

Richmond  
Valley  
Council



# **AGENDA**

## **Ordinary Council Meeting**

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

**Date: Tuesday, 20 December 2022**

**Time: 6pm**

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

**Vaughan Macdonald  
General Manager**

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**1 ACKNOWLEDGEMENT OF COUNTRY**

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

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

**2 PRAYER****3 PUBLIC ACCESS****4 APOLOGIES**

**5 MAYORAL MINUTES****5.1 MAYORAL MINUTE - ACKNOWLEDGEMENT OF THE RICHMOND VALLEY COMMUNITY****RECOMMENDATION**

That Council extends its deep appreciation to all those who have worked tirelessly this year to support and rebuild the Richmond Valley community.

**REPORT**

The final meeting of Council for 2022 marks the close of one of the most challenging years our community has faced. When our new Council held its first meeting in January this year, we could not have imagined that in just a few short weeks our community would be devastated by catastrophic flooding and that many of our friends, families and colleagues would be facing the loss of their homes and livelihoods. It has been a long and difficult year, but the courage, perseverance and community spirit of the Richmond Valley has risen above these challenges once again.

Together, we have begun the long process of recovery and renewal, and I want to acknowledge the tremendous efforts of our community members, volunteer organisations and emergency services workers throughout these difficult times. I've been overwhelmed by the generosity, care and compassion our community has shown and the quiet strength and determination to get up and get on with the job of rebuilding our lives each day.

Council has been advocating strongly throughout this year for long-term housing solutions, financial support and much-needed repairs to roads and facilities for our community and we have received substantial support and funding from both the State and Federal governments in response. I want to acknowledge the work of our local members of parliament and the many government agencies who have provided support and assisted Council throughout the recovery process.

I would also like to acknowledge the outstanding efforts of Richmond Valley Council staff throughout this year, some of whom were also flood impacted and extend my personal thanks to the General Manager, Vaughan Macdonald and his team. I know there are many staff members who have gone the extra mile to keep our community safe and to support those whose lives have been devastated by the floods. We have a long journey ahead to complete our recovery program and I look forward to working beside you as we build back better for our community.

Although 2022 has brought some challenging times, it has also seen the completion of many milestones, signature projects and the start of new prospects for the coming year.

It was great to see our events return across the Richmond Valley and witnessing people out celebrating and reconnecting with family and friends.

Looking ahead to 2023, I'm under no illusions that there will be further challenges to face. But there will also be more opportunities to ensure that our Valley continues to grow, as a welcoming place for working families to get ahead as we continue to roll out the Regional Jobs Precinct and housing redevelopment projects. Together, we can rebuild and create a better future.

I trust my fellow Councillors will join me in extending my heartfelt thanks and Christmas wishes to all those who have worked so tirelessly to support our community this year.

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

**6 CONFIRMATION OF MINUTES**

**6.1 MINUTES ORDINARY MEETING HELD 15 NOVEMBER 2022**

**RECOMMENDATION**

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

**REPORT**

Refer attached Minutes.

**ATTACHMENT(S)**

- 1. Unconfirmed Minutes 15 November 2022 (under separate cover)**

**7 GENERAL BUSINESS**

Nil

**8 MATTERS ARISING OUT OF THE MINUTES**

**9 DECLARATION OF INTERESTS**

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

**10 PETITIONS**

Nil



**11 NOTICE OF MOTION****11.1 NOTICE OF MOTION - WATER CHARGES NORTHERN CO-OPERATIVE MEAT COMPANY****Author: Robert Hayes**

I, Councillor Robert Hayes, give notice that at the next Ordinary Meeting of Council to be held on 20 December 2022, I intend to move the following motion:

**NOTICE OF MOTION**

That Council staff meet with representatives of the Northern Co-operative Meat Company Ltd and commence negotiations to bring the Co-op's current water charges into line with other commercial industries that purchase water from the Richmond Valley water supply.

I commend this Notice of Motion to Council.

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

## **12 MAYOR'S REPORT**

### **12.1 MAYORAL ATTENDANCE REPORT 8 NOVEMBER - 12 DECEMBER 2022**

**Author: Robert Mustow**

#### **RECOMMENDATION**

That Council receives and notes the Mayoral Attendance Report for the period 8 November – 12 December 2022.

#### **REPORT**

##### **November**

- 10<sup>th</sup> Thyme Lifestyle Resort, Evans Head Sod Turning
- 10<sup>th</sup> Casino High School Year 12 Formal
- 11<sup>th</sup> Primex Breakfast – More to Meat
- 11<sup>th</sup> Remembrance Ceremony
- 11<sup>th</sup> Primex Official opening
- 12<sup>th</sup> Primex – Best Tasting Tap Water in Australia competition
- 15<sup>th</sup> West End school tree planting
- 15<sup>th</sup> Extraordinary Joint Organisation Meeting
- 15<sup>th</sup> Richmond Valley Council Ordinary meeting
- 16<sup>th</sup> Rous County Council Workshop
- 17<sup>th</sup> Casino Christian School Year 12 Formal
- 18<sup>th</sup> Meeting at Casino Community Gardens
- 19<sup>th</sup> NSW SES Northern Rivers Command Awards Ceremony
- 21<sup>st</sup> Alpini delegation New Italy Museum visit
- 22<sup>nd</sup> Coraki Business Chamber workshop
- 24<sup>th</sup> Coraki Riparian Project
- 24<sup>th</sup> Beef Week Christmas party - drop-in
- 24<sup>th</sup> Northern Rivers RFS Zone Medals Presentation
- 25<sup>th</sup> Chris Gulaptis Coraki Bowling Club Funding announcement
- 25<sup>th</sup> Minister for Lands & Water and Minister for Hospitality and Racing, Kevin Anderson
- 25<sup>th</sup> Mid Richmond Historical Society Coraki Christmas celebration
- 25<sup>th</sup> Richmond Valley Made Paddock to Plate Feast
- 26<sup>th</sup> Minister Franklin funding announcement at New Italy
- 26<sup>th</sup> Appreciation dinner for Chris Gulaptis MP
- 27<sup>th</sup> Woodburn/Evans Head & District Orchid & Foliage Society Christmas party
- 30<sup>th</sup> Minister Sam Farraway MLC Bridge Funding Announcement

- 30<sup>th</sup> Rous County Council Rocky Creek Dam inspection

**December**

- 2<sup>nd</sup> Northern Rivers Joint Organisation meeting and luncheon Casino
- 3<sup>rd</sup> Casino Dance Academy Concert
- 4<sup>th</sup> Lions Christmas Carols
- 5<sup>th</sup> Chris Gulaptis Sports Grounds Funding Announcements
- 5<sup>th</sup> Volunteers thank you event
- 5<sup>th</sup> Richmond Valley Christmas Street Party and Tree Light-up
- 6<sup>th</sup> Community Information Sessions Woodburn with NRRC
- 6<sup>th</sup> Casino Platypus Day Club Christmas luncheon
- 6<sup>th</sup> Richmond Valley Council Councillor Information Session
- 7<sup>th</sup> Casino West Public-School presentation awards
- 7<sup>th</sup> Chris Gulaptis thank you Christmas event
- 8<sup>th</sup> 2022 NSW Volunteer of the Year State Ceremony
- 9<sup>th</sup> Momentum Kindness Wall visit
- 10<sup>th</sup> Evans Head Christmas tree light-up
- 10<sup>th</sup> Broadwater Christmas tree light-up
- 11<sup>th</sup> Evans Head Old Boys Christmas raffles
- 12<sup>th</sup> Evans Head Train Mural project unveiling
- 12<sup>th</sup> Evans River RSL Day Club Christmas Party

**ATTACHMENT(S)**

**Nil**

**13 DELEGATES' REPORTS**

Nil

**14 MATTERS DETERMINED WITHOUT DEBATE**

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

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

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

That items identified be determined without debate.

## **15 GENERAL MANAGER**

### **15.1 INSURANCE CLASS ACTION UPDATE**

**Author: Vaughan Macdonald**

#### **EXECUTIVE SUMMARY**

In 2015 Richmond Valley Council starting asking questions about potential excessive insurance premiums being charged by the Statewide Mutual Scheme, which Council was part of and had been for at least a couple of decades. Initially, that Mutual responded by reducing premiums, funding it from Councils' equity in the Scheme and to respond to the new entrants to the insurance broking market for councils in NSW. Council gave the required 12 months notice to exit the Statewide Mutual Scheme and following a tender process subsequently exited the scheme. Initially premium savings in excess of 40% were achieved and savings have been achieved ever since.

As a result of the Richmond Valley Council experience, Council resolved to join a class action against JLT Risk Solutions Pty Ltd (formerly called Jardine Lloyd Thompson Pty Ltd) (JLT). The class action is currently awaiting judgment in the Supreme Court of NSW following the Court proceedings which concluded in November 2021.

Richmond Valley Council is the lead plaintiff, with Parkes Shire Council and Mid-Western Regional Council forming a steering committee to guide proceedings on behalf of the group of 21 NSW Councils that signed up to the action. The matter relates to recovery of past losses claimed on the grounds that Richmond Valley Council, together with the other councils who are group members, suffered losses as a result of following the defendant's failure to provide proper broking advice regarding councils' property and/or public liability and professional indemnity insurance, through a scheme known as Statewide Mutual.

It is alleged that the defendant:

1. breached its general law and contractual duty to exercise reasonable care and skill in the performance of its broking services and in the provision of recommendations and advice; and
2. earned fees and commissions in breach of fiduciary duties that it owed to Council.

Since Council took action to question the NSW Local Government insurance industry the Richmond Valley community has benefited from significant premium savings in excess of \$1.4 million and a positive claims experience following the 2022 flood events.

Council's current insurer Civic Risk Mutual has been very supportive since Council joined and as a result of the floods in 2022 paid out the full flood cover limit of \$5 million. Civic Risk Mutual has also continued to provide Council with ongoing flood cover for future flooding events.

Contrary to the Richmond Valley experience, it is understood that Statewide Mutual paid a maximum of \$2 million to Councils impacted by the flood events and some of those Councils will not get Flood cover for future flood events.

The savings on premiums and the flood events payout have led to financial benefits conservatively estimated at in excess of \$4.4 million since 2017/18, which enables Council to provide additional services and infrastructure support to its community.

**RECOMMENDATION**

That Council:

1. Notes the status of the judgment for the Insurance Class Action; and
2. Notes the financial benefits achieved for the Richmond Valley community, conservatively estimated at over \$4.4 million, as a result of Council challenging the previous insurance arrangements in NSW and successfully moving to Civic Risk Mutual.

**DELIVERY PROGRAM LINKS**

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

11A Manage resources responsibly

11A2 Ensure resources are managed transparently and responsibly

**BUDGET IMPLICATIONS**

The report outlines the savings on premiums and flood event payout leading to financial benefits conservatively estimated at in excess of \$4.4 million since 2017/18, which enables Council to provide additional services and infrastructure support to its community.

**REPORT**

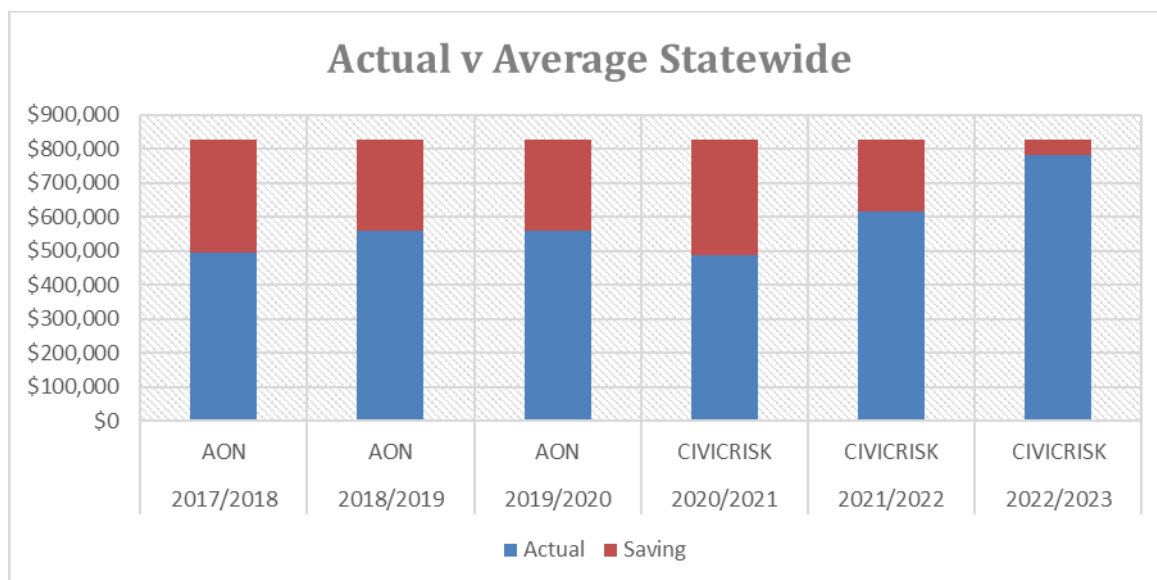
In December 2018, Richmond Valley Council commenced proceedings against JLT Risk Solutions Pty Ltd in the Supreme Court of NSW. The class action relates to advice Council received and relied upon from JLT in the placement of property and/or public liability and professional indemnity insurance through a scheme known as Statewide Mutual.

The class action alleges that JLT breached the general law and contractual duty owed to the plaintiffs to exercise reasonable care and skill in the performance of its broking services and in the provision of recommendations and advice.

Further, it is alleged that JLT breached fiduciary duties owed to the plaintiff in placing or renewing insurance through Statewide Mutual in circumstances where there was a conflict between the defendant's financial interest in earning fees and commissions for services it provided to Statewide Mutual.

The claim seeks to recover the loss and damages suffered as a result of the alleged breaches of these duties resulting in excessive premiums and fees being paid to JLT. The action has a litigation funder engaged on a 'no win, no fee' basis. Council is awaiting the outcome of the Class Action with the latest advice that a result is expected in the first quarter of 2023.

By way of an update, the following graph shows the savings Council has made over the past 6 years since moving from the Statewide Mutual, with a comparison of actual premiums paid against the average premium calculated over the previous 8 years from Statewide Mutual, a conservative estimated saving of over \$1.4 million.



If Council had not shown leadership in challenging the Statewide Mutual arrangements, it is likely that the premiums paid to that Mutual would have continued to increase above the average indicated in the above analysis, leading to further savings.

Adding to the benefits to the Richmond Valley community was receiving the lump sum payout from our current insurer, Civic Risk Mutual of \$5 million for the 2022 flood event. It is on the public record that councils in the Northern Rivers who continue to be insured by Statewide Mutual received a maximum payout of \$2 million.

Civic Risk Mutual, which provides insurance for 26 councils across NSW and Victoria, has also been successful in providing Council with ongoing flood coverage for future events, with information available that some Statewide Mutual councils will not have any flood cover for future flood events.

**CONSULTATION**

Nil

**CONCLUSION**

Richmond Valley Council has led the way in recent years with Parkes and Mid-Western Regional councils in challenging the norm in the NSW Local Government insurance industry. This leadership has achieved significant financial benefits for the community, which will also be reflected in most councils in NSW having achieved reduced premiums than would have been the case if no questions about JLT and Statewide Mutual had been asked.

The transparent and supportive approach of the Civic Risk Mutual and its full payment of our flood cover of \$5 million is important to acknowledge, as it will enable us to restore more of our assets following the flood events of 2022.

