

Richmond
Valley
Council



AGENDA

Ordinary Council Meeting

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

Date: Tuesday, 20 June 2023

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**

Nil

6 CONFIRMATION OF MINUTES

6.1 MINUTES ORDINARY MEETING HELD 16 MAY 2023

Responsible Officer: Vaughan Macdonald

RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting held on 16 May 2023.

REPORT

Refer attached Minutes.

ATTACHMENT(S)

- 1. Unconfirmed Minutes 16 May 2023 (under separate cover)**

7 MATTERS ARISING OUT OF THE MINUTES

8 DECLARATION OF INTERESTS

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

9 PETITIONS

Nil

10 NOTICE OF MOTION

Nil

11 MAYOR'S REPORT**11.1 MAYORAL ATTENDANCE REPORT 11 MAY - 12 JUNE 2023****Author: Robert Mustow****RECOMMENDATION**

That Council receives and notes the Mayoral Attendance Report for the period 11 May – 12 June 2023.

May 2023

- 11th Primex - Networking Exhibitor event – Hall of Fame
- 12th Primex - Rural Recovery Forum
- 12th Primex - Casino Food Co-op Networking Breakfast
- 12th Primex - Innovation Investment and Influence business lunch
- 12th Country Halls Tour show at Broadwater
- 14th Woodburn Evans Head & District Orchid & Foliage Society Show
- 16th Richmond Valley Council Ordinary Meeting
- 17th Rous County Council meeting
- 18th Casino Library thank you morning tea
- 18th Beef Week Mini Moke promotional drive
- 19th Northern Rivers Joint Organisation meeting
- 20th Rappville celebration and honour board unveiling
- 20th Beef Week Opening Ball
- 22nd Jumbunna Community Hub – opening
- 24th Beef Week
- 25th Meat and Livestock dinner
- 26th Breakfast with the Butchers
- 27th Beef Week Saturday including Street Parade

ATTACHMENT(S)**Nil**

12 DELEGATES' REPORTS

Nil

13 MATTERS DETERMINED WITHOUT DEBATE

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

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

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

That items identified be determined without debate.

14 GENERAL MANAGER**14.1 RELEASE OF DRAFT RESILIENT LANDS STRATEGY AND FLOOD HAZARD MAPPING**

Responsible Officer: Vaughan Macdonald

EXECUTIVE SUMMARY

The Northern Rivers Reconstruction Corporation has achieved two major milestones in its Flood Recovery Programs with the release of the Draft Northern Rivers Resilient Lands Strategy - identifying suitable lands for future flood-safe development - and the provision of flood hazard mapping, to support the Resilient Homes program.

While the draft Resilient Lands Strategy provides some hope for future large-scale residential development in the Richmond Valley, the Resilient Homes announcements are a disappointing result for flood-affected communities in the Mid-Richmond. The flood hazard maps show that most investment in housing buy-backs will be centred on Lismore, with very few properties in Coraki, Woodburn, Broadwater and Riley's Hill identified for priority consideration.

Council will continue to work with the Northern Rivers Reconstruction Corporation to achieve better outcomes for these communities. It will also continue to support investigations into future residential land releases, in consultation with the NRRC, Regional NSW and landowners.

RECOMMENDATION

That Council:

1. Notes the release of the Northern Rivers Resilient Lands Strategy and Flood Hazard Mapping
2. Makes a submission to the public exhibition of the draft Resilient Lands Strategy, supporting the identification of land at Fairy Hill for priority investigation, and seeking further development of affordable housing on Crown Lands in the Richmond Valley.
3. Writes to the Northern Rivers Reconstruction Corporation, expressing its disappointment at the outcomes of the Resilient Homes Program for communities in the Mid-Richmond, and seeking further support for flood recovery in these communities.

DELIVERY PROGRAM LINKS

Sustain - Objective 9: Address long-term housing needs

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

9A4 Seek government funding for essential infrastructure to activate new housing areas

BUDGET IMPLICATIONS

Nil

REPORT**Resilient Lands Program**

The Northern Rivers Reconstruction Corporation has been working on the \$100m Resilient Lands Program since October 2022, when expressions of interest were called from landowners for future flood-safe development sites. Although Council did not have sufficient land of its own to put forward for the program, it drew the NRRC's attention to a number of suitable sites in Casino, Coraki and Evans Head that were under private or NSW Government ownership. Across the region, the program received some 322 expressions of interest, which were then subjected to an

assessment process by the Resilient Lands Team. As a result, the options were narrowed down to 22 potential development sites across the Northern Rivers, including one site at Fairy Hill, near Casino, which has been earmarked in the draft strategy for priority investigation.

Council had identified this site in its Growth Management Strategy and Casino Place Plan as a key flood-safe residential area to support future growth in Casino and the Regional Jobs Precinct.

The draft Resilient Lands Strategy believes the site may accommodate up to 2700 new dwellings, but will require provision of essential infrastructure, such as water and sewer, before it can be developed. While the draft strategy noted that most flood-impacted homes in the Richmond Valley were downstream of Casino in communities such as Coraki, Woodburn and Broadwater, the extent of the floodplain in this area made it difficult to identify suitable unconstrained lands for future development.

Activation of the Fairy Hill lands would be a significant boost for Casino, increasing the population by at least an additional 4000 people, with opportunities to attract more services and employment. However, Council is not currently able to fund the supporting infrastructure for the development and would need to rely on support from the NSW Government to activate the land. It is proposed to work closely with the NRRC, the Regional Jobs Precinct team and the landowners/developers to help progress the investigations.

Although the Fairy Hill site has been identified as the strategy's only option for future development, Council still believes there are additional opportunities for small-scale development on private and Government-owned lands in Casino, Coraki and Evans Head and will continue to pursue these options with the NRRC.

Resilient Homes Program

The \$700m Resilient Homes Program was announced in November 2022, with funding for housing buy-backs, house raising and resilience works on offer. More than 6,000 Northern Rivers residents applied for the scheme, including some 600 in the Richmond Valley. However, progress on the scheme has been slow and there have been calls for more information and faster decision-making across the region, as residents were unable to progress their flood recovery plans.

Last week, the Northern Rivers Reconstruction Corporation responded with the release of Flood Hazard Mapping, which identified which areas would be a priority consideration for buy-backs under the scheme. The results were disappointing for the Richmond Valley, with very few areas identified as Priority 1 or 2 (for buy-backs). While it was originally expected that the scheme would provide up to 2000 buy-backs, it appears that less than 900 are currently being progressed, with the possibility of up to 1100 ultimately. According to the NRRC's program dashboard, 872 buy-backs are currently in progress, with only 292 offers approved, 131 offers accepted, and four property settlements completed. This is a disappointing result for flood-affected communities after seven months of waiting.

In our view if the hazard mapping had been available at the start of the scheme, residents could have made earlier and more informed decisions about lodging an application, and the likelihood of its success. While the flood mapping identifies the greatest flood impacts and highest buy-back priorities in Lismore, it fails to recognise that the impacts on smaller communities, which lack recovery resources, are often greater. Some 16 months on from the flood, villages such as Woodburn are still without basic services, as local businesses struggle to recover, and the community is now facing the closure of the local Catholic Primary School. Council will continue to work with the NRRC to raise awareness of these needs and advocate for more flood support for communities such as Coraki, Woodburn, Broadwater and Rileys Hill.

CONSULTATION

The draft Northern Rivers Resilient Lands Strategy is currently on public exhibition until 30 June 2023 and it is recommended that Council makes a submission to the consultation process, highlighting the issues raised in this report.

CONCLUSION

While the release of the Draft Resilient Lands Strategy and Flood Hazard Mapping provides more clarity on the NRRC's flood recovery priorities, the Resilient Homes priorities are a disappointing result for flood-affected communities in the Mid-Richmond as they provide limited opportunities for homeowners in Woodburn, Broadwater, Coraki and Rileys Hill to rebuild or relocate. Council will continue to work with the NSW Government to advocate for better outcomes for these communities.

ATTACHMENT(S)

Nil

15 COMMUNITY SERVICE DELIVERY

15.1 DRAFT RICHMOND VALLEY FLOOD STUDY

Director: Angela Jones

Responsible Officer: Tony McAteer

EXECUTIVE SUMMARY

BMT Commercial Australia Pty Ltd was commissioned in early 2021 to prepare a new flood model and study for the Richmond Valley LGA's floodplains. The scope of the project was to replace a number of smaller, often inconsistent, and dated flood studies with a single much larger modern flood model and study. A Draft Report was presented to Council on 25 February 2022 but required review almost immediately due to the significant flood events that occurred during late February and March 2022.

BMT was subsequently commissioned to update the model and study to incorporate data from the 2022 flood event and to undertake additional calibration. This update has now been completed and the revised Draft Richmond Valley Flood Study Report (2023) is presented for Council's consideration.

RECOMMENDATION

That Council:

1. Receives the Draft Richmond Valley Flood Study;
2. Provides in-principle support for the study; and
3. Authorises the public exhibition of the study in accordance with Council's Community Participation Plan.

DELIVERY PROGRAM LINKS

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

7A Improve long-term flood planning and risk management

7A1 Complete Richmond Valley Flood Study and Floodplain Risk Management Plans

BUDGET IMPLICATIONS

Nil

REPORT

Flooding in NSW is managed in accordance with the NSW Government's Flood Prone Land Policy (the Policy). The Policy is directed towards providing solutions to existing flooding problems in developed areas, understanding potential future increases in flood risk and ensuring that new development is compatible with its flood risk exposure and does not create additional flooding problems in other areas.

The NSW Government's *Floodplain Development Manual* (DIPNR, 2005) supports the Policy by defining the responsibilities, roles, and processes for the management of flood prone land in NSW. Under the Policy, the management of flood prone land is the responsibility of local councils with technical and financial support from the NSW Government. This includes the development and implementation of local flood studies and floodplain risk management studies and plans to define and manage flood risk. These are prepared through the staged approach defined by the NSW Floodplain Management process shown in Figure 1.

The Richmond Valley Flood Study (the Study) represents Stages 1 and 2 of the process and aims to compile relevant data to provide an improved understanding of flood behaviour and hazard in the study area.

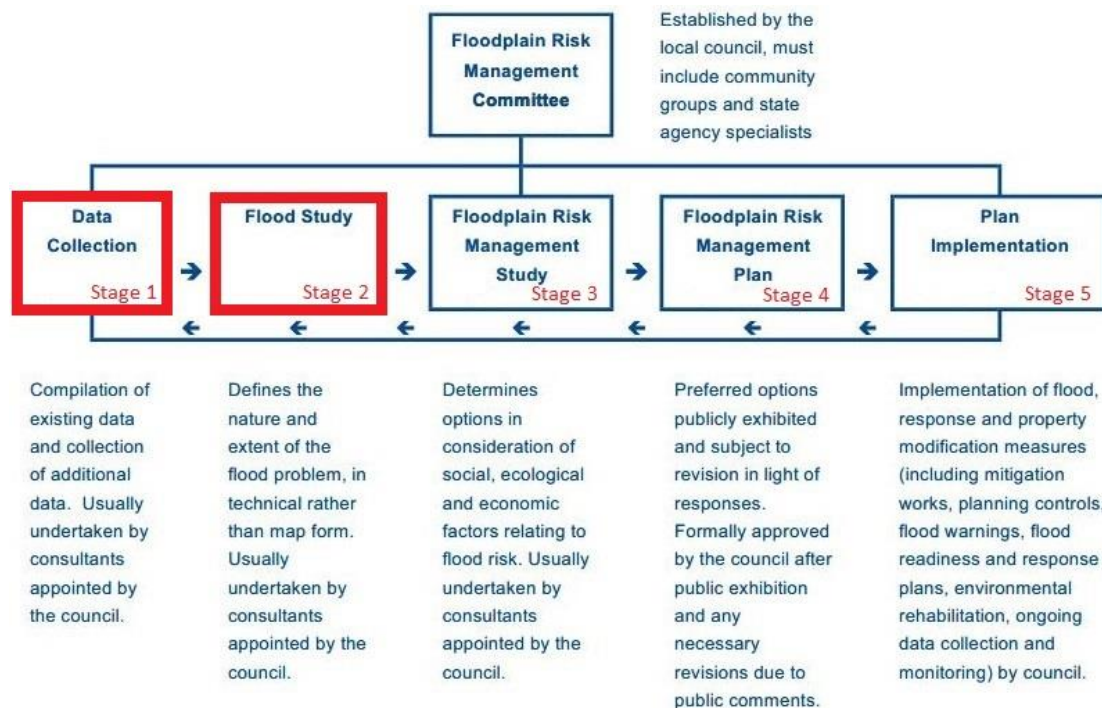


Figure 1 – Stages in the NSW Floodplain Management Process (Adapted from Floodplain Development Manual, 2005)

Upon completion of the Study, Council will move into Stages 3 & 4 and the preparation of a Floodplain Risk Management Study and Plan (the Risk Plan), under the guidance of a Floodplain Risk Management Committee. A grant application has been lodged with the NSW Government to prepare the Risk Plan however the outcomes of the grant won't be known until November/December 2023. The process of forming a committee and engaging a consultant is likely to commence in early 2024.

