government Act 1993
- Public Gates and Bypasses (Cattle Grids)
- Purchase Order – Standard Terms and Conditions
- Purchasing
- Recognition of Milestones
- Related Party Disclosure
- Risk Management
- Revenue Policy 2022-23
- Road Management
- Roadside and Reserve Memorials
- Signature Event
- Signs as Remote Supervision
- Stormwater Management Charge Discount and Exemption
- Use of Council Aerodromes
- Volunteer
- Water and Sewerage Charges – Application of S552 of the Local Government Act
- Welcome to Country
- Write-Off of Debtors
- Write-Off of Rates and Charges

Members of the public wishing to obtain a copy will be charged reasonable photocopying charges in accordance with Council's Revenue Policy in force as at the date of the request.

### **Integrated Planning and Reporting**

- Annual Reports
- Community Strategic Plan
- Delivery Program and Operational Plan
- Asset Management Plans
- Asset Management Strategy
- Revenue Policy
- Resourcing Strategy
- End of Term Report
- State of the Environment Report
- Annual Reports of bodies exercising delegated Council functions

### **Council Meetings**

Agendas, Minutes and Business Papers of Council Meetings (excluding items conducted under closed meeting conditions) are available on Council's website.

## Financial Information

- Quarterly Budget Review Statements
- Financial Estimates
- Awarded Contracts Register
- Annual Financial Statements (including independent Auditor's Reports)
- Monthly Financial Analysis Report

## Registers

- Land Register
- Register of Investments
- Returns of the Interests of Councillors, Designated Persons and Delegates
- Disclosures of Political Donations (*Local Government Act 1993*, Section 328A)
- Delegations Register
- Councillor Voting on Planning Matters (*Local Government Act 1993*, Section 375A)
- Register of Graffiti Removal Work kept in accordance with the *Graffiti Control Act 2008*, section 13

## Planning documents

- Development Applications (within the meaning of the *Environmental Planning and Assessment Act 1979*) and associated documents
- Local policies adopted by the Council concerning approvals and orders
- Records of approvals granted, any variation from local policies with reasons for the variation, and decisions made on appeals concerning approvals
- Records of Building Certificates under *Environmental Planning & Assessment Act 1979*
- Plans of land proposed to be compulsorily acquired by the Council
- Leases and licences for use of public land classified as Community Land
- Plans of Management for Community Land
- Bushfire Prone Land Mapping
- Richmond Valley Local Environmental Plan 2012
- Richmond Valley Development Control Plan 2021
- Section 7.12 Contributions Plan
- Section 94/7.11 Contributions Plan (Heavy Haulage)
- Casino Urban Settlement Strategy
- Evans Head Urban Settlement Strategy
- Richmond Valley Heritage Study 2007
- Casino Flood Mapping
- Richmond River Flood Mapping
- Evans River Flood Mapping
- Stormwater Drainage Catchment Study
- Richmond River Rural Residential Development Strategy

## Other documents

- Office of Local Government Representative Reports presented at a meeting of the Council in accordance with Section 433 of the *Local Government Act 1993*
- Richmond Valley Thematic History (Brett Stubbs) published by Richmond Valley Council 2007

Members of the public who wish to be provided with a copy of any of the above information may be charged reasonable photocopying charges in accordance with the Council's Revenue Policy current as at the time of the request.

Many of the above documents may also be viewed on Council's website: [www.richmondvalley.nsw.gov.au](http://www.richmondvalley.nsw.gov.au).

### **Publications available for purchase**

The following publications are available for purchase from Council and will be charged in accordance with Council's Revenue Policy current at the time of the request:

- Richmond Valley LEP (Comprehensive LEP) #
- Richmond Valley LEP Maps – A3 print size #
- Richmond Valley LEP Maps – A1 print size #
- Richmond Valley Development Control Plan 2021 \*
- Section 7.12 Contributions Plan \*
- Section 94/7.11 Heavy Haulage Contributions Plan
- Casino Urban Settlement Strategy \*
- Evans Head Urban Settlement Strategy \*
- Richmond River Rural Residential Development Strategy \*
- Richmond Valley Heritage Study 2007
- Thematic History of Richmond Valley Local Government Area, Brett J. Stubbs, published by Richmond Valley Council 2007
- Stormwater Management Plans
- Bush Fire Prone Land Maps \*
- On-site Sewage Management Strategy (OSMS) \*
- Northern Rivers Local Government Development Design and Construction Manual
- Section 64 Water and Sewerage Development Servicing Plans

Note: Electronic copies of publications marked \* are available to download free of charge via Council's website [www.richmondvalley.nsw.gov.au](http://www.richmondvalley.nsw.gov.au).

Note: Electronic copies of publications marked # are available to download free of charge via NSW legislation's website [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au) and NSW Planning Portal's website [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)

As at the date of publication a review of Council's Plans is planned in the 2022/2023 financial year.

## 10. Access to documents

Council is committed to the objectives of the *Government Information (Public Access) Act 2009* and will strive to achieve the development, maintenance and advancement of a system of responsible and representative democratic government that is open, accountable, fair and effective. The objective of this Act is to open government information to the public by:

- authorising and encouraging the proactive public release of government information by agencies,
- giving members of the public an enforceable right to access government information, and
- providing that access to government information is restricted only when there is an over-riding public interest against disclosure.

Council Policy No. 1.19 - Access to Council Records and Privacy Management Plan, guides the processing of requests/applications to access or amend information, in accordance with the *Government Information (Public Access) Act 2009*, the *State Records Act 1998*, and the *Privacy and Personal Information Protection Act 1998*.

Members of the public can access Council information for free from Council's website [www.richmondvalley.nsw.gov.au](http://www.richmondvalley.nsw.gov.au).

Members of the public will be able to make informal requests for access to information, and they may also make formal applications by completing the relevant application forms, describing the records or information which is the subject of their application, and the legislation under which they make the application, and they may be charged a fee in accordance with the relevant legislation.

Enquiries concerning inspecting or purchasing Council documents and records can be made to by visiting our friendly Customer Experience staff or contacting Council on 6660 0300 or email [council@richmondvalley.nsw.gov.au](mailto:council@richmondvalley.nsw.gov.au). Customer Experience staff will assist members of the public with enquiries and completion of applications for access to Council information.

Casino Office Opening Hours	Monday to Friday 8:30am - 5:00pm
Evans Head Opening Hours	Monday to Friday 8:30am - 4:30pm
	Saturday 9:00am - 12:00pm

Complex applications requiring further assistance will be referred to:

The Public Officer  
Richmond Valley Council  
Locked Bag 10  
CASINO NSW 2470



All applications for access to, or amendment of, Council's records must be made in writing to:

The General Manager  
Richmond Valley Council  
Locked Bag 10  
CASINO NSW 2470

This is the most recent Agency Information Guide published by Richmond Valley Council and was approved by the General Manager on DD MMMMM YYYY. This document can be obtained from Council's website [www.richmondvalley.nsw.gov.au](http://www.richmondvalley.nsw.gov.au) or by contacting Council's Public Officer.

Further information is also available by contacting the Information and Privacy Commission NSW:

Phone: 1800 472 679  
Email: [ipcinfo@ipc.nsw.gov.au](mailto:ipcinfo@ipc.nsw.gov.au)  
Website: [www.ipc.nsw.gov.au](http://www.ipc.nsw.gov.au)