**ATTACHMENT(S)**

Nil

## 15.2 BLAZE AID CONTRIBUTION ACKNOWLEDGEMENT

**Author:** Vaughan Macdonald

### EXECUTIVE SUMMARY

The BlazeAid charity and its many volunteers have been helping fire and flood-affected residents in the Richmond Valley clear debris and rebuild fences since the bushfires of 2019, and more recently following the 2022 flood events and gratefully acknowledges their support for our community.

Council has hosted BlazeAid at its Casino Showground since late 2019 and with the commencement of the showground upgrade project this year, the camp was moved to the Rappville Sportsground. The Casino Showground will not be available again until 2024 and the Rappville Sportsground Committee and the community want the Rappville Sportsground to be available for community events from 21 January 2023.

It is now time for the Richmond Valley community to move to its next phase of recovery, which is to move towards a business as usual approach, which will enable the BlazeAid volunteers to move to other parts of NSW which need assistance following recent flood events. The Richmond Valley community wishes BlazeAid well and looks forward to hearing about its support for other communities impacted by natural disasters.

### RECOMMENDATION

That Council:

1. Acknowledges the significant contribution BlazeAid has made to support so many landowners across the Richmond Valley to recovery from damage to their properties and fences following the 2019 bushfire season and more recently the 2022 floods;
2. Writes to the founder of BlazeAid, Kevin Butler, to thank him and the many BlazeAid volunteers for their support of the Richmond Valley community over the past three years.

### DELIVERY PROGRAM LINKS

Prevent & Prepare - Objective 7: Build resilience in a changing climate

7B Improve community preparedness and capacity to respond to natural disasters

7B1 Support safe development in bushfire & flood prone areas

### BUDGET IMPLICATIONS

Nil

### REPORT

The natural disasters the Richmond Valley community has experienced since October 2019 have been devastating, and we truly appreciated BlazeAid volunteers joining Australia Defence Force personnel and the many other community service groups helping our communities recover.

The Casino Showground was an essential multi-use hub during the bushfires and floods, serving a vital role as an emergency evacuation point, and a base for Australia Defence Force personnel and BlazeAid volunteers.



Council provides and maintains the camp facilities free of charge for BlazeAid and its volunteers, and we'd like to thank Resilience NSW, which provided a number of rounds of funding to supply the camps with food and refreshments.

The Casino BlazeAid camp had people volunteering from right across Australia. In the time they have been here, they cleared and rebuilt many kilometres of fencing, first on fire-hit properties and later on those affected by floods. The camps are led by a volunteer coordinator, with Ron 'Spud' Murphy deserving of special mention for the genuine, respectful and massive contribution he made to rebuilding fences and other facilities in our community during his time in Casino. Spud became known to many in our community and his efforts long remembered.

Most BlazeAid camps wrap up after several months so an occupancy of three years in a particular area is quite unique. There is no doubt the BlazeAid volunteers lifted the spirits of those residents who were impacted by these natural disasters.

The BlazeAid camp moved from Casino to Rappville in September due to vital infrastructure work now underway as part of the \$10 million Casino Showground and Racecourse upgrade.

The establishment of a camp at the Rappville Sportsground was agreed to on a temporary basis as there is limited power at the site, and the sportsground needs to return to being available for important community activities. The sportsground will also soon undergo an important upgrade works.

BlazeAid's tenure expires on Friday 20 January 2023 and it has been difficult finding a new suitable location to accommodate the volunteers' needs, such as kitchen and dining facilities, adequate electricity supply, toilets, showers and water.

Appeals to neighbouring councils were unsuccessful, and our local caravan parks are not an option as they are still at capacity offering vital emergency accommodation to flood-impacted residents.

Council cannot thank BlazeAid and its volunteers enough for their efforts over the past three years.

On behalf of our community we say thank you in appreciation of all that you have done for our region.

## **ATTACHMENT(S)**

**Nil**

## 16 ORGANISATIONAL SERVICES

### 16.1 REVIEW OF COUNCIL'S INVESTMENT POLICY

**Director:** Ryan Gaiter

**Responsible Officer:** Rylee Vidler

#### EXECUTIVE SUMMARY

Council reviews its Investment Policy on an annual basis to ensure it remains appropriate in changing economic, investment and legislative environments. Following a major review in 2020 and some refinements to the policy last year, this year's review resulted in some minor changes to align with Council's current organisational structure. No mandatory changes are required.

#### RECOMMENDATION

That Council:

1. Adopts the revised Investment Policy;
2. Continues to utilise Laminar Capital as its financial advisory service provider and the Treasury Direct online investment platform for another 12 months.

#### DELIVERY PROGRAM LINKS

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

11A Manage resources responsibly

11A1 Undertake long-term financial and asset management planning

#### BUDGET IMPLICATIONS

Interest rate yields on cash accounts, term deposit and floating rate notes have significantly increased during the 2022/2023 financial year as the official cash rate increases each month. NSW Treasury Corporation Funds still experience periods of volatility but year to date has performed well, despite looming concerns of a US and global recession. During the 2022/2023 financial year to date, \$1,108,081 has been received in interest and investment revenue on a cash basis (this result is 122.20% of the budget of \$906,782).

The interest revenue budget has been increased for the 2022/2023 financial year to \$906,782 from \$850,000 in 2021/2022, due to the increased returns on offer. The average return on Council's term deposits and floating rate notes held at 30 June 2022 was 1.60%. By comparison the average return on Council's term deposits and floating rate notes held as at 30 November 2022 is 3.73%.

#### REPORT

Council has taken a conservative approach to its investments since the Global Financial Crisis (GFC) of 2007/2008, which is consistent with the industry wide response to the impact of the GFC and the tightening of the Ministerial Investment Order. The lasting economic impacts of the COVID-19 pandemic are still being felt in the market, however, the increasing official cash rate has improved the rates of returns offered to investors.

#### *Investment Options*

The NSW local government sector is required under the *Local Government Act 1993* to limit investments to those outlined in the Ministerial Investment Order. The types of investments allowed are:

- Any public funds or securities issued by or guaranteed by, the Commonwealth, any State of the Commonwealth or a Territory.
- Any debentures or securities issued by a council.
- Interest bearing deposits with, or any debentures or bonds issued by, an authorised deposit-taking institution (excluding subordinated debt obligations).
- Any bill of exchange with a maturity date of less than 200 days; and if purchased for value confers on the holder in due course a right of recourse against a bank which has been designated as an authorised deposit-taking institution by the Australian Prudential Regulation Authority (APRA)
- A deposit with the New South Wales Treasury Corporation or investments in an Hour-Glass Investment facility of the New South Wales Treasury Corporation (now called TCorpIM Funds).

Council maintains a diversified investment portfolio to achieve the best possible rates of return while maintaining capital.

Council also considers many risk management guidelines when deciding on which products to invest in, consideration is given to credit risk, market risk, liquidity risk and maturity risk. Council also has a preference for Environmentally sustainable investment, these investments are considered if and when the environmentally sustainable investment returns are equal to or better than others investments being considered.

### **Investment Performance**

Council's investment performance for the last five years is shown in the table below.

Year	Average Portfolio	Interest Revenue	Variance from Previous Year
2018/2019	\$44,013,376.28	\$1,393,479.10 (includes TCorp fair value gains)	\$629,303.47
2019/2020	\$48,624,071.13	\$ 896,599.23 (includes TCorp fair value gains)	(\$496,879.87)
2020/2021	\$57,375,334.97	\$1,348,337.00 (includes TCorp fair value gains)	\$451,737.77
2021/2022	\$67,742,261.14	(\$673,302.53) (includes TCorp fair value losses)	(\$2,021,639.53)
2022/2023 Year to Date	\$78,311,181.84	\$1,108,080.90 (includes TCorp fair value gains)	\$1,781,383.43

Note: The significant variance shown in the 2021/2022 year was due to the investment market taking a considerable downturn due to market volatility and a time of economic uncertainty.

### **TCorpIM Investments**

Council continues to invest with NSW Treasury Corporation via its Medium Term and Long-Term Growth Funds. The objective of these investments is to attain higher yields than those offered by cash balances, term deposits and floating rate notes in the long term.

The performance of these investments over the 2022/2023 financial year to 30 November 2022 has varied from the previous year with the funds achieving the following returns:

- TCorpIM Medium Term Fund – 3.79% (an increase from negative 6.43% at 30 June 2022)
- TCorpIM Long Term Fund – 6.70% (an increase from negative 7.89% at 30 June 2022)

Council's investments in NSW Treasury Corporation Funds have experienced volatility in the market, however, advice from Council's financial advisors Laminar Direct in July 2022 was to keep the money invested, as the products are long term investments and need to be treated as such, the benefits will only be realised at the end of the investment.

### ***Financial Advisors***

Council continues to use the investment platform and financial advisory services of Laminar Capital which began in July 2020. The platform has proven to be efficient, and the other benefits obtained by Council staff regarding market insights, economic commentary and Council specific advice have proven valuable. The annual cost to Council has remained at \$7,800 per annum (excl GST).

### ***Investment Holdings***

There have been no changes to Council's Investment Policy for the minimum and maximum investment holdings.

### ***Policy Updates***

The following changes to the Investment Policy are proposed:

- Update titles under 3. Delegation of Authority to align with Council's organisational structure.

### **CONCLUSION**

A review of Council's Investment Policy has been undertaken as required annually. There have been some minor changes made to the policy, but the overall purpose has remained the same. A copy of the revised Investment Policy is included as an attachment to this report.

### **ATTACHMENT(S)**

1. **Draft Investment Policy (under separate cover)**

**16.2 CONDUCT OF LOCAL GOVERNMENT ELECTION SEPTEMBER 2024**

**Director:** Ryan Gaiter

**Responsible Officer:** Kate Allder-Conn

**EXECUTIVE SUMMARY**

Under section 296AA of the *Local Government Act 1993* (LG Act), councils are required to make a decision by 13 March 2023, on how their ordinary elections in September 2024 are to be administered.

This report satisfies the requirement to make this determination, with notification to be made to the NSW Electoral Commission upon resolution.

**RECOMMENDATION**

That, in accordance with Section 296 of the *Local Government Act 1993* Council enters into an election arrangement by contract with the NSW Electoral Commissioner to administer all elections of the Council for the 2024 council term including:

- The 2024 ordinary election;
- Any subsequent by-elections that may arise; and
- Any polls or constitutional referenda that may be required.

**DELIVERY PROGRAM LINKS**

Sustain - Objective 10: Lead and advocate for our community

10D Lead with integrity

10D1 Provide representative and accountable community governance

**BUDGET IMPLICATIONS**

A fee proposal for the conduct of the September 2024 local government election has not yet been provided by the NSW Electoral Commissioner.

**REPORT**

Under section 296AA of the *Local Government Act 1993* (LG Act), councils are required to make a decision by 13 March 2023, on how their ordinary elections in September 2024 are to be administered.

Each council must resolve to either:

1. Enter into an election agreement with the NSW Electoral Commissioner (NSWEC) to administer all the council's elections, polls and constitutional referenda; or
2. If a council does not resolve to engage the NSWEC to administer its elections by 13 March 2023, it must engage another electoral services provider to do so.

Historically, Council has engaged the services of the NSWEC to administer its local government elections, with this process proposed to be continued into 2024. The election arrangement is a standardised contract for all councils. The service schedule and cost schedule will vary between councils and are made by the NSWEC in consultation with each council.

Where a council resolves to engage the NSWEC to administer its elections, polls and referenda, the election arrangement with the NSWEC will apply to the 2024 ordinary election and every election, poll and referendum including any by-election or countback election until the contract is automatically terminated 18 months before the following ordinary election of councillors.

However, under section 296(6) of the LG Act, Council also has the option of terminating the contract following the September 2024 election.

Section 296(6)

*An election arrangement for the electoral commissioner to administer all elections of a council can be terminated by the council or the electoral commissioner at any time after the next ordinary election of councillors (by giving written notice of termination). If the arrangement is not terminated by either party after an ordinary election of councillors, the arrangement is automatically terminated 18 months before the next ordinary election of councillors.*

## **CONSULTATION**

Nil

## **CONCLUSION**

It is recommended that Council engage the services of the NSW Electoral Commissioner to administer the September 2024 local government election.

## **ATTACHMENT(S)**

Nil

**16.3 FINANCIAL ANALYSIS REPORT - NOVEMBER 2022****Director:** Ryan Gaiter**Responsible Officer:** Rylee Vidler**EXECUTIVE SUMMARY**

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

The value of Council's cash and investments at 30 November 2022 is shown below:

Bank Accounts	Term Deposits	Floating Rate Notes	Fixed Rate Bonds	TCorp IM Funds	Total
\$19,426,127	\$41,000,000	\$4,750,390	\$2,000,000	\$14,953,772	\$82,130,289

The weighted average rate of return on Council's cash and investments as at 30 November 2022 was 7.52% which was above the Bloomberg AusBond Bank Bill Index for November of 0.25%, which is Council's benchmark.

**RECOMMENDATION**

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

**DELIVERY PROGRAM LINKS**

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

11A Manage resources responsibly

11A1 Undertake long-term financial and asset management planning

**BUDGET IMPLICATIONS**

As at 30 November 2022, Council has earned \$483,403 in interest and \$624,678 in fair value gains for total interest and investment income of \$1,108,081. This equates to 122.2% of the annual budget for interest and investment income of \$906,782. Council currently receives a net return of 2.95% on its Macquarie CMA Account after Council's financial advisors receive their commission of 0.05%. Commissions for the 2022/2023 financial year to 30 November 2022 total \$1,905.

Future fair value gains or losses will continue to be monitored and reported to Council.

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

The RBA raised the cash rate to 2.85% per annum at its November meeting.

**Rate of Return**

The weighted average rate of return on cash and investments in November 2022 was 7.52%, a decrease in 137 basis points from the previous month. The rate of return is 727 basis points above the Bloomberg AusBond Bank Bill Index of 0.25% which is Council's benchmark.

Council's NSW Treasury Corporation IM Funds returned net gains of \$275,898 during the month of November.

The Medium-Term Growth Fund (MTGF) returned a gain of \$194,185 and the Long-Term Growth Fund (LTGF) returned a gain of \$81,713.

The markets throughout November recorded strong gains following the prospect that central banks may soon end their tightening cycle. This was evident in the equity markets performance which rallied strongly while long-term bond yields declined. These results are reflective of the types of ups and downs that occur with long term investments, which are subject to market volatility, particularly in times of economic uncertainty.

The MTGF has a recommended investment timeframe of 3-7 years (original investment was October 2018) and the LTGF has a recommended investment timeframe of 7 years or greater (original investment was June 2021) during which time it is expected that there will be ups and downs in fair value gains. However, it should be noted that, despite the variation in returns, there has been no impact on the principal sum originally invested by Council.

Term deposits and floating rate notes continue to offer increasing rates of return, which is positive, however, some banking institutions are still limiting the number of deposits they will accept and others are not accepting any deposits at present.

### Council's Cash and Investments Portfolio

Council held cash and investments of \$82,130,289 at 30 November 2022. This was made up of Council's Business Online Saver Account (\$5,635,000), Macquarie Cash Management Account (\$10,024,041), Term Deposits (\$41,000,000), Floating Rate Notes (\$4,750,390), Bonds (\$2,000,000), NSW Treasury Corporation Investments (\$14,953,772) and other bank accounts (\$3,767,086).