The Study

The Study commenced in early 2021 with the successful commissioning of BMT Commercial Australia Pty Ltd (BMT) to prepare a flood model and study with financial support from the NSW Government via a grant under the Floodplain Management Program.

The Study set out to:

- consolidate numerous smaller flood studies, many of which are dated, into a single, consistent and up to date flood model;
- expand modelling to capture a large part of the LGA's floodplain (about 86% of the LGA's floodplain is modelled, which is up from 52% coverage within existing studies) (see figure 2 for the study's coverage);
- increase model resolution (and therefore accuracy) particularly within urbanised parts of the catchment;
- incorporate Climate Change (CC) as well as Australian Rainfall and Runoff 2019 (AR&R2019) standards into the modelling; and
- incorporate significant floodplain terrain modifications into the model, such as the inclusion of the Pacific Motorway upgrade.

The Study was presented to Richmond Valley Council as a Draft Report on 25 February 2022, just three days prior to the region experiencing record breaking rainfall which led to severe and damaging flooding across the Northern Rivers. Given the significance of the flood event, the Draft Report and associated analysis was immediately in need of review, requiring additional work to incorporate new data, and to calibrate the model, for the 2022 flood event. This update has now been completed and the 2023 version of the Draft Report was provided in late May.

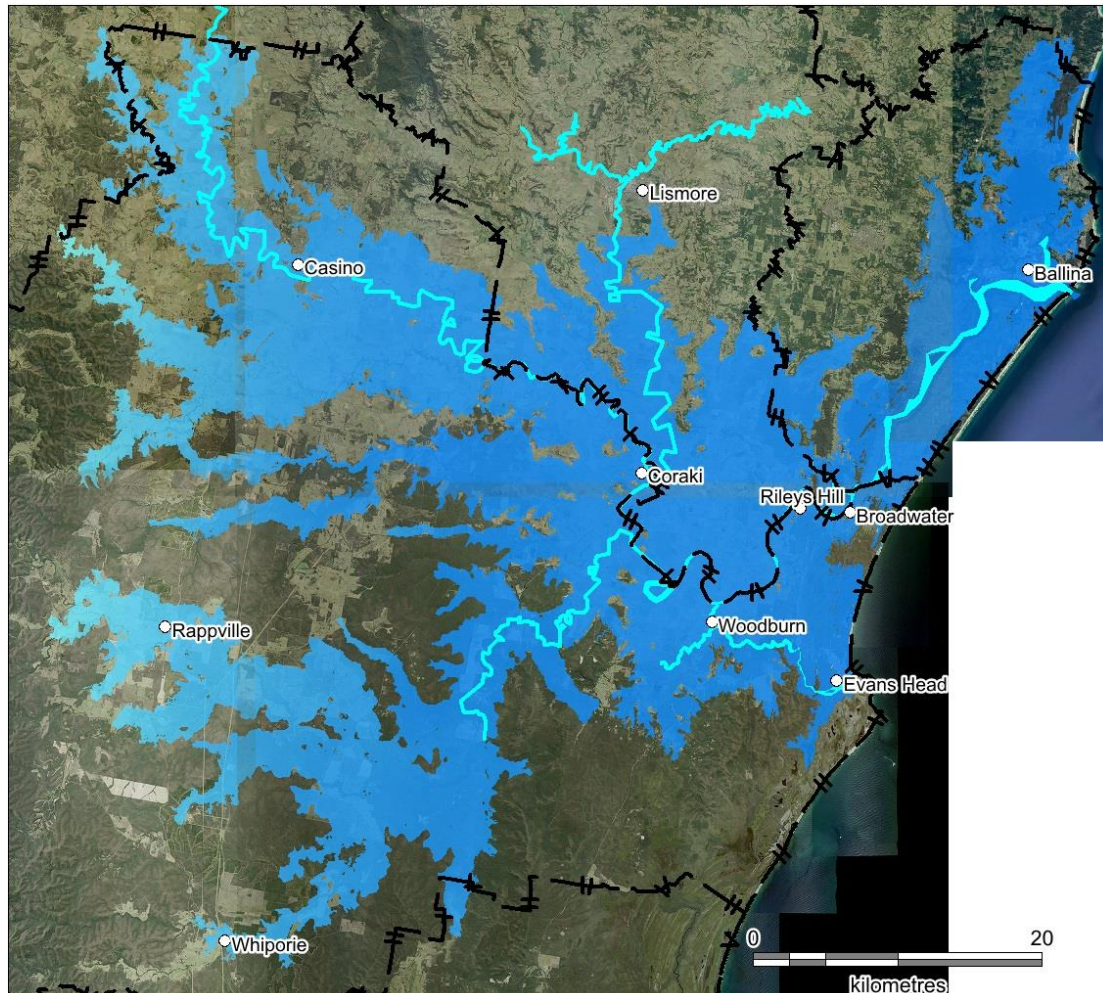


Figure 2 – Richmond Valley Flood Study (2023) model coverage

The 2022 version of the flood model had been calibrated against historic flood events for January 2008, May 2009 and March/April 2017. This calibration exercise involved applying recorded rainfall data into the models and comparing modelled flood levels with actual recorded river gauge data and surveyed debris marks. The updated 2023 version included calibration against the February/March 2022 flood event. The model performed remarkably well with this extreme flood event, however, the inclusion of such a significant event, and given the relatively short flood history for gauges in the Richmond River catchment, this has resulted in the design flood levels across the LGA increasing from those published in earlier flood studies, see Tables 1 & 2 and Figure 3 for a comparison of the current and historic design flood levels for selected locations.

CONSULTATION

The Draft Report is presented to Council seeking to place it on public exhibition for community comment.

It is proposed to exhibit the Draft Report and mapping for a period of 40 days from early July to mid-August. The Draft Report and mapping (PDF and GIS maps) will be published on Council's website. Additional notices will be given via Facebook, within Council's Community Views newsletter (delivered to all households in mid-July), within Council's e-newsletter (delivered in early-July & August), and at Council's Customer Service Centres. A media release and Mayor's meeting summary will follow the June Ordinary Meeting.

It is planned to hold two Information Sessions during the exhibition where Council Officers and BMT will be available to discuss the Study. Dates for these sessions are yet to be confirmed.

Table 1 – Peak Design Flood Levels (m AHD) for key gauges within the study area (from Table 8.18 of the Draft Report)

Location	5% AEP	2% AEP	1% AEP	0.2% AEP	PMF
Casino (Irving Bridge)	22.36	23.89	24.28	24.63	25.86
Casino (Gauge)	21.39	22.68	22.97	23.30	24.31
Yorklea	23.50	23.70	23.80	23.99	24.77
Tatham Bridge	11.63	12.06	12.35	12.92	15.09
Codrington	8.45	8.56	8.64	8.89	10.76
Coraki Bridge	6.03	6.21	6.36	6.66	10.21
Bungawalbin Junction	4.76	5.33	5.70	6.17	10.16
Woodburn	3.58	4.18	4.77	5.89	10.03
Broadwater	2.22	3.40	4.07	5.23	9.37
Rappville Rail Bridge	46.66	46.77	46.87	47.05	48.01
Rappville Summerland Way (Myrtle Creek)	37.55	37.65	37.73	37.89	38.62
Neileys Lagoon Road	9.33	9.83	10.09	10.57	12.77
Rocky Mouth Creek Floodgates	4.11	4.55	4.97	5.96	10.06
Iron Gates	1.58	2.64	3.15	4.26	8.70
Evans Head (Fishing Co Op)	1.25	2.21	2.47	3.23	7.34

Table 2 – Peak Flood Level comparisons against previous flood studies for the area (from Table 8.19 of the Draft Report)

Gauge Location	5% AEP			1% AEP		
	Current Study (mAHD)	Previous Study (mAHD)	Difference (m)	Current Study (mAHD)	Previous Study (mAHD)	Difference (m)
Casino (Irving Bridge)	22.36	22.56	-0.2	24.28	24.3	-0.02
Casino (Gauge)	21.39	21.62	-0.23	22.97	22.8	0.17
Yorklea	23.50	n/a	n/a	23.80	n/a	n/a
Tatham Bridge	11.63	11.38	0.25	12.35	12.09	0.26
Codrington	8.45	8.26	0.19	8.64	8.38	0.26
Coraki Bridge	6.03	5.69	0.34	6.36	6.17	0.19
Bungawalbin Junction	4.76	4.76	0	5.70	5.49	0.21
Woodburn	3.58	3.74	-0.16	4.77	4.68	0.09
Broadwater	2.22	2.77	-0.55	4.07	4.01	0.06
Rappville Rail Bridge	46.66	n/a	n/a	46.87	n/a	n/a
Rappville Summerland Way (Myrtle Creek)	37.55	n/a	n/a	37.73	n/a	n/a
Neileys Lagoon Road	9.33	n/a	n/a	10.09	n/a	n/a
Rocky Mouth Creek Floodgates	4.11	4.20	-0.09	4.97	4.93	0.04
Iron Gates	1.58	2.25	-0.67	3.15	3.09	0.06
Evans Head (Fishing Co Op)	1.25	1.80	-0.55	2.47	2.05	0.42

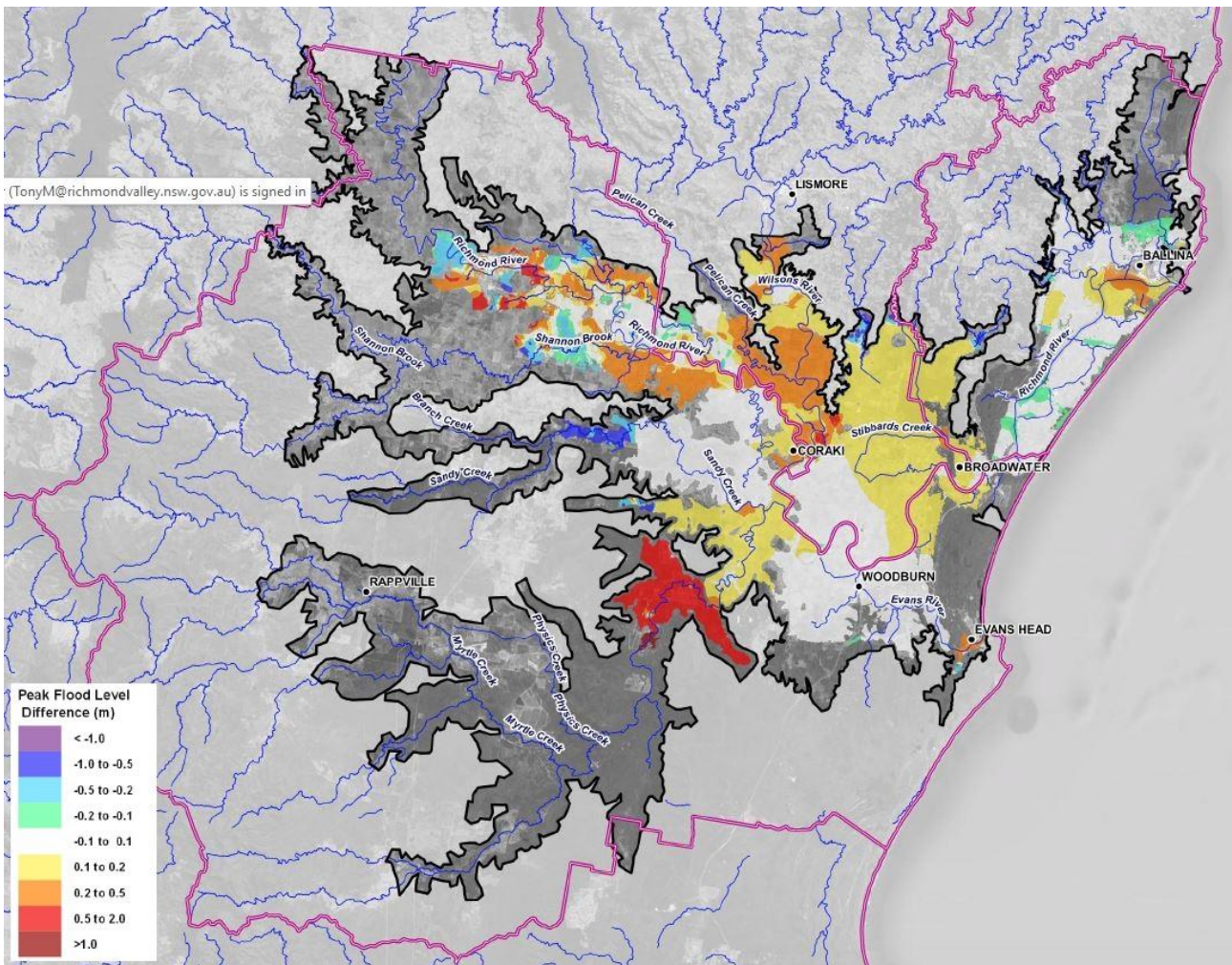


Figure 3 – 1%AEP Peak Flood Level Differences – Current flood study minus previous flood studies (from Drawing 8-13 of the Draft Report)

CONCLUSION

The draft report for the Richmond Valley Flood Study has been delivered by BMT and includes an update to incorporate flood data and flood frequency analysis for the 2022 flood event. The Study is planned to be publicly exhibited during July and into August for community feedback with a view to present the final report to Council’s September 2023 Ordinary Meeting for adoption.

ATTACHMENT(S)

Nil

16 PROJECTS & BUSINESS DEVELOPMENT

16.1 LANDS, BUILDINGS AND OTHER STRUCTURES ASSET MANAGEMENT PLAN

Director: Ben Zeller

Responsible Officer: Kim Anderson

EXECUTIVE SUMMARY

Council is required under the Integrated Planning and Reporting (IP&R) framework, to prepare Asset Management Plans as part of the Resourcing Strategy supporting the Community Strategic Plan and Delivery Program.

Under the IP&R guidelines, Council must review its asset plans following a Local Government election. The Asset Management Plans must be for a minimum timeframe of ten years covering each class of asset which details how the asset portfolio will meet the service delivery needs of the community.

This report presents the Land, Buildings and Other Structures 2023-2032 Asset Management Plan for adoption.

RECOMMENDATION

That Council adopts the Land, Buildings and Other Structures 2023-2032 Asset Management Plan.

DELIVERY PROGRAM LINKS

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

11A Manage resources responsibly

11A1 Undertake long-term financial and asset management planning

BUDGET IMPLICATIONS

The asset management plans define Council's sustainable service levels, affordable asset acquisition strategies, cost-effective maintenance regimes and corresponding funding requirements specifically for infrastructure assets. These asset management plans link directly to Council's Long-Term Financial Plan as part of the IP&R framework.

REPORT

The *Local Government Act 1993* requires Council to develop and adopt strategic management plans which includes asset management plans as part of the Integrated Planning and Reporting (IP&R) framework. The asset management strategy and plans must be for a minimum timeframe of 10 years and are reviewed after each local government election cycle. These plans will allow councils to ascertain sustainable service levels, affordable asset acquisition strategies, cost effective maintenance regimes and corresponding funding requirements.

The term 'asset management' is used to describe the process by which councils manage physical assets to meet current and future levels of service related to delivery objectives.

The asset management plans encompass all assets under Council's control identifying service standards. The plans contain long-term projections of asset maintenance, rehabilitation, and replacement, including forecasts as reflected in the Long-Term Financial Plan.

The development of asset management plans enables Council to manage asset portfolios efficiently and effectively addressing issues such as:

- Overall objectives for asset management having regard to the implications for service levels, financial, legal, and regulatory considerations.

- Management of asset information systems, addressing issues such as location, condition, performance, capacity/utilisation, risk, whole of lifecycle costs, and maintenance history.
- Risk identification, assessment, and control in the short and long term.
- Identification of improvement opportunities for the strategic planning of infrastructure assets into the future.

Four separate asset management plans (Roads and Transport, Water Network, Sewerage Network, and Stormwater) were adopted by Council on 21 February 2023.

The Land, Buildings & Other Structures Asset Management Plan is presented for consideration and adoption. This completes the suite of (5) asset management plans required as per the IP&R framework.

Current practices and issues as well as future opportunities for improvement have been identified within the individual plans.

CONSULTATION

The asset management plans have been developed through information gathered from various areas of Council including Finance, Operations and Maintenance, Strategic Planning, Executive and Management.

CONCLUSION

The establishment of appropriate asset management plans enables Council to put in place operational controls and procedures to meet Council's objectives including:

- Assets are properly managed and maintained
- Create and maintain suitable information and decision support systems to allow for the establishment of service levels and the appropriate solutions to provide for those service levels
- Monitor the condition and performance of existing assets to meet the required service levels
- Appropriate records of assets are created and maintained
- The system of internal controls safeguards assets from misuse or misappropriation
- Monitoring the achievement of plans
- Provide regular reports on the achievement of plans and
- Regularly review the asset management and long-term financial plans.

This plan completes the suite of (5) asset management plans which will assist Council to review its existing holdings, future service needs and make recommendations regarding maintenance needs and establish the framework for future capital works programs.

ATTACHMENT(S)

1. **Land, Buildings and Other Structures Asset Management Plan 2022-2032 (under separate cover)**

16.2 STAN PAYNE OVAL MASTER PLAN

Director: Ben Zeller

Responsible Officer: Kim Anderson

EXECUTIVE SUMMARY

Council staff have been liaising with stakeholders over the past 12 months to establish a draft Master Plan for the future development of Stan Payne Oval, Evans Head. Council has conducted various workshops and undertaken public consultation. A final draft Master Plan is presented to Council for consideration and adoption.

RECOMMENDATION

That Council adopts the draft Stan Payne Oval Master Plan.

DELIVERY PROGRAM LINKS

Recover - Objective 4: Restore essential infrastructure

4C Restore and maintain community facilities and assets

4C2 Continue to maintain community buildings and assets in accordance with asset plans and programs

BUDGET IMPLICATIONS

Council has committed \$229,547 towards the enhancement of the Stan Payne Oval facility which is to include:

- Drainage improvements around the storage shed facility,
- Field topsoiling, and
- Construction and relocation of the existing cricket nets.

These improvements are funded through State Government grants including the Office of Local Government Flood Recovery and the Sports Priority Needs Program. Additional funding is needed to implement the full scope contained within the draft Master Plan.

Council officers will continue to work with clubs to explore and pursue grant funding opportunities which may contribute to the additional works described in the draft Master Plan.

REPORT

Following extensive consultation with the stakeholders at Stan Payne Oval, a final draft Master Plan has been prepared with the assistance of Integrated Site Design (Consultants) and is now presented to Council for consideration.

The draft Master Plan identifies the current user precincts within the Stan Payne Oval, associated infrastructure and clubroom facilities. Discussion and feedback sessions with the stakeholders compiled information relative to existing use. Feedback was then sought regarding the aspirational ideals of the stakeholders, which forms the scope for the future development of the park.

The draft Master Plan is a concept plan to enhance the future of the facility. This plan has been developed in consultation with the site users. It assists Council and facility stakeholders in grant funding applications and assists Council in forward planning.

Key elements of the draft Master Plan identified for future opportunities include:

- Provide seven touch football fields
- Provide two cricket wickets (one turf and one synthetic)
- Provide one full-size rugby league field and one full-size rugby union field
- Relocation of the cricket practice nets and add sight screens for the main cricket pitch
- Provide new amenities facilities building including toilets and sports dressing rooms
- Extend the existing car parking area and add new car parking for the new rugby union field
- Upgrade sportsgrounds floodlighting
- Provide perimeter fencing for the main ground, relocate the gates and fencing sleeves for temporary fences as per liquor licence requirements
- Provide undercover shelter sheds for the Woodburn Street fields
- Terrace the hill on the Woodburn Street oval area to create natural spectator seating
- Plant shade trees on the hill and along existing pathways and in open areas
- Upgrade/extend the existing toilets/dressing sheds to provide male and female privacy on game days
- Extend clubhouse roof across the barbecue area and extend the concrete path areas
- Provide four portable grandstands and upgrade current grandstand to include additional spectator seating and storage
- Cover the existing open drain
- Provide solar panels on all suitable roof areas and water tanks for the collection of rainwater for use on the fields.

This plan will form the basis of the redevelopment of Stan Payne Oval as funding allows.

CONSULTATION

Consultation for the initial drafting of the Master Plan was through feedback and engagement with the Stan Payne Oval Committee who are made up of users from the below groups.

- Evans River Rugby Union Club,
- Evans Head Bombers Rugby League Club,
- Evans Head Junior Cricket Club,
- Evans Head District Cricket Club, and
- Evans Head Touch Football Association.

Council placed the draft Master Plan on public exhibition for a period of 28 days. Council received a total of four submissions.

Council received a submission regarding Council's obligations to notify of acts which affect native title which is recognised over part of the reserve. The submission requests Council undertakes due process to ensure protection of any cultural or heritage artifacts that may be located during ground disturbance or future development of the site. Council provided future act notification to Bandjalang Aboriginal Corporation and NTSCORP of the draft Master Plan in accordance with *Native Title Act 1993*. Council did not receive any objections or further comments to the proposed works identified within the draft Master Plan.

The exhibited draft Master Plan incorrectly labelled the clubhouse as 'Rugby League Clubhouse', one submission was received regarding this misprint and the plan has been amended accordingly.

Council received two submissions objecting to the positioning of the cricket nets proposed north of the rugby union field. Council will undertake further consultation to identify a suitable location for the location of the cricket nets prior to undertaking these works.

CONCLUSION

The draft Master Plan captures the various conceptual design elements and overall future vision of the site. These concepts may change in detail as the technical drawings are developed, allowing for flexibility within the adopted plan however keeping to the overall vision and use of the site. It is the intention that the proposed site improvements will promote and support the growth of the Stan Payne Oval stakeholders' collective, while developing the entire facility for other community events, providing a social and economic boost to the Richmond Valley region.