Council's investment portfolio had maturity dates ranging from same day up to 1,742 days. Term deposits, floating rate notes and bonds of \$47,750,390 represented 58.14% of the total portfolio as at 30 November 2022.

Council made the following new investment during November 2022:

Banking Institution	Investment Type	Environmentally Sustainable Investment	Amount Invested	Investment Term	Interest Rate
Australian Unity Bank	Term Deposit	Y	\$2,000,000	6 months	4.30%
AMP Ltd	Term Deposit	N	\$1,000,000	3 months	3.85%
Macquarie Bank	Term Deposit	N	\$1,000,000	4 months	3.82%
Macquarie Bank	Term Deposit	N	\$1,000,000	4 months	3.82%
AMP Ltd	Term Deposit	N	\$2,000,000	5 months	4.30%
Judo Bank	Term Deposit	Y	\$2,000,000	3 months	3.70%
Transport Mutual Credit Union	Term Deposit	Y	\$2,000,000	3 months	3.90%
Southern Cross Credit Union	Term Deposit	Y	\$1,000,000	3 months	3.85%
Southern Cross Credit Union	Term Deposit	Y	\$1,000,000	3 months	3.85%



Southern Cross Credit Union	Term Deposit	Y	\$1,000,000	3 months	3.85%
MyState Bank	Term Deposit	Y	\$1,000,000	6 months	4.25%
Auswide Bank	Term Deposit	Y	\$2,000,000	6 months	4.45%
Southern Cross Credit Union	Term Deposit	Y	\$2,000,000	3 months	3.85%
<b>Total</b>			<b>\$19,000,000</b>		

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

Banking Institution	Investment Type	Environmentally Sustainable Investment	Amount Invested	Interest Earned
Judo Bank	Term Deposit	Y	\$2,000,000	\$23,178
Australian Unity Bank	Term Deposit	Y	\$2,000,000	\$22,685
Illawarra Credit Union	Term Deposit	Y	\$1,000,000	\$11,847
Auswide Bank	Term Deposit	Y	\$1,000,000	\$7,274
Southern Cross Credit Union	Term Deposit	Y	\$1,000,000	\$7,479
Southern Cross Credit Union	Term Deposit	Y	\$1,000,000	\$7,479
Southern Cross Credit Union	Term Deposit	Y	\$1,000,000	\$7,397
MyState Bank	Term Deposit	Y	\$1,000,000	\$12,466
Southern Cross Credit Union	Term Deposit	Y	\$1,000,000	\$16,027
Macquarie Bank	Term Deposit	N	\$2,000,000	\$15,956
<b>Total</b>			<b>\$13,000,000</b>	<b>\$131,789</b>

Council had \$14,953,772 in longer term investments being the MTGF and LTGF held with NSW Treasury Corporation as at 30 November 2022. The investment values and fair value returns are shown below:

Investment Holding	Fair Value 30 November 22	Fair Value Gain/(Loss) at 30 November 22	Fair Value Gain/(Loss) YTD	Fair Value Gain/(Loss) Life of Investment
Medium Term Growth Fund	\$11,982,395	\$194,185	\$438,049	\$977,366
Long Term Growth Fund	\$2,971,377	\$81,713	\$186,629	(\$28,623)
<b>Total</b>	<b>\$14,953,772</b>	<b>\$275,898</b>	<b>\$624,678</b>	<b>\$948,743</b>

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

### **Environmentally Sustainable Investments (ESI's)**

Council's cash and investments portfolio of \$82,130,289 at 30 November 2022 includes \$47,703,772 or 58.10% with no direct investment in the fossil fuel industry.

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

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

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

### **CONCLUSION**

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

As at 30 November 2022 Council's cash and investments totalled \$82,130,289 with \$19,426,127 of this being funds held in bank accounts. The weighted average rate of return was 7.52% for the month of November 2022 and total investment revenue equals 122.20% of budgeted revenue for the year to 30 November 2022.

### **ATTACHMENT(S)**

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

## **17 COMMUNITY SERVICE DELIVERY**

### **17.1 OVERHEIGHT RAISING OF DWELLING**

**Director:** Angela Jones

**Responsible Officer:** Francis Eyndhoven

#### **EXECUTIVE SUMMARY**

Council has received a development application for alternations and additions to a flood-affected home at Woodburn. This includes raising the dwelling by 1.8 m to help avoid future inundation. The proposal would result in the building being more than 10% above the permissible height limit and, therefore, it must be referred to Council for determination. As the home is located on a large rural lot and there will be no impacts on neighbouring properties, the variation is recommended for approval.

#### **RECOMMENDATION**

That pursuant to Clause 4.6 of *Richmond Valley Local Environmental Plan 2012* a variation in respect of Clause 4.3 Height of Buildings be granted for DA2023/0076, as outlined in this report.

#### **DELIVERY PROGRAM LINKS**

Prevent & Prepare - Objective 7: Build resilience in a changing climate

7B Improve community preparedness and capacity to respond to natural disasters

7B1 Support safe development in bushfire & flood prone areas

#### **BUDGET IMPLICATIONS**

There are no budget implications for this matter.

#### **REPORT**

The Development Application (DA2023/0076) relates to a dwelling at 305 Woodburn-Evans Head Rd, Woodburn (Lot 11, DP703642). The application proposes a variation to the building height limit of 8.5 metres set by Clause 4.3 of the *RVLEP 2012*. The proposal is to raise the dwelling by 1.8m which will mean that the peak of the dwelling's roof will be 1.6m) above the maximum building height of 8.5m in this zone (or 10.10m above ground level) The lot requires a minimum habitable floor level (HFL) of 5.6m AHD and the dwelling will have a proposed HFL of 7.1m AHD upon completion of works. The existing dwelling is approximately 85m from the front boundary and is located on a lot approximately 4ha in size.

Figure 1. Snip of Site Plan showing Dwelling in Relation to Boundaries

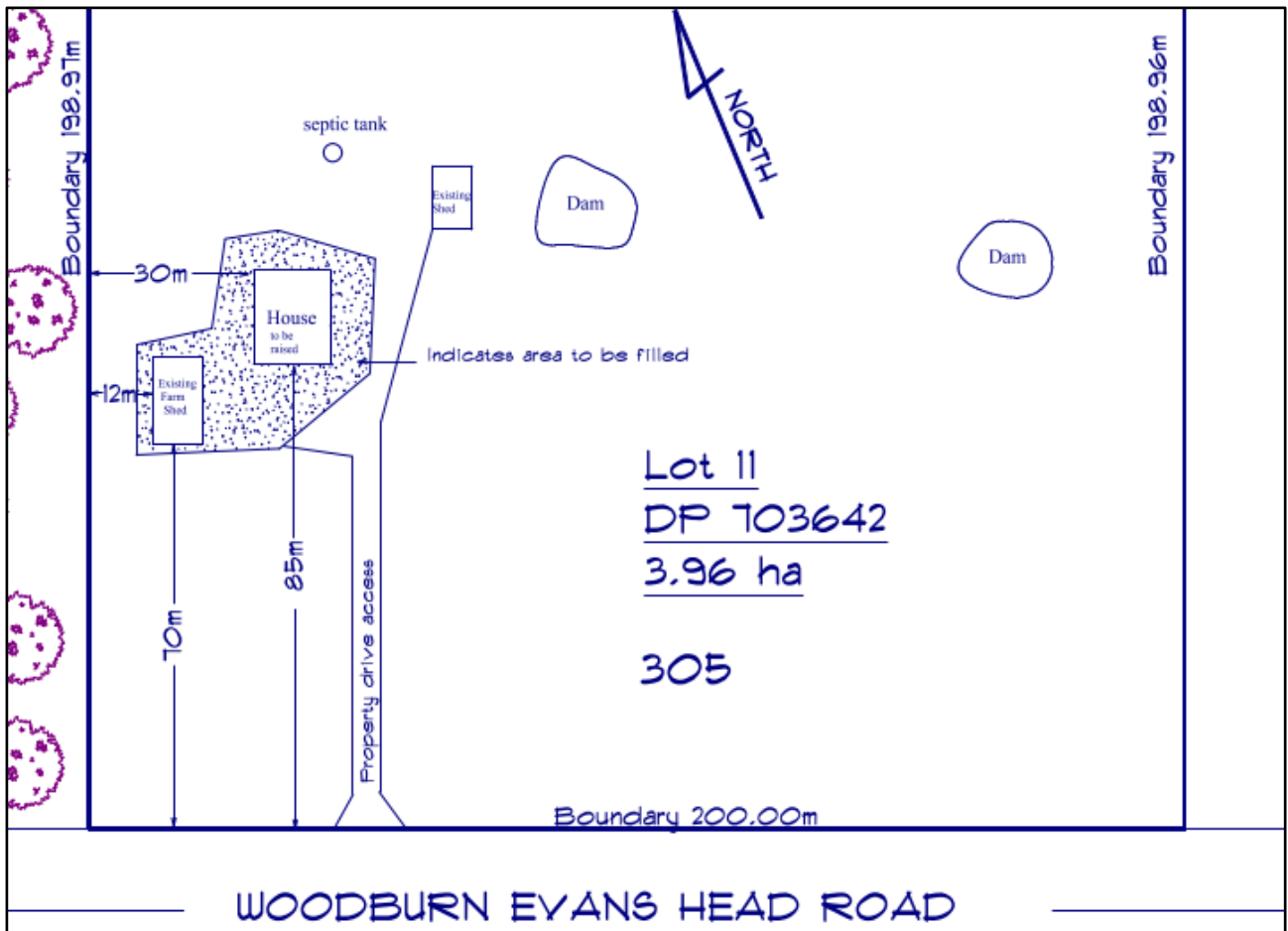
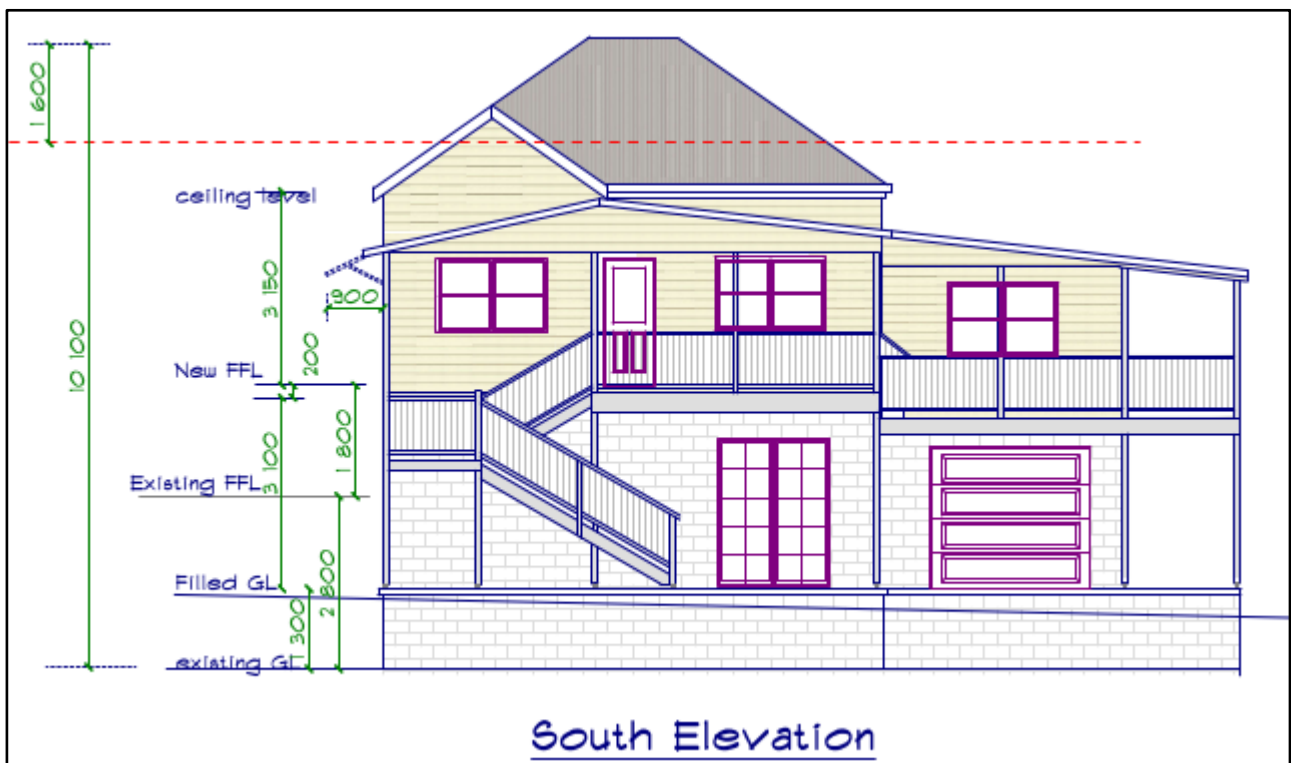


Figure 2. Proposed Elevation showing degree of Non-compliance with RVLEP 2012



The purpose of the Height of Buildings development standard is to ensure the building complements the streetscape and character of the area and minimises visual impacts, disruption of views, loss of privacy and loss of solar access to existing development.

The variation request submitted by the applicant demonstrates that the additional height is required so that the habitable floor of the dwelling exceeds the nominated AHD for flooding. As the existing dwelling is located to the middle of the lot and surrounded by existing mature vegetation, there is no overshadowing, loss of privacy or loss of views for neighbouring lots.

The proposed house raising will vary the maximum height as set out in the DCP by approximately 19%. Under NSW planning requirements, all variations greater than 10% must be referred to Council for determination.

### **CONSULTATION**

No Consultation has been undertaken as this variation to the *RVLEP 2012* requires approval before assessment of the development application can commence. In accordance with NSW Department of Planning, Industry and Environment Planning Circular PS 20-002, all Development Applications where there has been a variation less than 10% in numerical standards under Clause 4.6 of the *RVLEP 2012*, can be determined by delegation (General Manager or nominated staff member). All variations greater than 10% must be referred to Council for determination.

### **CONCLUSION**

As the proposal is considered to meet the intent and objectives of the development standard and relevant objectives of the RU1 Primary production zone the variation to building height is recommended for approval.

### **ATTACHMENT(S)**

**Nil**

## **17.2 SUSTAINABLE COMMUNITIES STRATEGY**

**Director:** Angela Jones

**Responsible Officer:** Carla Dzendolet

### **EXECUTIVE SUMMARY**

The Richmond Valley will experience new opportunities for growth and prosperity over the next 20 years with activation of the Regional Jobs Precinct and plans to provide more than 2000 new family homes within the community. Council recognises the need to balance this growth with strategies to preserve the unique lifestyle, identity and landscapes that the community values and to encourage sustainable living within a changing climate.

The Draft Richmond Valley Sustainable Communities Strategy, presented for Council's consideration, includes practical measures to support liveable, healthy communities and protect the environment as the region continues to grow. The strategy replaces Council's Environmental Charter, adopted in 2016, and focuses on protecting the Valley's unique bushland, biodiversity, rivers and waterways, as well as building community resilience in a changing climate and strengthening Council's environmental performance.

This includes opportunities for greening and cooling our communities, reducing Council's energy usage and waste production and attracting additional grant funding for environmental projects. Should Council endorse the draft Strategy, it is proposed to exhibit the document for community feedback for an extended period until February 2023

### **RECOMMENDATION**

That Council endorses the Draft Sustainable Communities Strategy and authorises public exhibition of the document for an extended period from December 2022 to February 2023.

### **DELIVERY PROGRAM LINKS**

Prevent & Prepare - Objective 7: Build resilience in a changing climate

7D Reduce our demand on natural resources

7D1 Implement demand management programs to reduce water consumption

### **BUDGET IMPLICATIONS**

The strategy explores opportunities to increase grant funding for environmental projects and achieve operational savings through reduced energy and water usage and potential carbon offset benefits.

### **REPORT**

Council has been working to strengthen its environmental focus over the past two years and established a new Sustainable Communities and Environment team in 2021 to progress this work and develop a Sustainable Communities Strategy.

The Strategy aims to protect the Richmond Valley's natural environment and provide a beautiful place to live, work, play and invest for the future. The Richmond Valley has a rich environmental heritage, including extensive waterways, conservation areas, national parks, wilderness areas and a world heritage site. The Valley is home to 283 threatened species of flora and fauna and 12 threatened ecological communities. Some 70% of native woody vegetation has been removed.

As the climate continues to change, the region will experience further challenges, with increased periods of drought, higher temperatures, rising sea levels, more frequent floods and storms and a greater risk of fire.

The draft strategy aims to address these challenges by building community awareness and resilience and achieving a healthy balance between growth and sustainable living.

It replaces Council's Environmental Charter, adopted in 2016 and provides a series of practical targets, actions and measures

The Sustainable Communities Strategy will guide Council's activities through to 2028, including key focus areas such as waste reduction, improving flood resilience, restoring and enhancing native habitat, cooling and greening communities and improving the environmental performance of Council's operations and infrastructure. The draft strategy also includes a series of priority projects and programs that will help council to secure additional grants for environmental protection and habitat restoration.

The strategy supports Council's Community Strategic Plan, Recovery Plan and Delivery Program and focuses on four key themes, including: -

- Resilient Communities: Working together to create resilient communities in a changing environment.
- Bushland and Biodiversity: Protecting unique natural ecosystems to support life in our valley.
- Rivers and Waterways: Enhancing the valley's water security while protecting and maintaining our rivers and waterways.
- Environmental Services: Council leading the way to reduce energy and water and recover more resources.

## **CONSULTATION**

The Sustainable Communities and Environment team consulted with internal stakeholders, the Executive, and Councillors in developing the strategy. It is now proposed to release the document for community consultation and feedback over an extended period (December 2022 to February 2023).

## **CONCLUSION**

The Draft Sustainable Communities Strategy sets a new direction for Council in building community resilience, protecting the Valley's unique environment and reducing our carbon footprint. The strategy complements the Richmond Valley Growth Management Strategy and Regional Jobs Precinct initiative by promoting liveable, healthy communities and achieving a balance between growth and sustainable living.

Should Council endorse the draft strategy, it is proposed to exhibit the document for community feedback over an extended period.

## **ATTACHMENT(S)**

**Nil**

## 18 PROJECTS & BUSINESS DEVELOPMENT

### 18.1 LEEVILLE HALL

**Director:** Ben Zeller

**Responsible Officer:** Andrew Leach

#### EXECUTIVE SUMMARY

In February 2022, flood waters inundated the Leeville Hall and caused severe structural and internal damage to the hall. The force of the water shifted the building from its foundations and Council now faces significant costs to repair the damage and improve flood safety at the site. The hall has experienced declining patronage over the years, due to the limited population it serves and the proximity of other facilities at Casino. Assessments have been made on the required repair costs, and investigation into the value of repairing and raising the hall height. Council has consulted with the community and stakeholders regarding future options for the hall. While there is renewed local interest in revitalising the facility, Council needs to balance this against the high flood risk of the site and the likely inability of securing development consent for a proposal at this location under current standards. It is therefore proposed that the hall be decommissioned, and that Council commences discussions with the community on suitable future uses of the site.

#### RECOMMENDATION

That Council:

1. Notes the minimal usage of the Leeville Hall over the past 5-10 years and acknowledges the efforts of the new members of the hall committee to increase community support and patronage for the facility;
2. Notes that the proposed rebuild of the facility is unlikely to secure development consent due to its location within a floodway and inability to meet modern effluent management standards
3. Concedes that the Leeville Hall is no longer a viable facility at this location due to the issues noted in item 2 above and in this report; and
4. Authorises the General Manager to clear the site to make it safe and commence discussions with the members of the new committee on potential future suitable uses of the site and to reflect the history of the Leeville Hall.

#### DELIVERY PROGRAM LINKS

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

11A Manage resources responsibly

11A2 Ensure resources are managed transparently and responsibly

#### BUDGET IMPLICATIONS

Council Officers have received quotes from a commercial builder for two options to restore the Leeville Hall.

- Repair and reinstatement of the hall to the existing level - \$202,400 including GST, and
- Repair, reinstate and raise the structure by one metre - \$535,700 including GST.

The significant difference between the first and second rebuild option includes the requirement to demolish and build a new toilet structure to the additional height. While these quotes provide a



commercial measure of the works, if Council was to commit to a reinstatement project, it would need to undertake a formal tender process. The quotes do not include any upgrade to the onsite effluent management system, or improvements to access and parking that may be required. The third option is to demolish/remove the hall estimated at \$50,000. Council would utilise funds available from the flood insurance claim to pay for any works.

Council's current operating budget for 25 halls and community centres like the Leeville Hall across the Richmond Valley is \$206,770 p.a., with an average breakdown of \$8,270 per hall. Leeville Hall's current annual operating budget is \$4,119 (2% of the total Community Halls operating budget). Over the past 10 budgets, Leeville Hall has had a total allocation of \$41,133 with actual expenditure of \$31,796 (an annual average of just over \$3,000). Using a Whole of Life Costing method, taking into account all operational, maintenance, fit out and renewal costs for a renewed hall the total budget required for an 80-year life would be \$1.613M over that time.

Major contribution to costs per annum is insurance premiums and electricity. A Section 355 Committee is responsible for the management of the Hall and pays for minor maintenance and upkeep of the grounds.

## REPORT

### ***Background and 2022 flood damage***

The Leeville Hall, adjacent to Middle Creek on Mongogarie Road, was inundated by flood water during the February 2022 flood and was severely damaged. The images attached to this report provide evidence of how badly damaged the structure is. The hall has shifted off its alignment and footings. The turbulence of the flood water has eroded the soil supporting the footings and exposed the damaged condition of the footings. The floor has bowed, and the internal wall, being masonite cladding has been water damaged up to 1500mm high. Works to restore the hall to an operational level are quoted at \$202,400, with an increase in floor level height of one metre, an option at a total cost of \$535,700. This height would still see inundation if a repeat of the 2022 flood event occurred.



### ***Management of Hall and usage***

The Leeville Hall was constructed in 1914 and run by a Trust up until 1977 when the Trust of the hall was transferred to Richmond River Council. Use of the hall has declined over the years, with

bookings rare and only three registered uses within the last five years. A children’s playgroup operated out of the Hall in the past but was wound up over 10 years ago. The Hall had been managed by a small group of volunteers over a long period of time. This committee had been looking for an injection of interest and new volunteers which had not been forthcoming until the threat of losing the Hall became a possibility.

**Consultation with the Leeville Community**

Council’s Manager Asset Planning, met with community members at the Leeville Hall early in July and discussed the condition of the hall, the operational capacity, recent usage patterns, and the cost of repairing the hall to an appropriate standard.

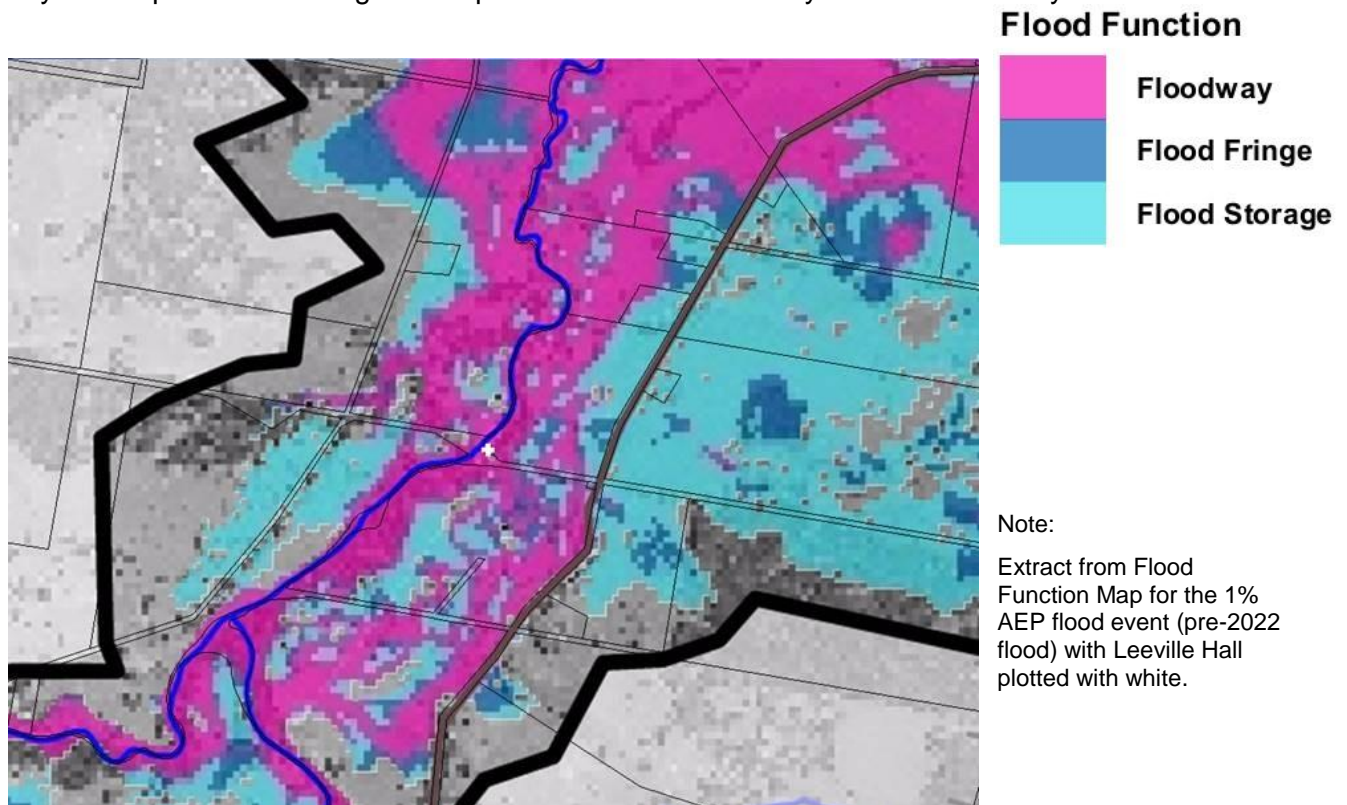
Members of the Leeville community who attended that early meeting undertook a ‘ring around’ and letterbox drop scheduling a future meeting on 30 July 2022 at the hall. Feedback received by Council is that the meeting was attended by community members who worked through the process of establishing support for the hall, and discussing future usage.

The outcome of this meeting, noting the impending loss of the hall, saw the election of a new committee, including office bearers, and further discussion on future usage of the hall if it was to remain operational. This information was forwarded to Council for consideration (see copy attached to the report). A request was put back to the committee to elaborate on where it believed the future use of the hall could be substantiated and its proposed plan for such usage.

Council received a briefing in September 2022 which contained feedback from the community, noting a revitalisation of the committee, community support and proposed future activities at the hall. The President of the re-formed committee met Council at the December Councillor Information Session and presented a case for the restoration of the hall, and a copy of the proposal is attached to this report. The presentation covered issues such as the community association with the hall over years and proposed future usage.

**Planning, flooding and effluent management issues**

Subsequent assessment of this site has been completed using Council’s Flood Function Map which identifies the site as a floodway, with the resultant damage from the 2022 flood being an obvious consequence of this location. The risk of re-building in this location is high, and it is unlikely that the proposal would secure development consent under modern assessment standards. Additionally, given the constrained nature of the site, and its proximity to a waterway, it may not be possible to design a compliant effluent treatment system for the facility.



**Assessment of future options**

Essentially, Council is faced with the options of rebuilding the existing building, rebuilding and raising the floor level, or demolishing the building and considering appropriate future uses for the site.

Quotes and estimates for these options are:

- Repair and reinstatement of the hall to the existing level - \$202,400 including GST;
- Repair, reinstate and raise the structure by one metre - \$535,700 including GST;
- Demolition of the hall is estimated at \$50,000.

In further exploring these options, Council may wish to consider:

- The future flood safety of the site, noting that the upgrade would not raise the building to a level above the 2022 flood
- The high cost of the rebuild and raising options, compared to existing usage of the hall.
- Changing community trends and technologies. While the hall has been a community centre over many years, community trends have changed, access to transport has improved, and building regulations have become more complex. There are available venues which meet all modern regulations only a 10-15-minute drive into Casino.
- Any rebuild would need to demonstrate compliance with modern development standards, including toilet facilities and effluent management, site access and parking and appropriate access for people with disabilities.
- Council's responsibility to apply the same flood safety standards to its own development projects as those applied to other members of the community.
- The inability for Council to obtain insurance coverage for a building reconstructed within a floodway.

**CONSULTATION**

Consultation on the future use of Leeville Hall has been undertaken with the community, the former committee, and the newly appointed committee. The Committee has made presentations to Council putting forward its case.

**CONCLUSION**

Council Officers have gathered information regarding the repair options and ongoing operational costs for the Leeville Hall. Community consultation has been undertaken which has realised a change in committee and there is some community support for the ongoing operation of the hall. Council has carefully considered the community proposals, as well as the high flood risk of the site, the current and future costs of rebuilding the hall and the likelihood of obtaining development consent for the proposal.

In this regard, it is recommended that the Leeville Hall should not be re-built and that further discussion should be undertaken with the community regarding suitable future uses of the site.

**ATTACHMENT(S)**

1. **Leeville Hall Photos (under separate cover)**
2. **Leeville Hall Location (under separate cover)**
3. **Leeville Hall Committee Proposal for Restoration (under separate cover)**
4. **Leeville Hall Committee Community Meeting 30.7.22 (under separate cover)**
5. **Leeville Hall Committee Business Plan (under separate cover)**
6. **Leeville Hall Committee Proposal for Restoration (under separate cover)**
7. **Business Letters of Support for Leeville Hall Committee (under separate cover)**
8. **Leeville Hall Committee Presentation (under separate cover)**
9. **Letter of Support (under separate cover)**

**18.2 NORTHERN RIVERS LIVESTOCK EXCHANGE REVENUE POLICY 2023/24 AND AGENT LICENCE PROCUREMENT PROCESS**

**Director:** Ben Zeller

**Responsible Officer:** Bradley Willis

**EXECUTIVE SUMMARY**

Over the past six months Council has reviewed a revised Northern Rivers Livestock Exchange (NRLX) Business Plan for 2022. The business plan has evolved since the first iteration of 2020 and the current plan is strategically focused on a vertically integrated business that will provide future financial stability. The business plan outlines expansion and growth strategies, most notably through an Expression of Interest (EOI) process. The EOI is an approach to market allowing the Council to gauge interest with the opportunity for existing, additional, or alternative agencies to provide services from the NRLX. An EOI allows for an impartial, open, and competitive process that is aimed at refining the businesses that have the benefit of utilising community assets for commercial and financial gain and it is critical that Council ensures a competitive marketplace is provided.