ATTACHMENT(S)

- 1. Draft Stan Payne Oval Master Plan (under separate cover)**
- 2. Concept Master Plan report for Stan Payne Memorial Oval (under separate cover)**

16.3 PROPOSED PART ROAD CLOSURE - FOY STREET, CASINO

Director: Ben Zeller

Responsible Officer: Kim Anderson

EXECUTIVE SUMMARY

Council is undertaking road upgrades within Foy Street, Country Lane, and Kent Street Casino to improve road access and drainage to support a safer road network. Due to the existing road width constraints, larger vehicles (garbage trucks, buses etc) are unable to easily turn around.

Preliminary discussions with the owners of 6 Foy Street (Applicant), explored the opportunity to construct a cul-de-sac with a radius suitable for a larger turning circle that would encroach into their property. The Applicant has requested the unformed portion of Foy Street to be closed in compensation providing opportunity for additional car parking facilities (see *Map 1*). The severed land, i.e., southern part of Foy Street not required for the Applicant would be proposed to become Council operational land.

Council is required to undertake relevant consultation in accordance with Section 38B of the *Roads Act 1993* to close the public road. The land is zoned RE1 Public Recreation. A rezoning of the land to include an additional permitted use for the provisions of car parking facilities would be required for this development. The rezoning process would be proposed to run in conjunction with the exhibition of the road closure.

RECOMMENDATION

That:

1. Council undertakes formal notification to close the council public road in accordance with Section 38B of the *Roads Act 1993*.
2. Council commences the process to rezone the proposed closed road land with an additional permitted use to include provisions for car parking facilities.
3. A further report be submitted to Council at the completion of the consultation.

DELIVERY PROGRAM LINKS

Recover - Objective 4: Restore essential infrastructure

4C Restore and maintain community facilities and assets

4C2 Continue to maintain community buildings and assets in accordance with asset plans and programs

BUDGET IMPLICATIONS

There will be no budget implications as the applicant will be responsible for all additional costs associated with the road closure and transfer.

REPORT

Council was successful in receiving a 'Fixing Local Roads' NSW State Government Grant for Country Lane Road Rehabilitation. This project involves reconstruction and sealing 250m of unsealed road, improving drainage, upgrading access for residential and heavy vehicles, installing kerb & guttering, line marking and signage at a total value of \$750,000.

Country Lane is a narrow, unsealed lane in an urban fringe area. It is a heavy vehicle route being a vital link for industries including food product manufacturing, warehousing, retail and industry supplies, and residential homes.

Council has been unsuccessful in acquiring parts of the Crown Land adjoining Country Lane for road widening due to a determined Aboriginal Land Claim. This land was needed to widen the road to enable vehicles to safely turn around at the dead end of the road sections.

Council considered options including cancelling the project - returning grant funding or reducing the scope of the design to seal the road within the existing road widths. These two options did not provide the full designed project outcomes of supporting 'improved safety and access to services or industry'. Road construction milestones as per the grant funding is due to commence in September 2023, with the full road opening by September 2024.

Preliminary discussions with the owners of 6 Foy Street (Applicant), explored the opportunity to construct a cul-de-sac with a radius suitable for a larger turning circle that would encroach into their property. The Applicant requested for the unformed portion of Foy Street to be closed in compensation providing opportunity for additional car parking facilities (see *Map 1*).

The severed land, i.e., southern part of Foy Street not required for the Applicant is proposed to become Council operational land.



Map 1: Showing proposed road closure (disposal and operational land) and road acquisition for Foy Street cul-de-sac.

The Applicant is supportive of the road encroachment acquisition to improve accessibility and road safety. The Applicant proposes to use the unused part of Foy Street to the extent of their southern boundary to be developed into a staff car park.

The furthest southern extent of the part Foy Street road closure is recommended to become Council operational land. This section of land is identified as Environmental Conservation (LEP 2012) and contains Council's stormwater headwall infrastructure for release of urban drainage into the Richmond River. This land is not proposed to remain as road as it is severed from the road network and there is no future purpose as a road.

Council’s stormwater infrastructure within the proposed road closure will be protected via an easement upon closure. A right of carriageway will be required to access the Council operational land.

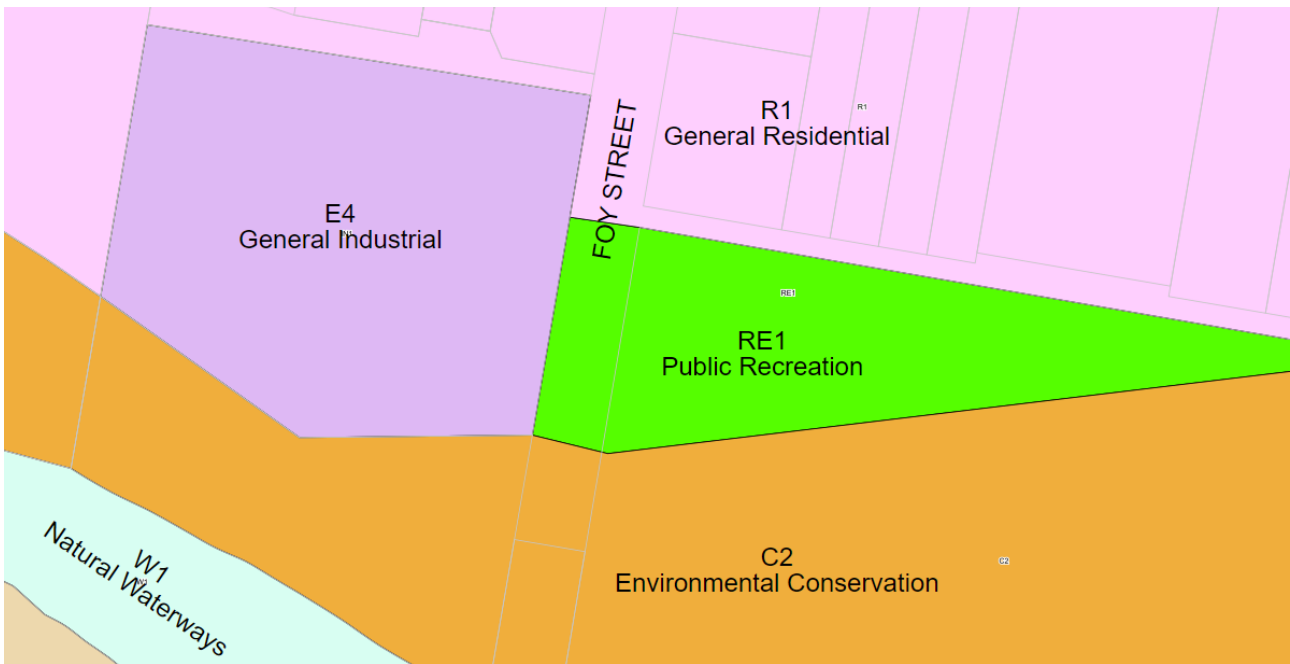


Map 2: Showing Stormwater Infrastructure Foy Street Casino.



Image 1 - Stormwater headwall infrastructure – would become Council operational land

Foy Street (proposed road closure for disposal/sale) is currently zoned RE1 – Public Recreation. It would be proposed that a planning proposal to amend the Local Environmental Plan (LEP) to include an additional permitted use to the closed road land. The additional permitted use would include the provisions for car parking facilities. This planning proposal would run in conjunction with the exhibition for the road closure. The LEP rezoning to E4 – General Industrial as per adjoining land would be reviewed and incorporated as part of future amendments to the overall LEP.



Map 2: Showing Richmond Valley Local Environmental Plan 2012 – Land Zoning.

Council is currently in the planning stage for the road design for the road construction upgrades for Country Lane, Foy, and Kent Street. This includes the options of construction within the existing road width as well as the proposed encroachment into the Applicant’s land. The full land areas and dimensions are currently being finalised as part of the design.

It would be proposed that the Applicant will be required to purchase/swap the residual land to be utilised for the car parking facility at the conclusion of the road design and survey, at a value determined via an external valuation.

It would be proposed that the Applicant would be responsible for the full costs incurred in the road closure process including any survey, legal and registration costs.



Image 2 - Current state of Foy Street adjacent to the Applicant’s property would become car park.

CONSULTATION

Council is required to undertake the relevant public consultation in accordance with Section 38B of the *Roads Act 1993* to close the public road. This includes notifications to relevant authorities, advertising in a local newspaper and writing to affected residents and adjoining landholders with a minimum 28-day period for submissions.

The rezoning process will include public exhibition which will run in conjunction with the exhibition of the road closure.

CONCLUSION

There is no known public use or need for the proposed land as a public road identified in the report. A restriction on the land in a form of an easement would be created for the protection of infrastructure services contained on the land.

A further report will be submitted to Council at the completion of the public consultation for final determination.

ATTACHMENT(S)

Nil

16.4 TRANSFER OF CROWN ROAD TO COUNCIL - LAGOON ROAD, CORAKI

Director: Ben Zeller

Responsible Officer: Kim Anderson

EXECUTIVE SUMMARY

NSW Crown Lands has approached Council to transfer the ownership of the crown road sections of Lagoon Road to Council.

The residents on Lagoon Road have requested that Council undertakes the maintenance responsibility of Lagoon Road, and the additional adjoining formed unmaintained Council public road.

This report outlines the community benefits, costs and maintenance responsibilities involved in transferring part of Lagoon Road, Coraki to Council and recommends that the transfer takes place.

RECOMMENDATION

That:

1. Council accepts the transfer of ownership of the unsealed Lagoon Road Coraki from NSW Crown Lands to Council as a dedicated public road.
2. The residents are required to upgrade private driveways located within the road reserve at their own cost to adhere to relevant safety and road standard requirements.
3. The residents of Lagoon Road are required to financially contribute a total combined sum of \$46,000 towards the upgrade of the road (drainage, culverts, and headwalls) to meet Council's minimum road standard.
4. Following payment in full and completion of road upgrade works Council accepts Lagoon Road and the adjoining road into Council's unsealed road maintenance program as a class C gravel road.
5. The road naming process is undertaken to formally name the road adjoining Lagoon Road.

DELIVERY PROGRAM LINKS

Recover - Objective 4: Restore essential infrastructure

4C Restore and maintain community facilities and assets

4C2 Continue to maintain community buildings and assets in accordance with asset plans and programs

BUDGET IMPLICATIONS

The costing estimate to install culverts, pipes, headwalls and upgrade longitudinal drainage on Lagoon Road including clearing and shaping (4km each side) is approximately \$40,000. These works would complete the capital works to bring the road to Council's standard enabling the road to be included in Council's maintenance program.

The costing estimate to install a culvert and improve longitudinal drainage on the road adjoining Lagoon Road (340m each side) is approximately \$6,000.

Residents would be required at their cost to upgrade private property driveway access located within the road reserve for safety.

The ongoing maintenance activities for a Class C Gravel Road involves routine grading once every two years. The current estimated costs for additional maintenance of 4.14km is \$10,000 every second year.

It is recommended that the residents are requested to financially contribute funds towards improving drainage, culverts, headwalls and upgrade private property driveway access for safety. This would be in accordance with Council's CPOL 11.7 Road Management Policy for accepting roads in the maintenance program and is consistent with past Council decisions (2005).

REPORT

Crown roads in general are likely to be "below-standard condition" resulting in the road network users being exposed to increased risk to safety and liability. The NSW Department of Planning, Industry and Environment – Crown Lands will not undertake any work to maintain Crown roads and does not provide consent for any such works other than limited maintenance, as it lacks the requisite engineering expertise. Crown Lands' preference is to transfer to local government authorities any roads that are required to facilitate access to properties.

Lagoon Road traverses west from Casino Coraki Road, 8.95km in total length.

The first 3.8km is bitumen sealed under Richmond Valley Council's ownership, management, and maintenance. Lagoon Road continues as a formed unsealed Crown Road for 3.8km to a gate at the last property. The remaining 1.35km is unformed Crown Road (often known as a paper road).