A revised revenue policy is to be placed on exhibition for a period of 60 days from 21 December 2022. The revenue policy has only one change regarding an existing fee and the introduction of new operational processes with associated fees. The proposal is for the adoption of a new fee methodology and transition the Agent Business usage fee from a fixed per head charge to a percentage of gross revenue of 0.2 %

These changes are in the overall interests of future NRLX operations, NRLX site users and Richmond Valley ratepayers. It is critical that the NRLX remains competitive but financially sustainable into the future.

**RECOMMENDATION**

That Council:

1. Endorse the NRLX Business Plan 2022;
2. Approve the exhibition of the NRLX 2023/24 Revenue Policy for an extended period of 60 days;
3. Fix the core Vendor Sale fees at existing levels for a further three years;
4. Adopt a new fee methodology and transition the Agent Business usage fee from a fixed per head charge to a percentage of gross revenue of 0.2%;
5. Endorse the Expression of Interest process for Agent Licence Agreements and the initial availability of seven Licence Agreements from 1 July 2023;
6. Authorise the General Manager to conduct the procurement process and approve the outcomes for 2023-2026 Agent Licences in line with the content of this report.

**DELIVERY PROGRAM LINKS**

Sustain - Objective 8: Strengthen the regional economy

8C Support local businesses to recover and prosper

8C3 Continue to grow Council's business activities to benefit the community

**BUDGET IMPLICATIONS**

The modelling, research, and scenarios for this proposed course of action are consistent with those outlined in the NRLX Business Plan 2022 (Commercial in Confidence).

**REPORT**

The 2022 NRLX Business Plan (Commercial in Confidence) will position the NRLX as a financially sustainable, modern livestock exchange and a leader in best practice. It is imperative for continued monitoring of progress, review of current practices, and a willingness to evolve to define clear pathways for the business moving forward. The 2022 Business Plan proposes changes to the operational processes at the NRLX with a key priority to vertically integrate operations and services for the long-term viability and success of the business. This means that Council will have more direct control of services at the facility, rather than these being contracted out, where NRLX control is limited, there is no financial gain and we are still liable for risk and commercial harm. With streamlined information, knowledge, communication, strengthened biosecurity and animal welfare measures, this will provide significant improvements to services, compliance, efficiency, and sustainability.

The Plan highlights current operational challenges, inadequacies of services and demonstrates the benefits and capacity Council has as an organisation to further advance the business for the benefit of the Richmond Valley agricultural sector.

The key priorities within the Business Plan are:

- A review of Agent Licence Agreements and the transition to a modern Licence Agreement with an increased focus on behaviours and values, WHS, biosecurity, transport chain of responsibility, branding, and marketing. The Licence Agreement will also form the contractual agreement for the supply of services that will occur with the change of operational processes.
- NRLX Agent Licence Agreement Expressions of Interest procurement process as an open and transparent market test to reduce limitations and remove entry barriers to the marketplace. A target to have seven agencies undertaking livestock sales at NRLX from July 1, 2023.
- Draft Revenue Policy to be placed on public exhibition, and the proposal for assuming yard operations is to be presented.
- An overview of future capital expenditure and desired projects to support compliance, rectify legacy issues, while supporting business growth and further vertical integration for increased revenue and profitability.
- The introduction of an NRLX Scholarship Program to enhance the future of agriculture in the Richmond Valley with an aim to commence students in January 2024.
- Recruitment and implementation of an NRLX Livestock Team including a dedicated Livestock Coordinator and a defined and appointed Animal Welfare Officer as is required.
- Feeding of livestock to be integrated with the NRLX Operations and Livestock Team.
- Recruitment of a casual workforce through an external agency for the movement of livestock on sale days only (Sale Day Livestock Team) with a view to transition existing CAAI staff where they are suitable.

**The Expression of Interest**

The EOI is another step in transitioning the NRLX to a modern business enterprise and continuing to support growth at the facility post redevelopment. The EOI is for a three-year Agent Licence Agreement and sets the scope of requirements for livestock agencies that seek to work from the Northern Rivers Livestock Exchange.

The EOI is an approach to market allowing Council to gauge interest with the opportunity for existing, additional, or alternative agencies to express their interest in providing services from NRLX. The EOI provides Council with an opportunity to respond to prospective agencies and refine those who have the capabilities, epitomise the values of our facility and address the criteria clearly defined in the EOI document.

Obtaining value for money is enhanced when there is open competition and the market is tested. An EOI allows for an impartial, open, and competitive process that is aimed at ensuring the businesses that benefit from using a community asset for commercial and financial gain are of an acceptable standard in the view of the community. The lack of previous procurement processes leads to a situation where the community is compelled to utilise the services of the current agencies that haven't been scrutinised by a competitive market exercise.

The below table has been compiled from the MLA National saleyard surveys and demonstrates that NRLX is currently ranked at number 8 in Australia based on throughput with a three-year average of 119,780 head per annum. With five current operating agencies it provides an average of 23,956 head per agency and this positions NRLX agencies with the fifth highest average in the country per agency.

Biggenden (aka Burnett Livestock Exchange) at number one is privately owned and operated by a single agent, Burnett Livestock and Realty. Boyanup in WA at number 2 is state government owned and is leased by two agencies being Nutrien and Elders Limited, with the recent lease renewal attracting the attention and involvement of the ACCC for competition concerns. It would be reasonable to label these two operations as an anomaly in the top 20 and would therefore logically position NRLX agencies at number 3 in the country in an open market.

Ranking, head per agency	Saleyard Ranking by throughput average	Saleyard	2021/22	2020/21	2019/20	Total	Average Throughput	Agents	Average Head Per Agency
1	20	Biggenden*	51,603	64,122	64,691	180,416	60,139	1	60,139
2	15	Boyanup*	82,256	80,570	86,343	249,169	83,056	2	41,528
3	1	Roma	220,567	239,224	275,258	735,049	245,016	8	30,627
4	3	Leongatha	160,202	142,634	143,441	446,277	148,759	5	29,752
5	8	Casino	123,713	103,700	131,926	359,339	119,780	5	23,956
6	2	Dalby	161,792	167,047	236,249	565,088	188,363	8	23,545
7	19	Mount Barker	62,236	71,817	75,943	209,996	69,999	3	23,333
8	10	Pakenham	109,048	103,074	122,141	334,263	111,421	5	22,284
9	4	Gracemere	136,045	166,198	140,769	443,012	147,671	7	21,096
10	12	Blackall	91,498	104,087	99,135	294,720	98,240	5	19,648
11	13	Muchea	94,178	96,554	96,616	287,348	95,783	5	19,157
12	5	Wodonga	111,688	121,752	183,574	417,014	139,005	8	17,376
13	6	Wagga Wagga	107,274	113,401	190,150	410,825	136,942	9	15,216
14	18	Mount Gambier	64,977	70,587	77,576	213,140	71,047	5	14,209
15	17	Shepparton	68,867	73,000	97,444	239,311	79,770	6	13,295
16	16	Emerald	80,008	70,741	95,062	245,811	81,937	7	11,705
17	9	Tamworth	124,863	101,215	111,834	337,912	112,637	10	11,264
28	14	Mortlake	111,490	90,828	64,827	267,145	89,048	8	11,131
19	7	Dubbo	112,289	115,836	155,770	383,895	127,965	13	9,843
20	11	Carcoar	102,770	63,885	144,904	311,559	103,853	13	7,989

The EOI documentation will be publicly available in January 2023 and will outline the procurement process. Council has engaged the services of a probity advisor and the draft licence agreements have been drafted by legal consultants. An evaluation panel will be selected, and they will assess the EOI's post the closing date, based on stringent criteria that will also be communicated clearly on the EOI's release.

### **Revenue Policy**

The proposed NRLX Revenue Policy 2023/24 shows no change in vendor fees for the next financial year. There is only one proposed change of an existing fee for the 2023/2024 revenue policy and this is the agent business usage fee. This proposal is for the adoption of a new fee methodology and change the Agent Business usage fee from a fixed per head charge to a percentage of gross revenue of 0.2 %.

Vendor fees are at a level that remains competitive in the marketplace. The vendor has historically contributed most of the fees to NRLX and there is a need for an incremental realignment of the

cost sharing between the vendor and agent from the previous model. It is vital that NRLX advocates that the producer has and continues to pay their fair share towards the facility and the revised structure is clearly a fair and equitable charge to the agent for use of a world class facility that enables them to conduct their business from a public asset for their financial gain and benefit.

Since the introduction of price-based vendor charges in 2020 there has not been an increase or amendment to vendor sale fees from Council and the current term expires 30 June 2023. The price-based vendor fee structure was introduced to build flexibility into the revenue policy that charged according to market conditions and the value of livestock which provided revenue gains in profitable seasons and provided fee relief in market downturns. It is a substantial acknowledgement and support of the industry from Council to again fix the vendor fee structure for a further three-year period and provide this security for vendors. This will provide the industry with 6 continuous years of unchanged vendor sale fees.

With the new operational processes being introduced for the Agent Licence Agreements there will be new associated agent fees for these operational processes which will be detailed in the EOI process. These new fees will be offset by savings from operational processes that Agents will no longer be required to manage and fund. Additionally, and in response to feedback from vendors, measures will be included in the new Agent Licence Agreements to require transparency in what fees are passed on to vendors.

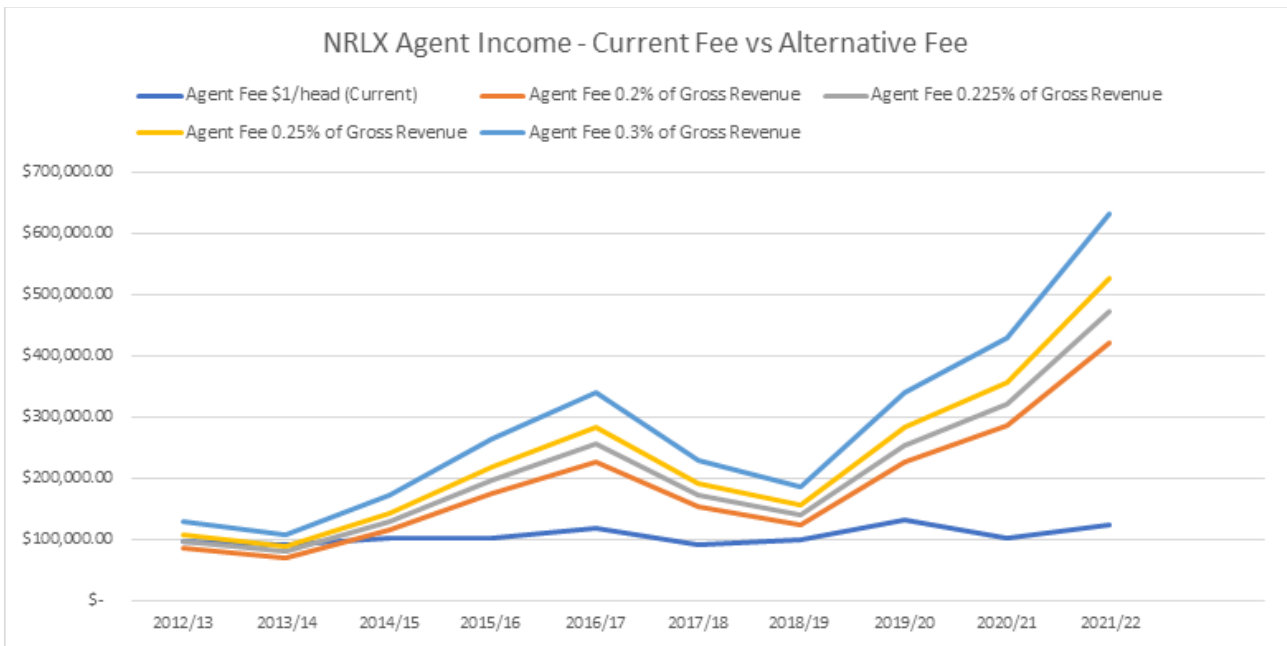
### **Benchmarking**

As noted above, it is proposed to change the Agents Business Usage Fee from \$1.00 per head, to a percentage of gross revenue model. The recommendation is for a 0.2% of gross sale price per head. By way of comparison, the following table provides the methods and rates charged by other comparable facilities:

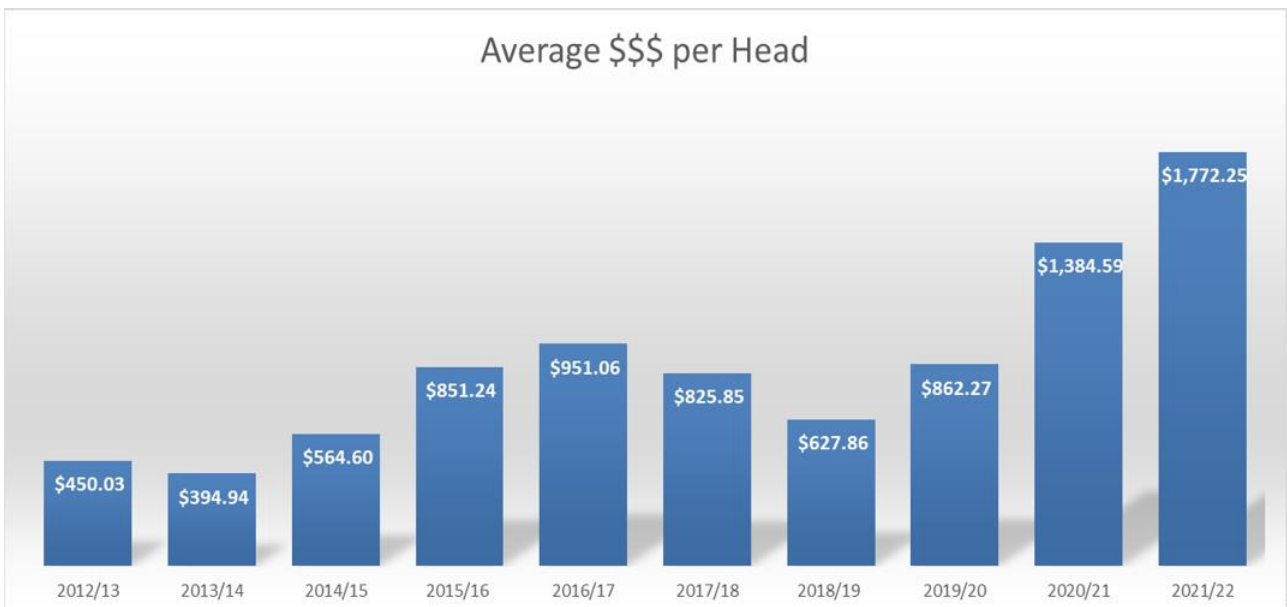
Information obtained in Operational Review			Ownership
Saleyard	Rate		
Yass Selex	0.30%	of gross sale price (2018)	Private
Mortlake	0.30%	of gross sale price (2018)	Private
Barnawartha	0.25%	of gross sale price (2018)	Private
Carcoar	0.25%	of gross sale price (2018)	Private
Moss Vale	0.36%	of gross sale price (2022/23)	Council
Information obtained by NRLX			Ownership
Saleyard	Rate		
Mudgee	0.25%	of gross sale price	Council
Tamworth	0.30%	of gross sale price	Private
Inverell	0.30%	of gross sale price	Private
Scone	\$4.50	Per head	Council
Roma	\$2.05	Per Head	Council
Roma Bull & Stud Fee	1%	Of gross sale price	Council

This highlights that a proposed rate of 0.2% would place the NRLX as the lowest fee level of the competitors listed above.

Using the various fee levels of our comparable competitors, the following modelling based on historical sales data demonstrates the revenue results that would have been realised had this methodology applied previously.



The average per head price across historical data is demonstrated below:



A key consideration for the above items is a strategically planned approach for implementation and a careful assessment of commercial processes in the best interests of NRLX and its stakeholders.

The changes proposed are in the overall interests of the future NRLX operations, NRLX site users and Richmond Valley ratepayers. The Business Plan outlined a transitional timeline with the following being a summary of key dates and milestones:

**December 2022:**

- Stakeholder engagement with current Agent Permit holders and NRLX directorate in relation to the new Agent Licence Agreement and notification of an EOI process and the availability of seven licence agreements.
- Exhibit the proposed NRLX Revenue Policy 2023/24 for 60 days (minimum 28 days required under LG Act) noting a change of Agent Business Usage Fee from a fixed \$1.00 per head to a percentage of gross revenue rate of the gross sale price per head.

**January 2023:**

- Release the EOI for a period of 10 weeks with a closing date of Monday 3 April 2023



- Stakeholder engagement session/orientation in conjunction with Local Government Procurement for introduction to the probity principles and the process.

**April 2023:**

- EOI closes for assessment and selection process.

**May 2023:**

- Finalisation and signing of Agent Licence Agreements for 2023-2026

**July 2023:**

- New Agent Licence agreement in effect and new operations commence.

**CONSULTATION**

Council representatives met with the current Agent Licence holders to provide courtesy advanced notice around the transition to an Expression of Interest process for licences commencing 1 July 2023. Changes to the revenue policy were also discussed and will be subject to a 60-day exhibition period.

Given the fees to vendors remain static, it is unlikely stakeholder feedback will be received.

**CONCLUSION**

The NRLX Business Plan 2022 has been reviewed by Council. It outlines a pathway forward for the continued prosperity of the NRLX, and the many stakeholders that benefit from its use. An Expression of Interest for Agents' licences will be an exercise that ensures the ratepayers can have confidence that the best businesses in the marketplace have been selected to operate from the NRLX. The successful agencies will need to demonstrate a commitment to the facility, customer service, transparency, and the values and behaviours commensurate with the NRLX's status as one of the leading selling centres in the country.

**ATTACHMENT(S)**

1. **NRLX Draft Revenue Policy 2023-24 (under separate cover)**

**19 GENERAL BUSINESS**

Nil

## 20 MATTERS FOR INFORMATION

### RECOMMENDATION

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

#### 20.1 OUTCOME OF NEGOTIATIONS OF TENDER VP311535 - DESIGN AND CONSTRUCT JACKYBULBIN BRIDGE REPLACEMENT

**Director:** Ben Zeller

**Responsible Officer:** Jack Baker

### RECOMMENDATION

That Council receives and notes the report on the outcome of negotiations for Tender VP311535 – Design and Construct JackyBulbin Bridge Replacement.

### REPORT

At Council's Ordinary Meeting on the 16<sup>th</sup> August 2022, it was resolved:

“That Council:

1. Declines the only submission received for Tender VP311535: Design and Construct JackyBulbin Bridge Replacement – Unsealed Road, Bungawalbin Whiporie Road.
2. Applies Clause 178 (3e) of the Local Government (General) Regulation 2021 to authorise the General Manager to enter into direct negotiations with suitably qualified contractors with a view to obtaining works that provide council with the best outcome. Both from a financial and delivery perspective, and to finalise the terms of the contract or agreement and affixing the seal of Council where necessary.
3. Notes that the outcomes of the negotiations will be reported to Council for information at a future meeting.”

JackyBulbin Bridge replacement is part of Transport for New South Wales (TfNSW) Disaster Recovery Funding Arrangements (DRFA) under event ARGN960 (March 2021 flood). Council was successful in receiving Essential Public Asset Reconstruction (EPAR) funding with a total upper limit of \$850,000.

JackyBulbin Bridge, located 25km southwest of Coraki on Bungawalbin Whiporie Road, is a single span Doolan Deck (composite timber and concrete) type bridge founded on pad footing abutments, with an overall length of 12 metres. The bridge consists of one deck unit which provides a narrow bridge with a maximum width of 3.4 metres between barriers. Both approaches are asphalt sealed ranging in 4 to 5 metre formations with safety barriers. The existing “Doolan Deck” structure is currently load limited to 5T due to structural damage sustained from the March 2021 flood. The damage requires the bridge to be replaced with a concrete structure compliant to AS 5100.5.2017 Bridge Design.

Council originally called for tenders seeking appropriately qualified and experienced contractors to design and construct the replacement of JackyBulbin Bridge. In the original Tender, a single, non-complying tender was received, with the price being almost \$300,000 over the approved upper limit budget. Council subsequently resolved to reject all tenders and negotiate with suitable contractors.

Since then, Council staff have made representations to TfNSW seeking additional funding to enable the bridge to be replaced. Council has also been negotiating with the sole tenderer, Engineering and Civil Pty Ltd to refine its proposal as some items were amended from the original scope.

The outcome of the representations to TfNSW has seen the original approved upper limit increased from \$850,000 to \$1,250,300 providing a \$400,300 budget increase (exclusive of GST) to deliver this project.

The revised quotation received from Engineering and Civil Pty Ltd was \$870,000 (excl GST) which is \$161,900 (excl GST) less than the declined Tender reported to Council in August. This amount provides Council with \$380,300 for project management and contingencies for unforeseen issues and latent conditions.

Engineering and Civil Pty Ltd has availability to start works early 2023 which will see the works completed by the end of the 2022/23 financial year.

### **CONCLUSION**

Due to the successful negotiation of a revised upper limit increase with TfNSW and obtaining a quote that provides Council with the best outcome both from a financial and delivery perspective, Council will be preparing an Instrument of Agreement with Engineering and Civil Pty Ltd for \$870,000 excl GST to design and construct JackyBulbin Bridge.

### **ATTACHMENT(S)**

**Nil**

**20.2 GRANT APPLICATION INFORMATION REPORT - NOVEMBER 2022**

**Director:** Ryan Gaiter

**Responsible Officer:** Rylee Vidler

**RECOMMENDATION**

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

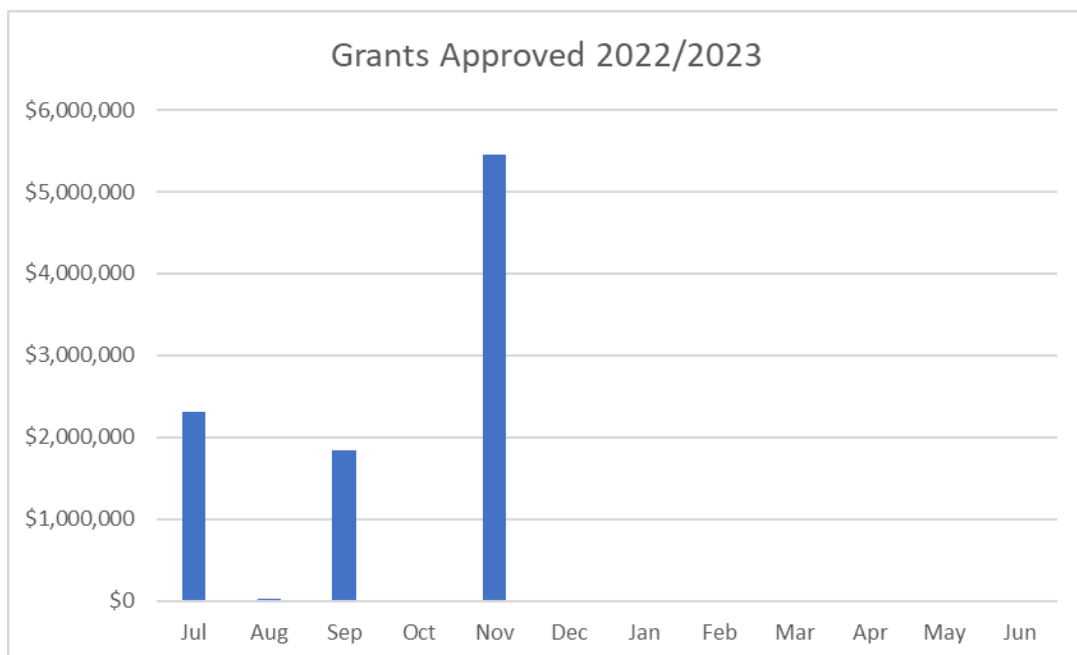
**REPORT**

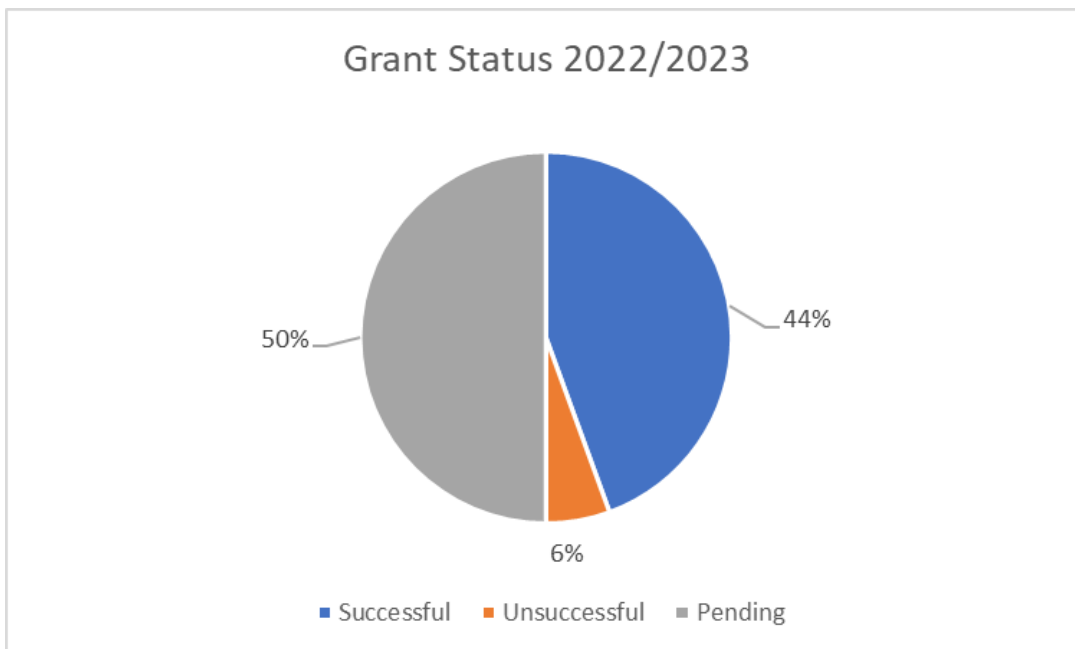
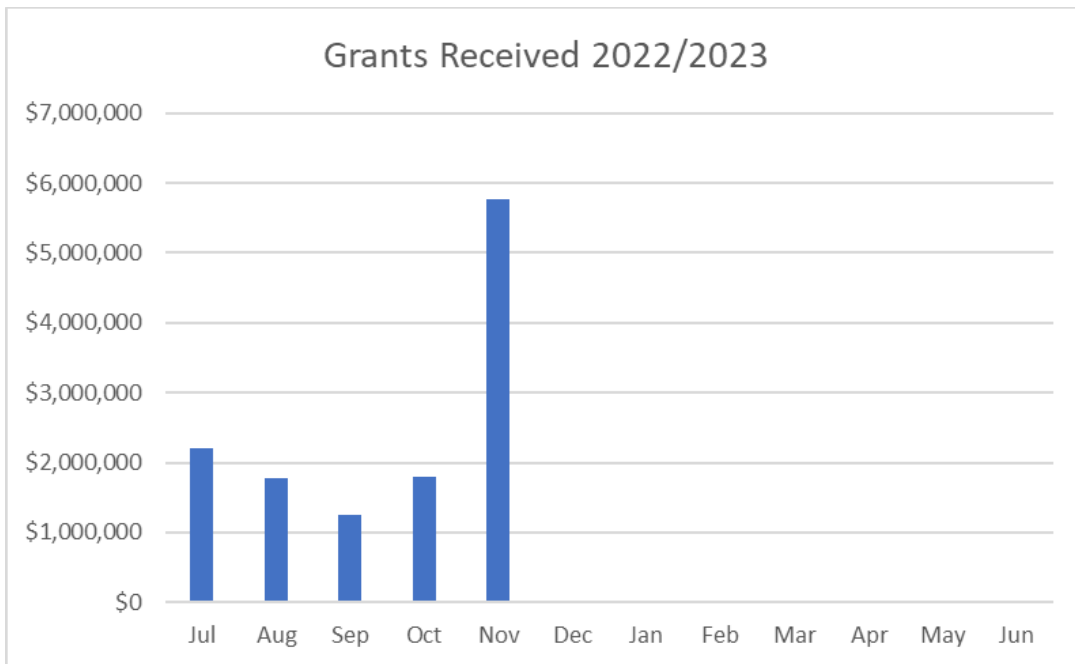
This report provides information on grant applications that have been approved, grants that have been received, grant applications that were unsuccessful and grant applications that were submitted for the month of November 2022.

During the reporting period, there were five grants approved.

Council received funding for seven grants totalling \$5,768,784. Council submitted one application and was notified of one unsuccessful application during the period.

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





**Grants that have been approved**

Project Name	Funding Body	Funding Name	Project Value	Grant Funding	Council Funding	Application Submitted	Date Approved
Fixing out Sporting Grounds	Office of Sport (State)	Sports Priority Needs Program	\$ 1,579,506	\$ 1,579,506	\$ -	23 September 2022	2 November 2022
Comment: This funding will allow Council to perform restoration and resilience works on Woodburn Oval, Colley Park, Queen Elizabeth Park, Stan Payne Oval, Windsor Park and Casino Croquet Club.							
Queen Elizabeth Park Recreational Upgrade	NSW Office of Sport (State)	Multi-Sport Community Facility Fund	\$ 1,643,749	\$ 1,643,749	\$ -	2 September 2022	25 November 2022
Comment: This funding will allow Council to upgrade Queen Elizabeth Park, including new fencing, picnic shelters, water bottle filling stations, bollards, topsoiling football fields, upgrading the long jump facility and lighting.							
Pothole Repair Funding	Transport for NSW (State)	Fixing Local Roads - Pothole Repair Program	\$ 365,344	\$ 365,344	\$ -	2 November 2022	29 November 2022
Comment: This funding will allow the Council to fill more potholes across the regional and local road network of the LGA.							
Reynolds Road Bridge	Transport for NSW (State)	Fixing Country Bridges - Round 2B	\$ 1,285,800	\$ 1,285,800	\$ -	23 November 2021	30 November 2022
Comment: This funding will allow Council to replace the existing timber Reynolds Road Bridge with a concrete bridge.							
Lollback Bridge	Transport for NSW (State)	Fixing Country Bridges - Round 2B	\$ 583,902	\$ 583,902	\$ -	23 November 2021	30 November 2022
Comment: This funding will allow Council to replace the existing timber Lollback Bridge with a concrete bridge.							