A small section within the middle of the Crown Road is an unmaintained unsealed Council public road (570m). This was created due to a road widening and realignment in 1999. See Map 1 below.



Map 1 – showing sections of Lagoon Road to be transferred to Council (shown in red).

The formed unsealed Crown Road services nine residential dwellings (including a dual occupancy) on rural properties.

Council staff attended a meeting with residents on Lagoon Road in February 2022, and May 2023 and acknowledged the issues and concerns regarding the ownership and maintenance of the road.

The residents are currently responsible for the upkeep of the gravel road. The residents have requested, on numerous occasions, that Council takes over maintenance due to the road deteriorating beyond their resourcing, knowledge, and skill.

Ownership

The 'Crown Lands Administration of Crown Roads Policy' identifies that the Minister is authorised to transfer Crown roads to another roads authority. A Crown Road transfer to Council does not require consent however requires consultation prior to any transfer.

Council has received correspondence from NSW Crown Lands seeking to transfer Lagoon Road, Coraki based upon:

- The formed Crown Road provides road access to urban or rural areas or provides access within country towns, villages, local communities, and public areas.
- The road is named, constructed, and provides legal access to several properties.
- Development consent has been granted by a council that requires use of the Crown Road to service a traffic generating development.

Council has approved the construction of dwellings on the crown section of Lagoon Road with approvals in 2005, dual occupancy in 2008, and dwelling alterations and additions in 2021. Although buildings have been permitted on several properties on Lagoon Road, Council did not require an upgrade of the road as it was considered sufficient to provide legal and practical access.

Council's policy CPOL 11.7 Road Management (6 Crown Roads) states:

“Council acknowledges that the Land and Property Management Authority will not allow the upgrading of Crown roads for access purposes, requiring that the roads be transferred to Council as public roads.

Council may accept roads to be transferred from Crown roads to public roads (under the control of Council) where Council has accepted the maintenance responsibility for the road as per Section 3 but in doing so may specify that the Council will not accept future maintenance of the road (Section 4).”

Council can object to the road ownership transfer however is unable to decline a department-initiated road transfer based on road condition or financial implications.

The Lagoon Road residents have all provided written submissions to support the road transfer.

Maintenance

The issue of roads that should be maintained by Council is an emotive one, in certain cases an expectation exists for Council to maintain every rural road to each ratepayer's property. A road is defined as unmaintained, if not listed as maintained in Council's Roads Register.

Council's CPOL 11.7 Road Management Policy identifies that Council may accept roads for inclusion into the maintenance schedule based on meeting the following criteria:

- The road is the sole means of access to at least one residence.
- The maximum maintained length is the point of the last residential property containing the residence.
- The road to be a dedicated public road.
- The road and appropriate structures are to be constructed or upgraded at no cost to Council in accordance with Council's hierarchy and the Northern Rivers Design and Development Manual.

A past Council resolution (2005) declined undertaking maintenance responsibility due to existing traffic volume and the cost involved in constructing the road to Council's standard. At that time Council advised the residents that consideration would be given to include on the maintenance schedule after the road was upgraded to Council's rural road standard i.e.: 5m wide pavement, 50mm gravel compacted with appropriate drainage system in place.

The road will be required to be improved to a minimum standard to enable maintenance activities to occur. The road has never been correctly constructed with a crowning profile, and drainage improvements are required. The culverts are non-compliant and missing headwalls.

Traffic counters installed before the unsealed segment from September-October 2022 show 1136 traffic movements over 29 days. This equates to an average of 39 vehicles per day which would result in the road class C unsealed gravel road (up to 45 vehicles per day).

A class C unsealed road is the minimum standard of road providing residential access. Class C roads are trafficable in most conditions however water may cross the road in minor storm events. Class C roads may have slippery areas after rainfall events and minimum uniform 50mm gravel sheeting on the road surface, 5m wide pavement with 4-6% cross fall. Maintenance interval includes grading every second year.

Lagoon Road was affected by the 2022 Flood, and emergency road works were completed by Council through a partnership arrangement with NSW Crown Lands. During this period Council has added a total of 1242 tonnes of gravel to the 3.8 km of damaged unsealed Crown Road. It is noted that some minor drainage works have also been restored during the emergency works.

The road adjoining Lagoon Road to the south services two dwelling property entrances, and one farmland. This small section of road is unnamed and is currently an unmaintained Council unsealed gravel road. It is a total of 340m in length to the last property dwelling entrance. The Lagoon Road property owners have requested for consideration into Council's maintenance program.

The flood restoration road works have returned the overall condition of the road surface to a satisfactory condition rating. This condition meets the gravel sheeting requirements in accordance with Class C gravel road 50mm standard.

The residents of Lagoon Road are all willing to upgrade private driveway access and financially contribute to upgrade the road for inclusion into Council's road maintenance program.

Options

Option 1 - Council objects to the road ownership transfer of Lagoon Road from NSW Crown Lands.

Council can object to the road ownership transfer however is unable to decline a department-initiated road transfer based on road condition or financial implications.

Option 2 - Council accepts the road ownership transfer of Lagoon Road from NSW Crown Lands. Council declines to undertake the ongoing maintenance responsibilities.

This option results in the road becoming an unsealed and unmaintained council dedicated public road. This option provides no ongoing financial obligations on Council for the maintenance of the road.

There are nine residential properties utilising this road and it is in the best community interest that this road is maintained to a minimum standard. The existing residents are willing to financially contribute to the upgrade of the road to Council's standard in accordance with Council's policy. It is recommended that this is not the preferred option.

Option 3 - Council accepts the road ownership transfer of Lagoon Road from NSW Crown Lands. Council accepts Lagoon Road only into Council's unsealed road maintenance program as a class C gravel road.

The residents contribute \$40,000 to install culverts, pipes, headwalls and upgrade longitudinal drainage including clearing and shaping.

Council would incur the ongoing costs for regular maintenance of additional 3.8km being \$9,200 every second year.

Two of the nine residential properties utilise this adjoining road for direct residential access. All existing residents are willing to financially contribute to the upgrade of the road to Council's standard in accordance with Council's policy. It is recommended that this is not the preferred option.

Option 4 - Council accepts the road ownership transfer of Lagoon Road from NSW Crown Lands. Council accepts Lagoon Road and the adjoining road into Council's unsealed road maintenance program as a class C gravel road.

Council's Road Management Policy details that the maximum maintained length is the point of the last residential property entrance.

The residents would be required to contribute \$46,000 to install culverts, pipes, headwalls and upgrade longitudinal drainage including clearing and shaping. The financial contribution to upgrade of the road to Council's standard is in accordance with Council's policy.

Council would incur the ongoing costs for maintenance of additional 4.14km being \$10,000 every second year.

For identification purposes, that the road naming process is undertaken to formally name the road adjoining Lagoon Road.

This is the most preferred option in the interest of stakeholders like adjacent landowners and the broader community. This option is in accordance with CPOL 11.7 Road Management Policy.

CONSULTATION

Council staff has been in consultation with relevant property owners to discuss costs associated with the upgrading of the road as well as ongoing maintenance.

The Lagoon Road residents have all provided written submissions to support the road transfer. The residents are all willing to upgrade private driveway access and financially contribute to upgrade the road for inclusion into Council's road maintenance program.

CONCLUSION

It is recommended that Option 4 as detailed in the report is the most preferred option in the best interest of the community and affected residents. That Council accepts the road ownership transfer of Lagoon Road from NSW Crown Lands. That Council accepts Lagoon Road and the adjoining road into Council's unsealed road maintenance program as a class C gravel road.

Council's CPOL 11.7 Road Management Policy details the pathway of road acceptance into the ongoing maintenance program. The residents of Lagoon Road are willing to upgrade private property driveway access and financially contribute funds to bring the road condition to Council's standard in accordance with this policy.

For identification purposes, that the road naming process is undertaken to formally name the road adjoining Lagoon Road.

ATTACHMENT(S)

- 1. Department of Planning, Industry and Environment – Crown Lands Administration of Crown Roads Policy (under separate cover)**
- 2. CPOL 11.7 - Road Management Policy (under separate cover)**

17 ORGANISATIONAL SERVICES

17.1 COUNCILLOR REMUNERATION 2023/2024

Director: Ryan Gaiter

Responsible Officer: Hayley Martin

EXECUTIVE SUMMARY

Each financial year, the Local Government Remuneration Tribunal determines the minimum and maximum remuneration payable to Mayors and Councillors for carrying out their duties. The determination by the Local Government Remuneration Tribunal is pursuant to Sections 239 and 241 of the *Local Government Act 1993*.

Council has received notification that the Local Government Remuneration Tribunal has determined that the Mayoral and Councillor Fees are to increase 3% for the 2023/2024 financial year.

RECOMMENDATION

That Council:

1. Notes the Local Government Remuneration Tribunal determination for the 2023/24 financial year
2. Sets the Mayoral Allowance for the 2023/2024 financial year effective from 1 July 2023 at \$47,420.00 per annum or \$3,951.67 per month.
3. Sets the Councillor Fee for the 2023/2024 financial year effective from 1 July 2023 at \$21,730.00 per annum or \$1,810.83 per month.

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 draft budget already includes an amount for this expense, the budgeted figure was calculated estimating an increase of two and half percent in Mayor and Councillor remuneration. Three percent is the increase determined by the Local Government Remuneration Tribunal, therefore a minor adjustment of \$969 to the draft budget currently on exhibition will be required.

REPORT

In April each year the New South Wales Local Government Remuneration Tribunal releases its annual report and determination on the remuneration of Mayors and Councillors for the following financial year. The report sets out the factors considered by the Tribunal when making its determination. These include:

- Submissions and comments made by associations and individual councils;
- Key economic indicators;
- Council categorisation;
- Councillor workload;
- Training and development, and

- Attracting high quality candidates to nominate for election to Local Government.

The Tribunal has determined an increase of 3% for next financial year, a comparison of the current fees and the determined fees is shown in the table below. There has been no change to the categorisation of Richmond Valley Council which remains in the Regional Rural grouping. Council resolved to adopt the maximum fees category throughout the duration of the last term of Council. The majority of NSW Councils do the same.

Fee Type / Year	Minimum Fee	Maximum Fee
Councillor Fee 2022/2023	\$9,560	\$21,100
Councillor Fee 2023/2024	\$9,850	\$21,730
Mayoral Allowance 2022/2023	\$20,370	\$46,040
Mayoral Allowance 2023/2024	\$20,980	\$47,420

A copy of the full report published by the Local Government Remuneration Tribunal can be viewed at:

https://www.remtribunals.nsw.gov.au/sites/default/files/2023-05/2023_annual_determination_-_lgrt.pdf

CONCLUSION

It is recommended that Council continues to adopt the maximum fee and increases the Mayoral and Councillor fees in line with the Tribunal recommendation for the 2023/2024 financial year.

ATTACHMENT(S)

1. Office of Local Government Circular 23-03

Circular Details	Circular No 23-03 / 10 May 2023 / A859646
Previous Circular	22-14 2022/23 <i>Determination of the Local Government Remuneration Tribunal</i>
Who should read this	Councillors / General Managers
Contact	Council Governance Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Council to implement

2023/24 Determination of the Local Government Remuneration Tribunal

What's new or changing

- The Local Government Remuneration Tribunal has determined an increase of 3% to mayoral and councillor fees for the 2023-24 financial year, with effect from 1 July 2023.
- The Tribunal is required to determine the remuneration categories of councils and mayoral offices at least once every three years under section 239 of the *Local Government Act 1993*. The Tribunal undertook a review of the categories as part of its 2023 determination.
- The Tribunal has determined the creation of two (2) new remuneration categories, 'Metropolitan Major' and 'Rural Large'.
- The Tribunal has also varied the criteria of several existing categories.
- As a result of the creation of the two new categories and changes to the criteria of some of the existing categories, the Tribunal has re-categorised twenty-six (26) councils into a higher existing category or into a new category.
- In its determination, the Tribunal has acknowledged the issues raised in submissions about the remuneration received by mayors and councillors, including a lack of diversity in representation, the changing nature of work required to be undertaken and changed community expectations. The Tribunal has suggested there would be merit in a comprehensive review of the framework for mayor and councillor remuneration. This will be considered as part of the Government's examination of the broader issues facing local government.