**Grants that have been received**

Project Name	Funding Body	Funding Name	Project Value	Grant Funding	Council Funding	Application Submitted	Date Received	Total Received
Woodburn Honour Board	Office of Veterans Affairs (State)	Community War Memorials Fund	\$ 19,600	\$ 10,000	\$ 9,600	26 July 2022	\$ 10,000 1 November 2022	\$ 10,000
Comment: Funding received to commence restoration works on The Great War Memorial Boards damaged at the Woodburn Hall during the February/ March Flood.								
Restorations of Burnt Riparian Areas within the Richmond River Tributaries	NSW Department of Planning, Industry and Environment (State)	Bushfire Affected Coastal Waterways Program 2019/20	\$ 160,000	\$ 140,000	\$ 20,000	N/A	\$ 45,397 8 November 2022	\$ 50,397
Comment: Progress payment per grant agreement.								

Project Name	Funding Body	Funding Name	Project Value	Grant Funding	Council Funding	Application Submitted	Date Received	Total Received
Financial Assistance Grant 2022/2023	NSW Local Government Grants Commission (Federal)	Financial Assistance Grant	\$ 5,981,973	\$ 5,981,973	\$ -	N/A - Annual Allocation	\$ 401,923 16 November 2022	\$ 5,178,127
Comment: Second quarter payment for 2022/23 funding allocation.								
Digital Device Library	Good Things Foundation (Other)	Be Connected Network	\$ 5,000	\$ 5,000	\$ -	7 October 2022	\$ 5,000 21 November 2022	\$ 5,000
Comment: Funding received to commence purchasing devices to be loaned out to people over 50 to stay connected.								
NSW Severe Weather and Flooding 22 Feb 22 - AGRN1012	Transport for NSW (State)	Disaster Recovery Funding Arrangements (DRFA)	\$10,056,621	\$10,056,621	\$ -	N/A	\$ 5,056,621 21 November 2022	\$10,056,621
Comments: This is a progress payment for emergency and immediate reconstruction work carried out since the February Flood event. Note: The project value is the value of works submitted to Transport for NSW for reimbursement and will increase as more work is completed and submitted.								
MR145 Woodburn-Coraki Road Major Upgrade	Transport for NSW (Federal)	N/A - Election Promise	\$10,000,000	\$10,000,000	\$ -	N/A	\$ 235,310 24 November 2022	\$ 4,057,129
Comment: Progress payment for works completed on Woodburn to Coraki Road.								
NSW Storms and Flood March 2021 AGRN960 - Emergency and Immediate Reconstruction Works	Transport for NSW (State)	Disaster Recovery Funding Arrangements (DRFA)	\$ 1,046,846	\$ 1,046,846	\$ -	N/A	\$ 14,534 24 November 2022	\$ 1,046,846
Comment: Final payment for Crown Roads progress claim 2								

### Grant Applications Submitted

Project Name	Funding Body	Funding Name	Project Value	Grant Funding	Council Funding	Application Submitted
Pothole Repair Program	Transport for NSW (State)	Fixing Local Roads - Pothole Repair Program	\$ 365,344	\$ 365,344	\$ -	2 November 2022
Comment: If successful, this funding will allow Council conduct more pothole repairs across the regional and local road network within the LGA.						



**Unsuccessful Grant Applications**

Project Name	Funding Body	Funding Name	Project Value	Grant Funding	Council Funding	Application Submitted	Advised Unsuccessful
Reconnecting Richmond Valley Youth	Office for Regional Youth (State)	2022/23 Summer Holiday Break Program	\$ 11,580	\$ 9,590	\$ 1,990	19 October 2022	9 November 2022
Comments: There was limited funding available to the LGA and the funding was allocated to Mid Richmond Neighbourhood Centre.							

**ATTACHMENT(S)**

**Nil**

### **20.3 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 NOVEMBER 2022 TO 30 NOVEMBER 2022**

**Director:** Angela Jones

**Responsible Officer:** Andy Edwards

#### **RECOMMENDATION**

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

#### **REPORT**

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

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

The total number of Development Applications and Complying Development Applications determined within the Local Government area for the period 1 November 2022 to 30 November 2022 was 23, with a total value of \$6,596,318.00 less a refused application.

There were two applications determined that were flood affected being DA2023/0061 – 528 Woodburn Evans Head Road, Doonbah and DA2023/0069 – 1340 Woodburn Coraki Road, Coraki.

One application was refused, being DA2023/0036 - 37 Woodburn Street, Woodburn as the proposal was incompatible with the established character of the neighbourhood.

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

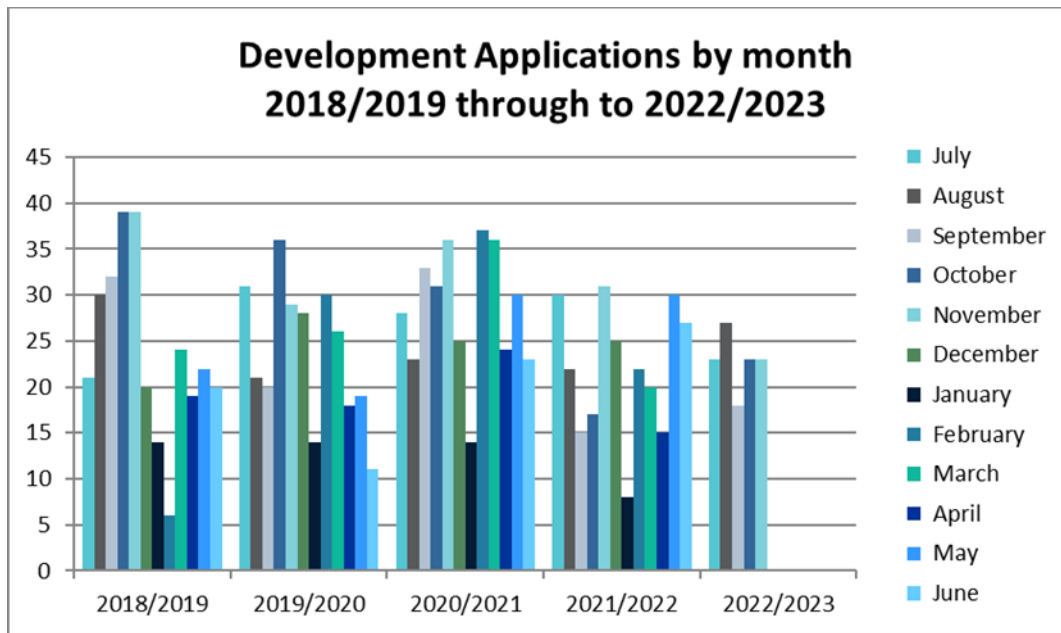


Figure 1: Monthly number of development applications processed by Council over five financial years.

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

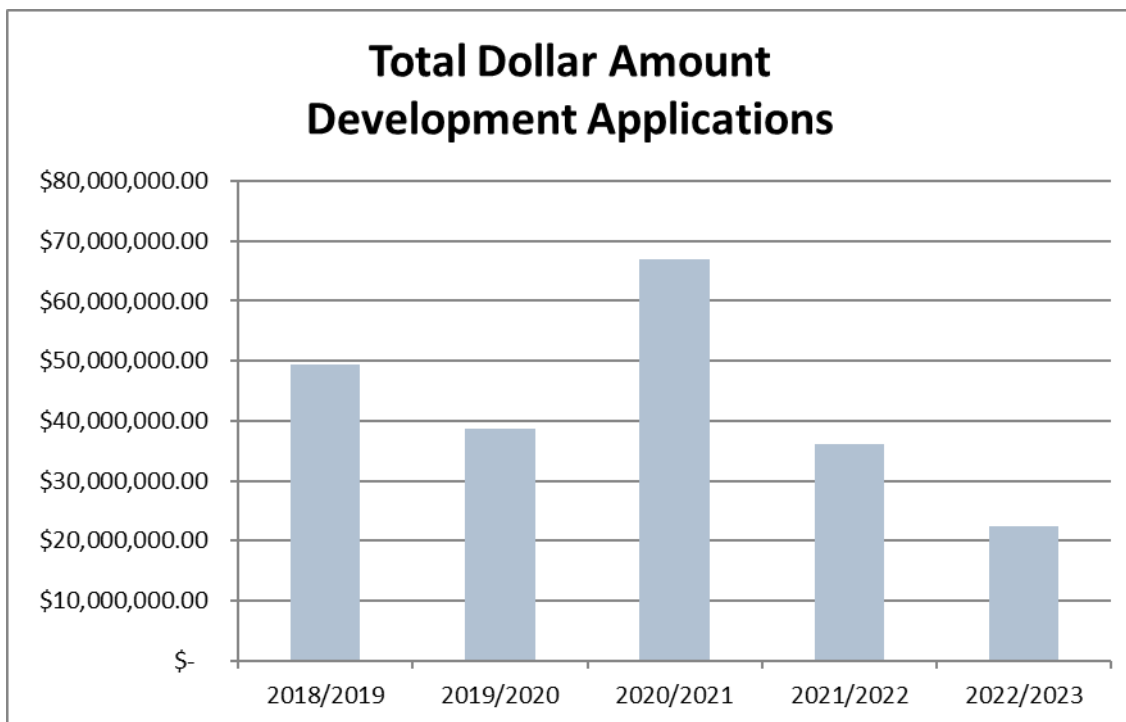


Figure 2: Annual value of development.

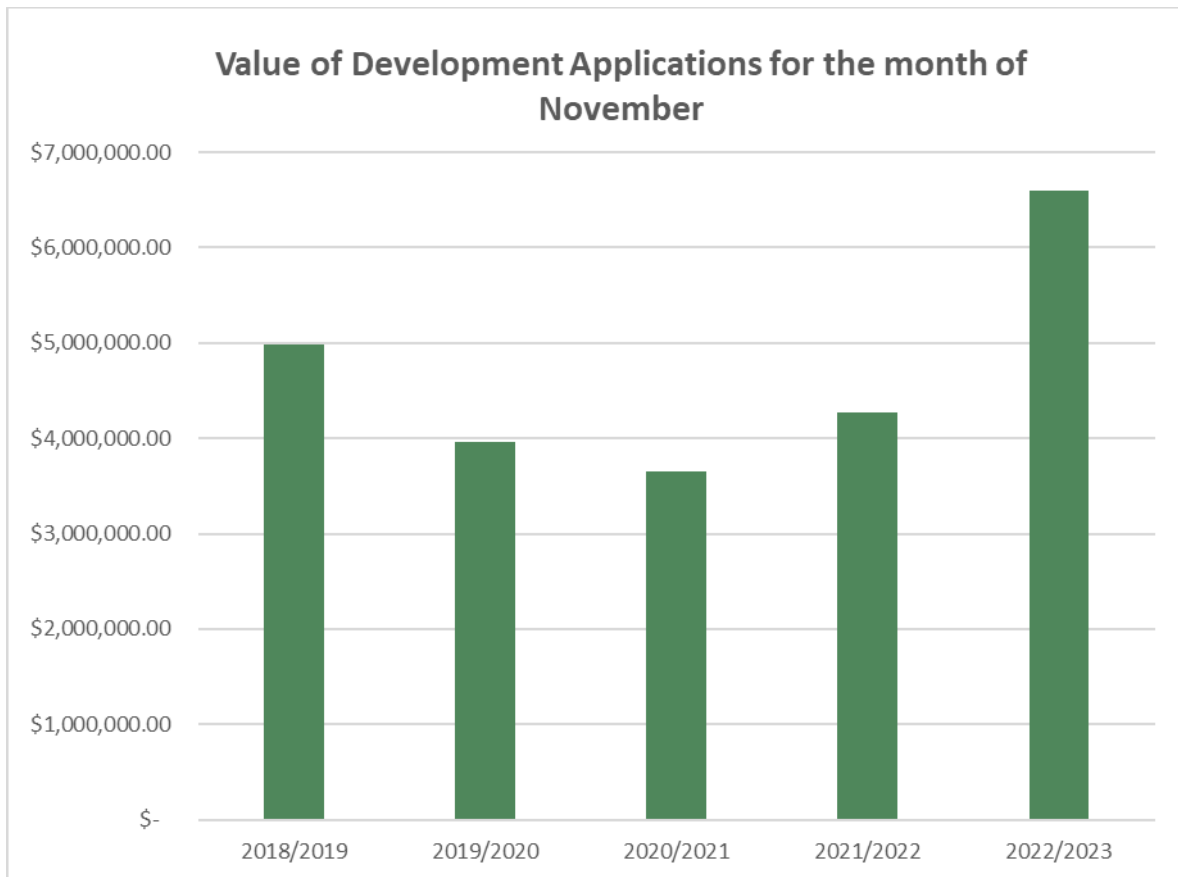


Figure 3: Value of development for the month of November 2022

**Number of Development Applications**

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

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

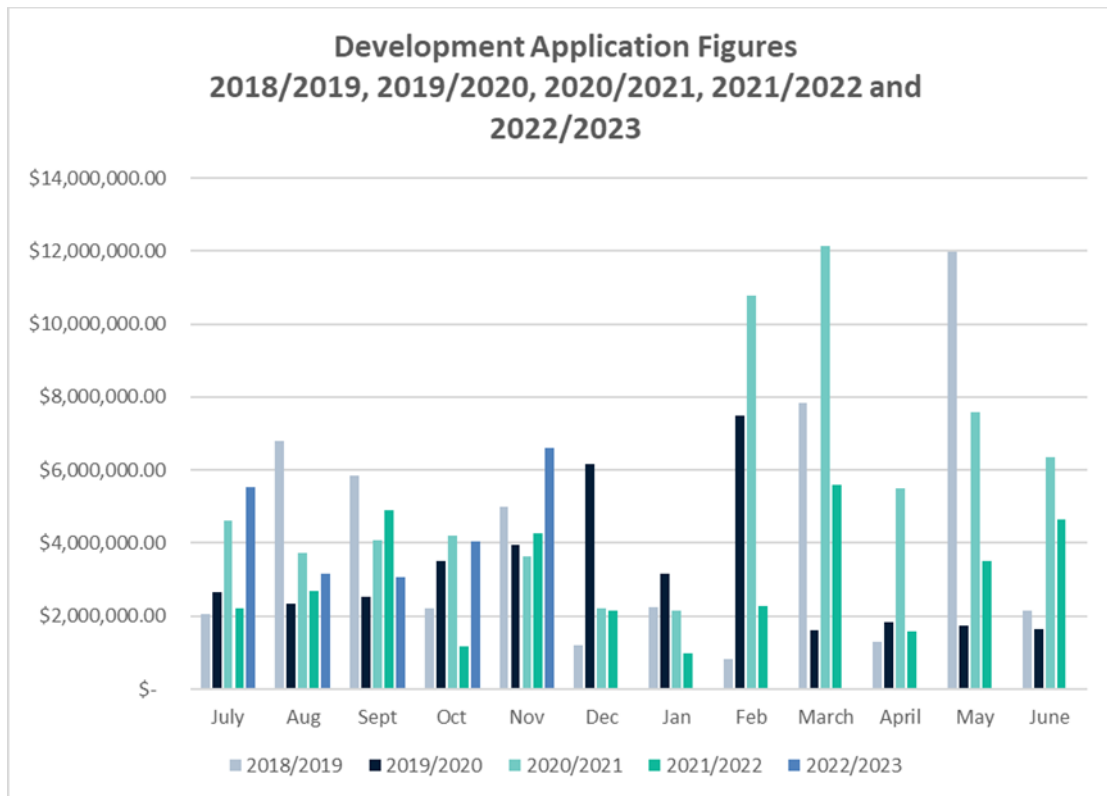


Figure 4: Value of development applications per month over five financial years.