What this will mean for your council

- Sections 248 and 249 of the Act require councils to fix and pay an annual fee to councillors and mayors from 1 July 2023 based on the Tribunal's determination for the 2023-24 financial year.

Key points

- The level of fees paid will depend on the category the council is in.
- A council cannot fix a fee higher than the maximum amount determined by the Tribunal.
- If a council does not fix a fee, the council must pay the minimum fee determined by the Tribunal.

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Where to go for further information

- The Tribunal's report and determination is available [here](#).
- For further information please contact the Council Governance Team on 02 4428 4100 or by email at olg@olg.nsw.gov.au.

Brett Whitworth
Deputy Secretary, Local Government

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17.2 FINANCIAL ANALYSIS REPORT - MAY 2023**Director:** Ryan Gaiter**Responsible Officer:** Rylee Vidler**EXECUTIVE SUMMARY**

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

The value of Council's cash and investments at 31 May 2023 is shown below:

Bank Accounts	Term Deposits	Floating Rate Notes	Fixed Rate Bonds	TCorp IM Funds	Total
\$19,603,032	\$34,000,000	\$5,750,390	\$2,000,000	\$15,260,721	\$76,614,143

The weighted average rate of return on Council's cash and investments as at 31 May 2023 was 2.74% which was above the Bloomberg AusBond Bank Bill Index for May of 0.29%, 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 May 2023.

DELIVERY PROGRAM LINKS

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

11A Manage resources responsibly

11A1 Undertake long-term financial and asset management planning

BUDGET IMPLICATIONS

As at 31 May 2023, Council has earned \$1,575,065 in interest, \$342,479 in fair value gains from previously held collateralised debt obligations (CDOs), and \$931,627 in fair value gains from funds held in TCorp, for a total investment income of \$2,849,171. This equates to 134.16% of the revised annual budget for interest and investment income of \$2,123,712. The budget was increased as part of the Quarterly Budget Review to 31 March 2023.

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 increased the cash rate to 3.85% per annum at its May meeting.

Rate of Return

The weighted average rate of return on cash and investments in May was 2.74%, a decrease in 284 basis points from the previous month. The rate of return is 245 basis points above the Bloomberg AusBond Bank Bill Index of 0.29% which is Council's benchmark.

Council's NSW Treasury Corporation IM Funds returned net losses of \$42,825 during the month of May.

The Medium-Term Growth Fund (MTGF) returned a loss of \$33,580 and the Long-Term Growth Fund (LTGF) returned a loss of \$9,245.

During May, most equity markets fell, and bond yields increased as negotiations continued in the US to raise their debt ceiling. The RBA suggests that inflation may continue to skew upwards due to strong population growth and weak productivity growth, and the monthly CPI indicator for April (released in May) rose more than expected, driven by increasing travel costs.

The MTGF has a recommended investment timeframe of 5 or more years (original investment was October 2018) and the LTGF has a recommended investment timeframe of 10 or more years (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 \$76,614,143 at 31 May 2023. This was made up of Council's Business Online Saver Account (\$15,585,000), Term Deposits (\$34,000,000), Floating Rate Notes (\$5,750,390), Bonds (\$2,000,000), NSW Treasury Corporation Investments (\$15,260,721) and other bank accounts (\$4,018,032).

Council's investment portfolio had maturity dates ranging from same day up to 1,742 days. Term deposits, floating rate notes and bonds of \$41,750,390 represented 54.49% of the total portfolio as at 31 May 2023.

Council made the following new investment during May 2023:

Banking Institution	Investment Type	Environmentally Sustainable Investment	Amount Invested	Investment Term	Interest Rate
AMP Ltd	Term Deposit	N	\$1,000,000	6 months	5.05%
Southern Cross Credit Union	Term Deposit	Y	\$1,000,000	3 months	4.80%
Southern Cross Credit Union	Term Deposit	Y	\$1,000,000	3 months	4.80%
AMP Ltd	Term Deposit	N	\$2,000,000	6 months	5.15%
AMP Ltd	Term Deposit	N	\$2,000,000	6 months	5.15%
Judo Bank	Term Deposit	Y	\$2,000,000	4 months	4.85%
Total			\$9,000,000		

Council had the following investment maturities during the month of May 2023:

Banking Institution	Investment Type	Environmentally Sustainable Investment	Amount Invested	Interest Earned
Australian Unity Bank	Term Deposit	Y	\$2,000,000	\$42,647
Macquarie Bank	Term Deposit	N	\$1,000,000	\$10,504
MyState Bank	Term Deposit	Y	\$1,000,000	\$21,192
Southern Cross Credit Union	Term Deposit	Y	\$1,000,000	\$10,721
Southern Cross Credit Union	Term Deposit	Y	\$1,000,000	\$10,721
Southern Cross Credit Union	Term Deposit	Y	\$1,000,000	\$10,721
Macquarie Bank	Term Deposit	N	\$1,000,000	\$10,621
Macquarie Bank	Term Deposit	N	\$1,000,000	\$10,621
Auswide Bank	Term Deposit	Y	\$2,000,000	\$44,378
Total			\$11,000,000	\$172,124

Council had \$15,260,721 longer term investments being the MTGF and LTGF held with NSW Treasury Corporation as at 31 May 2023. The investment values and fair value returns are shown below:

Investment Holding	Fair Value 31 May 23	Fair Value Gain/(Loss) at 31 May 23	Fair Value Gain/(Loss) YTD	Fair Value Gain/(Loss) Life of Investment
Medium Term Growth Fund	\$12,228,523	(\$33,580)	\$684,177	\$1,223,493
Long Term Growth Fund	\$3,032,198	(\$9,245)	\$247,450	\$32,198
Total	\$15,260,721	(\$42,825)	\$931,627	\$1,255,691

These results follow two months of strong gains, highlighting the ups and downs of long-term investments.

Environmentally Sustainable Investments (ESI's)

Council's cash and investments portfolio of \$76,614,143 at 31 May 2023 includes \$35,010,721 or 45.7% 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 May 2023, Council's investments have been made in accordance with the Act, the Regulations and Council's Investment Policy.

As at 31 May 2023 Council's cash and investments totalled \$76,614,143 with \$19,603,032 of this being funds held in bank accounts. The weighted average rate of return was 2.74% and total investment revenue equals 134.16% of the revised budgeted revenue for the year to 31 May 2023.

ATTACHMENT(S)

- 1. RVC Investment Pack - May 2023 (under separate cover)**

18 GENERAL BUSINESS

Nil

19 MATTERS FOR INFORMATION

RECOMMENDATION

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

19.1 IPART - DRAFT REPORT ON THE RATE PEG METHODOLOGY REVIEW**Responsible Officer: Ryan Gaiter****RECOMMENDATION**

That Council receives and notes the information on IPART's draft review of the rate peg methodology.

REPORT

The Independent Pricing and Regulatory Tribunal NSW (IPART) has released a draft report proposing changes to the local government rate peg methodology. In making its recommendations IPART has consulted with both the local government sector and the community on how the current rate peg methodology could be improved.

IPART has held eleven workshops in total, including seven public workshops and four technical workshops, receiving 96 submissions to date from ratepayers, councils, and other organisations.

IPART has also engaged market research firm ORMINA Research to conduct a survey of residential and business ratepayers receiving approximately 3,400 responses, they have also conducted five focus groups with ratepayers across the state.

The feedback received from ratepayers is that they want councils to be financially sustainable and deliver affordable services that their communities want and need. Councils' main concern in feedback was also financial sustainability - they want to use their rates income efficiently and effectively to maximise what they can achieve from it.

From the consultation the review panel has put forward ten decisions and two recommendations they are seeking feedback on, they are as follows:

Decisions

1. To replace the Local Government Cost Index with a Base Cost Change model with 3 components:
 - a. employee costs
 - b. asset costs
 - c. other operating costs.
2. To develop separate Base Cost Change models for 3 council groups:
 - a. metropolitan councils
 - b. regional councils
 - c. rural councils.
3. For each council group, calculate the Base Cost Change as follows:
 - a. For employee costs, use the annual wage increases prescribed by the Local Government (State) Award for the year the rate peg applies, or the Reserve Bank of Australia's forecast change in the Wage Price Index from the most recent Statement on Monetary Policy. Adjust for changes in the superannuation guarantee in both cases.
(The panel is looking for specific feedback in relation to what should be used in determining the employee costs, and if there are other factors, they should be looking at along with the approaches mentioned above.)
 - b. For asset costs, use the Reserve Bank of Australia's forecast change in the Consumer Price Index from the most recent Statement on Monetary Policy (averaging the changes over the year to June and December for the year the rate

- peg applies), adjusted to reflect the average difference between changes in the Producer Price Index (Road and bridge construction, NSW) and changes in the Consumer Price Index (All groups, Sydney) over the most recent 5-year period for which data is available.
- c. For other operating costs, use the Reserve Bank of Australia's forecast change in the Consumer Price Index from the most recent Statement on Monetary Policy (averaging the changes over the year to June and December for the year the rate peg applies).
 - d. Weight the 3 components using the latest 3 years of data obtained from the Financial Data Returns of councils in that group and update the weights annually.
4. To publish indicative rate pegs for councils around September each year (unless input data is not available) and final rate pegs around May each year.
(The panel is looking for specific feedback in relation to the timing of the release of the indicative and final rate peg.)
 5. To include a separate adjustment factor in our rate peg methodology that reflects the annual change in each council's Emergency Services Levy (ESL) contribution. This factor will reflect:
 - a. an individual council's contribution, for councils:
 - that are not part of a rural fire district, or
 - that are part of a rural fire district but do not engage in ESL contribution cost sharing arrangements, or
 - are the only council in their rural fire district, or
 - that are part of a rural fire district and engage in ESL contribution cost sharing where we have accurate information about what the council pays.
 - b. the weighted average change for each rural fire district, for councils that are part of a rural fire district and engage in ESL contribution cost sharing arrangements where we do not have accurate information about what they pay.
(The panel is seeking feedback on relationships between Councils in particular to costs sharing arrangements and if they cover contributions for all emergency services or particular ones. They are also after feedback on the timeframe Councils could get their ESL information to them.)
 6. To set Emergency Services Levy (ESL) factors and a final rate peg for each council in May after ESL contributions for the year the rate peg is to apply are known, so that councils can recover changes in ESL contributions in the year contributions are to be paid.
 7. To maintain our current approach and make additional adjustments to the rate peg on an as needs basis for external costs.
(The panel is after feedback in relation to the level of support they would get for the development of a costs adjustment factor for groups of councils to increase the rate peg cover for specific external costs.)
 8. To change the 'change in population' component of the population factor to deduct prison populations from the residential population in a council area and then calculate the growth in the non-prisoner residential population of a council area for the relevant year.
 9. To retain the productivity factor in the rate peg methodology and for it to remain as zero by default unless there is evidence to depart from that approach.
 10. To review the rate peg methodology every five years, unless there is a material change to the sector or the economy, to ensure it stays fit for purpose.

Recommendations

The panel has also included two recommendations in its draft report, they are as follows:

1. That a local government reference group is established to advise on the implementation of their new rate peg methodology;
2. That the NSW Government consider commissioning an independent review of the financial model for councils in NSW including the broader issues raised in the report.