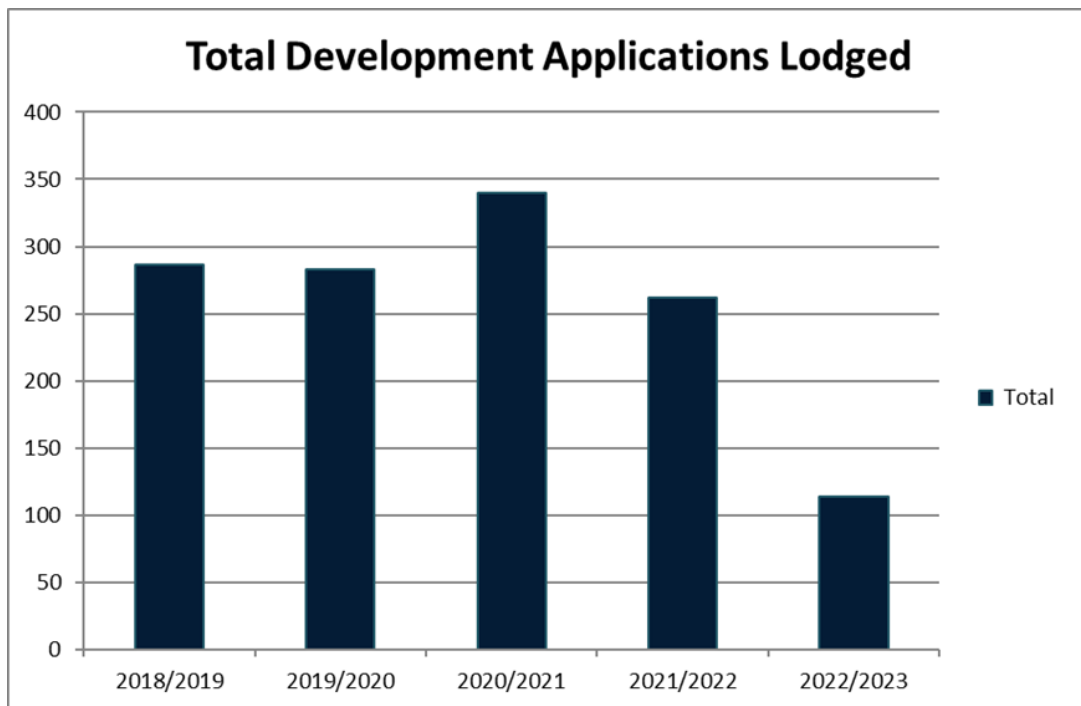


Figure 5: Number of Development Applications per annum over five financial years.

**Activity for the month of November 2022**

General Approvals (excluding Subdivisions, Section 4.55)	21
Section 4.55 amendments to original consent	1
Subdivision	0
Refused	1
Rejected	0
Withdrawn	0
Complying Development (Council Approved)	0
Complying Development (Private Certifier Approved)	0
<b>TOTAL NUMBER OF APPLICATIONS DETERMINED</b>	<b>23</b>
<b>Average assessment days for applications determined in November2022</b>	<b>51</b>
<b>No. of Integrated development applications determined in November2022</b>	<b>2</b>
<b>No. of Designated development applications determined in November2022</b>	<b>0</b>
<b>No. of building/ compliance inspections undertaken in November2022.</b>	<b>140</b>

Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 November 2022 to 30 November 2022							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2022/0029	Newton Denny Chapelle	T J Robson, M J Robson, L J Pendrigh & K M Pendrigh	91 Ocean Drive, Evans Head	Demolition of existing structures, construction of an attached three (3) storey dual occupancy development with double garages, in-ground swimming pool and associated works, and Strata Title subdivision	2/08/2021	8/11/2022	\$1,241,153.00
DA2022/0093	GeoLink Consulting Pty Ltd - Coffs Harbour	Northern Co-Operative Meat Co Ltd	10615 Summerland Way, Casino	Addition of ancillary on-site workers' accommodation (comprising 10 as-built accommodation blocks for a total of 60 staff) to the existing Livestock Processing Industry and associated works, including services and amenities.	1/11/2021	11/11/2022	\$1,300,000.00
DA2022/0129	F M Campbell	F M Campbell	1278 Oakland Road, East Coraki	Dwelling	4/01/2022	6/11/2022	\$318,000.00
DA2022/0206	Atlas Awnings	H D O'Leary	25A Frederick Street, Casino	Carport with a request to vary the DCP to 230mm from the southern side boundary	2/05/2022	2/11/2022	\$30,240.00
DA2022/0253	Newton Denny Chapelle	J M Cruickshank, M A Cruickshank & G J Cruickshank	460 Old Dyraaba Road, Woodview	Proposed Subdivision to create three lots being Lot 1 (40ha), Lot 2 (185.18ha) and Lot 3 (40ha)	28/06/2022	29/11/2022	\$0.00
DA2023/0002	Amy Campbell Architect	R G Francis & S E Francis	26 River Street, Broadwater	Construction of a new two (2) storey dwelling and a detached secondary dwelling at the rear, and associated site works	1/07/2022	22/11/2022	\$598,000.00

Item 20.3



Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 November 2022 to 30 November 2022							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2023/0031	Newton Denny Chapelle	B T Nicholas & D Nicholas	70 Centre Street, Casino	Change of use to a food and drink premises including internal fit out, signage and associated works	8/08/2022	1/11/2022	\$129,000.00
DA2023/0045	B A Harley	V J George & B J George	9 Te Araowa Drive, North Casino	Renovation and two storey addition to existing dwelling	24/08/2022	4/11/2022	\$600,000.00
DA2023/0046	M P Veronesi	M J Veronesi & M P Veronesi	1 Winston Street, Casino	Construction of a secondary dwelling (granny flat) at rear of property and associated works	25/08/2022	3/11/2022	\$63,800.00
DA2023/0054	Hayes Building Consultancy	S M Robson & A Witt	34 Richmond Street, Woodburn	Two level shouse home	8/09/2022	3/11/2022	\$354,200.00
DA2023/0055	Country Kit Homes Pty Ltd	C Berkeley	865 Busbys Flat Road, Mongogarie	New single dwelling	13/09/2022	4/11/2022	\$337,500.00
DA2023/0056	L M O'Mara	C A O'Mara & D H Rule	31 Baraang Drive, Broadwater	Construction of a two storey dwelling and associated landscaping	14/09/2022	3/11/2022	\$320,000.00
DA2023/0058	868 Architects Pty Ltd	T J Robson & M J Robson	15 Cypress Street, Evans Head	Alterations and additions to an existing dwelling and garage, including double storey extension to dwelling, construction of a new deck, pool and associated fencing and internal reconfiguration of garage to include workshop/gym areas.	20/09/2022	4/11/2022	\$446,480.00
<b>Item 20.3</b>							
DA2023/0062	North Coast Sheds & Garages Pty Ltd	Mr A J Johnston & Ms T L Maroney	78 Trustums Hill Road, Woodburn	Shed with request to vary the boundary setbacks	29/09/2022	14/11/2022	\$31,281.00

Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 November 2022 to 30 November 2022							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2022/0201.01	AGS Commercial Pty Ltd	Richmond Valley Council	Rappville Oval Reserve 9 Pearse Street, Rappville	S4.55(1A) Modification - Moving shed site at same address, adding internal toilet to shed - including plumbing, adding and rearranging current door and window location	30/09/2022	4/11/2022	\$31,035.00
DA2023/0066	Artisan Pools Pty Ltd	J C Wilson, B M Wilson, Z M Wilson	7 Sparkes Place, North Casino	Installation of an inground fibreglass swimming pool, it's associated equipment and fencing.	10/10/2022	7/11/2022	\$60,804.00
DA2023/0067	AGS Commercial Pty Ltd	G S Connolly & K Connolly	29 Stapleton Avenue, Casino	Remove and replace veranda	10/10/2022	17/11/2022	\$80,000.00
DA2023/0070	Hayes Building Consultancy	Terraform Pty Ltd	5 McDonald Place, Evans Head	Raising and renovating a flood damaged residential building using the same building foot print and external building fabric.	13/10/2022	24/11/2022	\$252,000.00
DA2023/0071	Fernleigh Drafting & Council Services	B J Troy	10 Park Lane, Casino	Demolition of existing garden shed and construction of steel frame shed	14/10/2022	14/11/2022	\$26,125.00
DA2023/0073	B R F Low	B R F Low & D B Low	37A East Street, Casino	Above ground swim spa and associated fencing	21/10/2022	18/11/2022	\$33,500.00

Summary of Bushfire Affected Development Applications determined under the Environmental Planning and Assessment Act for the period 1 November 2022 to 30 November 2022							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
Nil							
Summary of Flood Affected Development Applications determined under the Environmental Planning and Assessment Act for the period 1 November 2022 to 30 November 2022							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2023/0061	Hayes Building Consultancy	P M Elwell	528 Woodburn Evans Head Road, Doonbah	***FLOOD AFFECTED*** - Add second storey to existing dwelling	28/09/2022	22/11/2022	\$275,000.00
DA2023/0069	S J McGillan	D J & S J McGillan	1340 Woodburn Coraki Road, Coraki	**FLOOD AFFECTED** Raise house 2.4m, space created underneath to be used as carport storage area	12/10/2022	17/11/2022	\$68,200.00
Summary of CDC Development Applications determined under the Environmental Planning and Assessment Act for the period 1 November 2022 to 30 November 2022							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
Nil							

Item 20.3

Summary of Development Applications Refused under the Environmental Planning and Assessment Act for the period 1 November 2022 to 30 November 2022							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2023/0036	C J Cleak	P S & A M Plumber & D B Faulkner	37 Woodburn Street, Woodburn	Bathroom and construction of a 10 x12 gable carport	16/08/2022	21/11/2022	\$30,654.69
Summary of Development Applications Withdrawn under the Environmental Planning and Assessment Act for the period 1 November 2022 to 30 November 2022							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
Nil							

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

Item 20.3

**20.4 COMMUNITY FINANCIAL ASSISTANCE PROGRAM 2022/2023 ROUND ONE****Director:** Angela Jones**Responsible Officer:** Marie Cullen**RECOMMENDATION**

That Council receives and notes the allocations under the Community Financial Assistance Program 2022/2023 Round One.

**REPORT**

Section 356 of the Local Government Act 1993 (The Act) Council may by resolution contribute financial assistance to individuals, groups and organisations seeking financial assistance. At the November 2016 Ordinary Meeting Council resolved to delegate authority to the General Manager to approve the allocation of funds in accordance with Council's Policy 1.2 Community Financial Assistance Program.

Council has allocated \$75,000 in the 2022/2023 budget for the Community Financial Assistance Program. The policy provides for two approximately equal funding rounds, allowing for \$37,500 to be allocated in this first round. This round of funding was advertised in September 2022 and Council received 24 applications.

All applications received have been reviewed in accordance with the policy. Of the 24 applications, all 24 of the applications were deemed eligible and 12 projects will be partially or fully funded in this round.

In determining the allocation of funds, consideration was given to Council's Community Strategic Plan and the deliverables in the Delivery Program and Operational Plan, as well as Program eligibility requirements, prior funding, past acquittal performance and selection criteria.

Councillors had an opportunity to review the proposals and provide feedback at a workshop on 6 December 2022, with the General Manager approving the allocation of funds under delegation.

The following table summarises eligible projects that will be partially or fully funded.

Organisation	Requested allocation	Purpose of funding	Amount allocated
Casino Community Men's Shed	\$1,382.70	Purchase equipment to support members wishing to do art/ sheet metal work.	\$1,382.70
Casino Cricket Club	\$3,943.50	Purchase "supersopper" to drain puddles off sporting fields	\$3,943.50
Casino Netball Association	\$1,518.00	Purchase portable PA system and printer	\$1,198.00
Casino Pony Club Inc	\$5,000.00	Purchase new show jumps	\$3,500.00
Casino RSM Cougars Junior Rugby League Football Club	\$5,000.00	Purchase sporting equipment	\$3,000.00
Evans Head Men's Shed	\$3,746.54	Upgrade internal lighting	\$3,746.54
Evans Head-Casino Surf Life Saving Club Inc	\$5,000.00	Purchase foam ¾ boards for youth program	\$5,000.00

Evans River Rugby Union Club	\$5,000.00	Gazebos and sporting equipment	\$3,000.00
Greenridge Memorial Hall and Social Activities Club	\$2,620.00	Upgrade old asbestos metre box	\$2,620.00
Platypus RSL Day Club	\$4,600.00	Bus to transport elderly to Day Club	\$4,600.00
Stan Payne Memorial Oval Committee	\$800.00	Purchase two new freezers	\$800.00
Scout Association of Australia NSW Branch - 2 <sup>nd</sup> Casino Scout Group	\$4,624.50	Equipment to support camping with youth	\$4,624.50
		<b>TOTAL</b>	<b>\$37,415.24</b>

Round One was over-subscribed, and as such, the following applications have not been allocated funding in this round. Applicants will be advised of the outcome and offered feedback on their application and assistance to secure future funding, or alternative solutions to address their needs.

Organisation	Requested allocation	Proposed use
88.9FM	\$5,000.00	Purchase small caravan to house a studio and accommodation for two people
Broadwater Community Hall	\$1,800.00	Purchase second-hand ride-on mower and convert to sweeper
Casino Art Group Inc T/A Cassino Gallery	\$5,000.00	Purchase shipping container for storage
Casino Chamber of Commerce and Industry Inc	\$2,585.00	Website development
Casino Lions AFL Club	\$5,000.00	Various improvements to Queen Elizabeth Field 2
Clovass McKees Hill Soldiers Memorial and Community Hall	\$5,000.00	Reconfigure entry stairs, new deck and concrete path
Evans Head District Cricket Club	\$1,000.00	Maintain turf wicket
National Disaster Management Services	\$5,000.00	Community training
Northern NSW Helicopter Rescue Service	\$3,200.00	Purchase one uniform kit
Northern Rivers Dirty Wheels Mountain Bike Club	\$5,000.00	Purchase shipping container for storage
Pacific Coast Railway Society	\$4,500.00	Purchase two outdoor tables with bench seats
St Marys Primary Casino	\$5,000.00	Creative art classes with kids and elderly

The Beef Week Committee have requested to take over the maintenance and registration of the Beef Week Queen Float (trailer). Under delegation the General Manager approves the donation of the Beef Week Queen Float (trailer - Plant Number 197, Asset 1000197) to Casino Beef Week

Promotions Committee Inc. The current written down value of the trailer is \$121.61 (excluding GST).

**ATTACHMENT(S)**

**Nil**

**20.5 INTERNAL AUDIT AND RISK COMMITTEE MINUTES 22 NOVEMBER 2022**

**Author: Ryan Gaiter, Director Organisational Services**

**RECOMMENDATION**

That Council receives and notes the Minutes of the Internal Audit and Risk Committee Meeting held on 22 November 2022.

**ATTACHMENT(S)**

- 1. Internal Audit & Risk Committee minutes 22 November 2022 (under separate cover)**



**21 QUESTIONS ON NOTICE**

Nil

**22 QUESTIONS FOR NEXT MEETING (IN WRITING)**

**23 MATTERS REFERRED TO CLOSED COUNCIL****RECOMMENDATION**

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

**23.1 Water Restrictors**

This matter relates to a discussion in relation to the personal hardship of a resident or ratepayer.

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

**23.2 Write-off under financial hardship provisions**

This matter relates to a discussion in relation to the personal hardship of a resident or ratepayer.

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.

**24 RESOLUTIONS OF CLOSED COUNCIL**