IPART has invited submissions of the draft report from all interested parties. Submission close 4 July 2023. Staff are currently preparing a submission which will be shared with Councillors once finalised.

A copy of the full IPART report is available to view here:

<https://www.ipart.nsw.gov.au/Home/Industries/Local-Government/Review-of-rate-peg-methodology>

ATTACHMENT(S)

Nil

19.2 OUTCOME OF NEGOTIATIONS OF TENDER VP339938 - SUPPLY & DELIVERY OF FOUR MOBILE CARAVANS

Director: Ben Zeller

Responsible Officer: Lani Hancock

RECOMMENDATION

That Council receives the report on the Outcome of Negotiations of Tender VP339938 - Supply & Delivery of four Mobile Caravans and notes the engagement of:

1. Work Caravans Pty Ltd to deliver two mobile amenities vans for \$102,000 (ex GST) each, and one mobile office and lunchroom for \$109,090.91 (ex GST), and;
2. The Food Trailer King Pty Ltd to deliver one mobile kitchen van and cool room for \$83,127 (ex GST).

REPORT

At Council's Ordinary Meeting held on 21 February 2023, it was resolved:

"That Council:

1. *Declines all tenders for Tender VP339938 – Mobile Amenities, due to them being non-conforming to the tender specifications.*
2. *Applies Clause 178 (3e) of the Local Government (General) Regulation 2021 to authorise the General Manager to enter into direct negotiations with suitable suppliers with a view to obtaining the best outcome 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."*

At the August 2022 Council meeting, it was resolved to allocate \$300,000 excluding GST from the Office of Local Government Recovery Grants Scheme to procure mobile emergency facilities including two mobile amenities and one mobile kitchen. The funding was to specifically increase Council's preparedness for future disasters and provide better disaster resilience and emergency response for the Richmond Valley community. The funding must be spent by June 2024 to meet the requirements of the grant.

The mobile site office and lunchroom caravan is funded separately from Council's plant budget in the 2023/2024 financial year with an allocated budget of \$109,090.91 excluding GST. The mobile site office and lunchroom will provide a new mobile site van for Council's construction teams working in remote areas. This caravan is to replace an existing asset originally purchased in 2001 on a 25-year replacement plan. The current caravan is in very poor condition and may not pass the next scheduled registration inspection without a significant amount of maintenance and costs to repair it. The caravan replacement has been brought forward from 2025/2026 financial year to 2023/2024 financial year to avoid that situation.

Tenders were called for on 16 December 2022 and closed on 31 January 2023 under the provisions of the *Local Government Act 1993*, the *Local Government (General) Regulation 2021* and the requirements of the Richmond Valley Council Purchasing Policy.

In the original tender, two non-complying tender submissions were received. One tenderer priced all four options, however, their submission included semi-permanent buildings rather than mobile caravans that were outlined in the tender specifications and the price was \$430,973 above Council's budget allocation. This tender was deemed non-compliant. The second tender, which was also deemed non-compliant, priced only three of the four options, however, pricing and specification met Council's scope and budget.

It was recommended at Council's Ordinary Meeting in February 2022 that Council decline the tenders and authorise the General Manager to enter direct negotiations with suitable suppliers with a view to obtaining works that provide Council with the best outcome both from a financial and delivery perspective.

Since that meeting, direct negotiations with two companies have been undertaken. Work Caravans, which provided a submission through the original Tender process, has provided costs for two mobile amenities vans and one mobile office and lunchroom.

Separate negotiations were undertaken with a local company based in Murwillumbah for the mobile kitchen. This included an option for an ancillary cool room to increase the available cold storage in emergency situations, which was considered beneficial to support the Richmond Valley Community. The Food Trailer King, which specialises in mobile kitchens and cool rooms met Council's requirements, scope, budget, and compliance specifications for food vendors. The final costings are shown below:

Description	Supplier	Price (ex GST)	Funding Source
Mobile Amenities van 1	Work Caravans	\$102,000	OLG Funding
Mobile Amenities van 2	Work Caravans	\$102,000	OLG Funding
Mobile Kitchen van + Cool Room	The Food Trailer King	\$83,127	OLG Funding
Mobile Office & Lunchroom	Work Caravans	\$109,090.91	RVC 23/24 budget
		<i>Total</i>	
		\$396,217.91	

It is anticipated that the supply and manufacture of the vans will be completed in the last quarter of 2023. Surplus funds available for the purchase of the mobile amenities and kitchen vans will contribute toward on-road costs and ancillary equipment/supplies to fill the vans ready to be deployed (quick shades, utensils, appliances, etc).

CONCLUSION

The negotiation outcomes with Work Caravans and The Food Trailer King has provided Council with the best outcome from a financial and delivery perspective to enable future emergency preparedness to support the Richmond Valley community in a time of need. Bringing forward the procurement of the mobile office and lunchroom for Council's construction crew has saved time, resources, and funds by procuring this caravan at the same time as the other mobile units. All caravans summarised in this report align with Council's scope, specifications and are priced within available budgets.

ATTACHMENT(S)

Nil

19.3 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 MAY 2023 - 31 MAY 2023

Director: Angela Jones

Responsible Officer: Andy Edwards

RECOMMENDATION

That Council receives and notes the Development Application report for the period 1 May 2023 – 31 May 2023.

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 May 2023 to 31 May 2023 was 22 (which includes 3 privately certified applications), with a total value of \$2,100,103.98.

In May, we had one flood affected application determined being DA2023/0158 – 74 Rileys Hill Road, Broadwater.

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

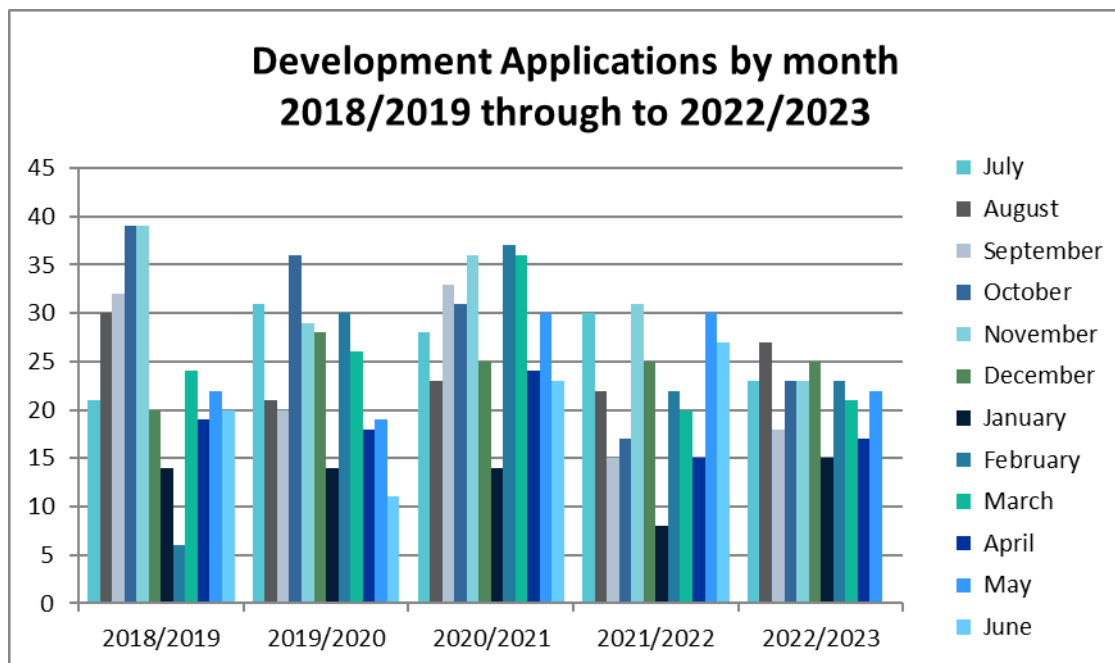


Figure 1: Monthly number of development applications processed by Council over five financial years.

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 May 2023.

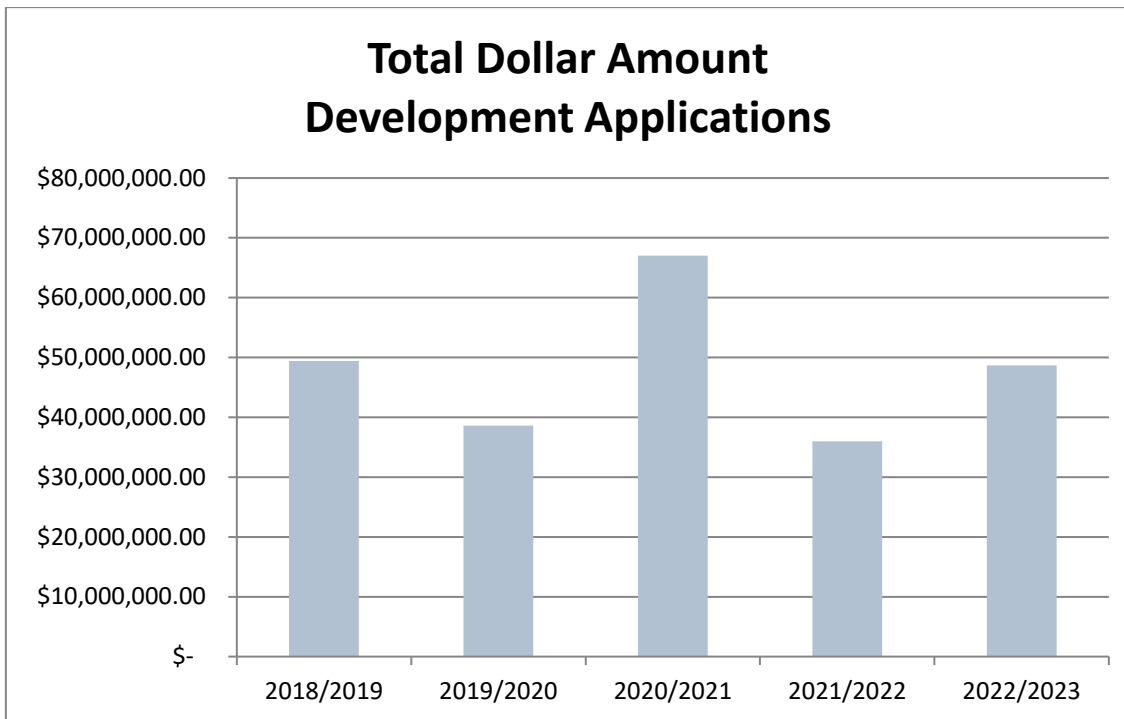


Figure 2: Annual value of development.

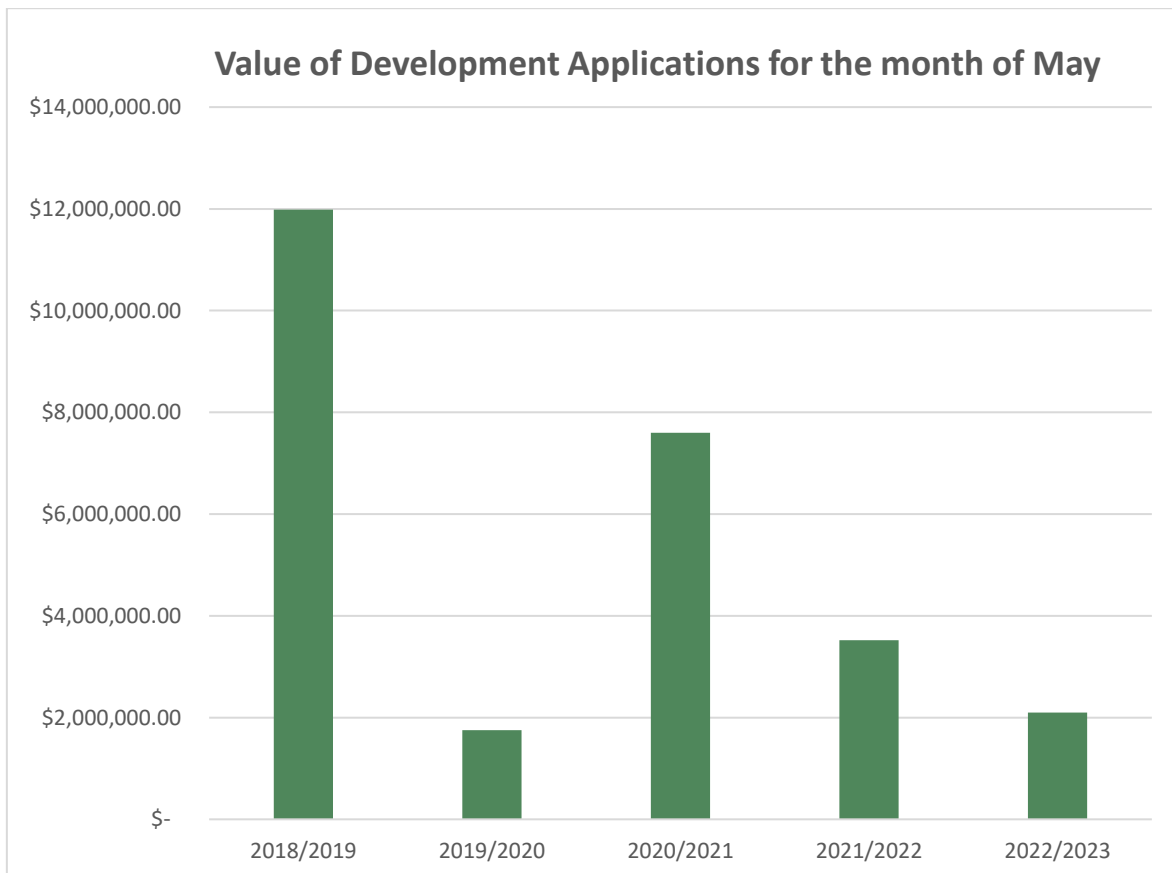


Figure 3: Value of development for the month of May 2023

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.

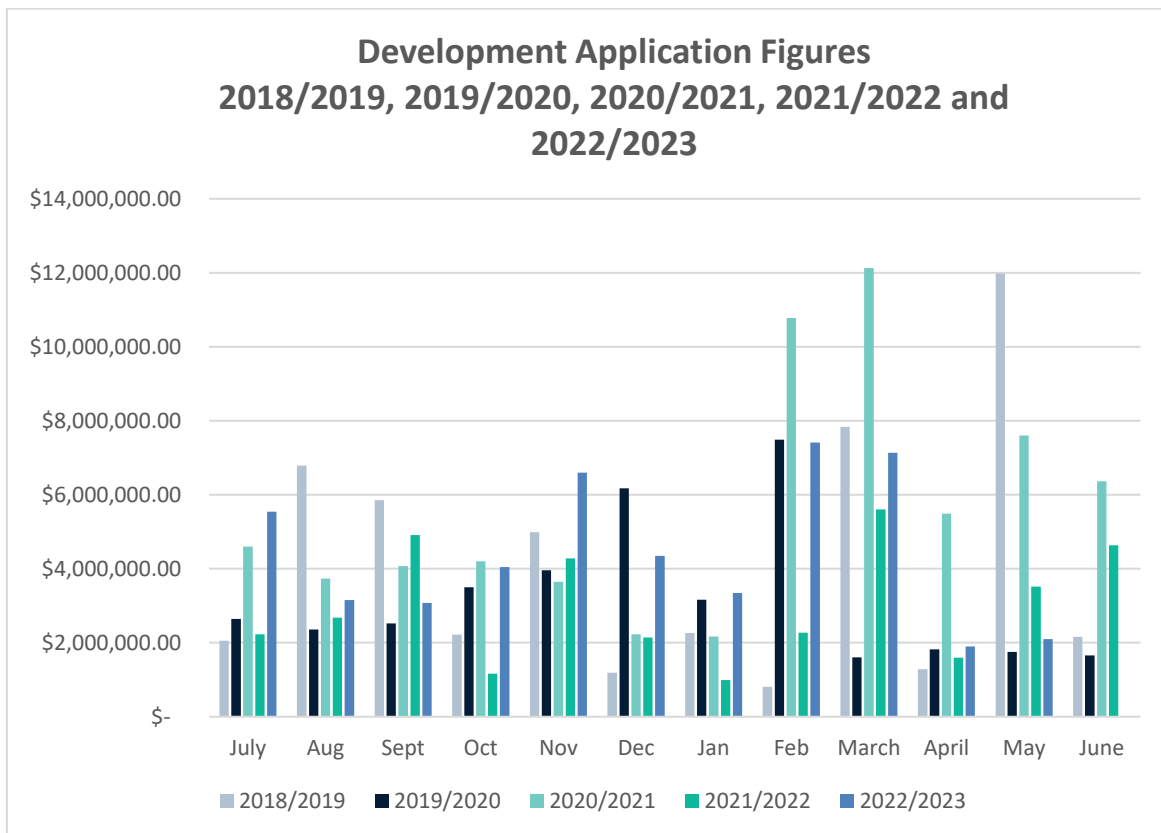


Figure 5: Value of development applications per month over five financial years.

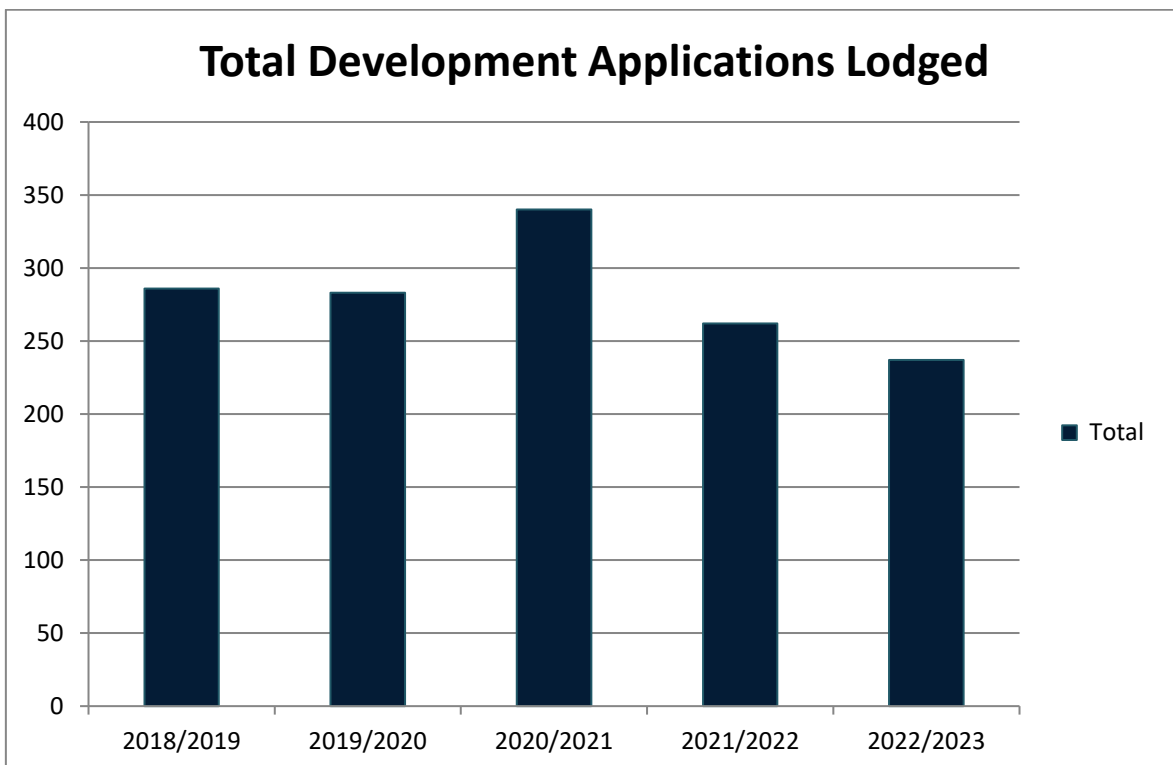


Figure 6: Number of Development Applications per annum over five financial years.

Activity for the month of May 2023

General Approvals (excluding Subdivisions, Section 4.55)	15
Section 4.55 amendments to original consent	3
Subdivision	0
Refused	0
Rejected	0
Withdrawn	0
Complying Development (Council Approved)	1
Complying Development (Private Certifier Approved)	3
TOTAL NUMBER OF APPLICATIONS DETERMINED (Excluding withdrawn applications)	22
Average assessment days for applications determined in May 2023	42
No. of Integrated development applications determined in May 2023	0
No. of Designated development applications determined in May 2023	0
No. of building/ compliance inspections undertaken in May 2023.	100

ATTACHMENT(S)

Nil

Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 May 2023 to 31 May 2023							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2023/0136	Byron Bay Planning & Property Consultants	R M Carson & T P Carson	30 Droneys Bridge Road, Fairy Hill	Proposed animal training and boarding establishment within part of an existing dwelling and associated works	13/02/2023	4/05/2023	\$6,600.00
DA2023/0137	Hayes Building Consultancy	T M H Ezzy	28 Ash Street, Evans Head	Change of use from an outbuilding to a secondary dwelling, including the erection of an attached patio, carport, and associated works	13/02/2023	16/05/2023	\$68,200.00
DA2023/0140	T Parsons	T Parsons & T Buckley	94 North Street, Casino	Shed with amenities & dwelling alterations	15/02/2023	1/05/2023	\$134,000.00
DA2023/0145	Hayes Building Consultancy	G S Bowering	4 Sea View Crescent, Broadwater	New semi inground concrete block swimming pool and a timber deck to join the pool area to the existing deck	6/03/2023	15/05/2023	\$48,950.00
DA2023/0151	The Shed Company	J B McRae & P J McRae	4 High Street, Casino	Demolition and construction of new 10m x 5m shed for use as a workshop and storage	14/03/2023	8/05/2023	\$19,890.00
DA2023/0153	The Shed Company	J B Dwyer & R J Dwyer	3 Colches Street, Casino	Construction of 8.4mx7m colorbond shed	20/03/2023	15/05/2023	\$29,914.00
DA2021/0131.01	Newton Denny Chapelle	C Booker & R M Booker	40 Donaldson Street, Coraki	Section 4.55 (1A) Modification - Strata title subdivision of an existing detached dual occupancy development to create Lot 1 (889m ²) and Lot 2 (549m ²)	29/03/2023	4/05/2023	\$0.00

Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 May 2023 to 31 May 2023							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2023/0156	W Inwood	K Parisotto & Y L Parisotto	42 Jersey Drive, North Casino	Construction of a 7.0m x 6.0m shed	30/03/2023	2/05/2023	\$19,500.00
DA2023/0157	The Shed Company	K A Fletcher & G G Fletcher	11 Beronia Street, Evans Head	Remove existing garden shed and construct a new 7m x 4.5m colorbond shed with a toilet and shower	30/03/2023	16/05/2023	\$19,870.00
DA2022/0208.01	B J Gooley	B J Gooley & S A Gooley	53 Verulam View, Spring Grove	S4.55 (1A) Modification - Add bathroom to shed	3/04/2023	25/05/2023	\$0.00
DA2023/0160	L D McGeary	L L Cumner & L D McGeary	Eucalypt Drive, Swan Bay	Proposed new shed with Temporary Occupation	4/04/2023	17/05/2023	\$114,000.00
DA2023/0161	NSW Department of Education Asset Management Unit	Casino High School	90 Queensland Road, Casino	Installation of a new sign structure and digital LED sign panel at Casino High School	6/04/2023	16/05/2023	\$54,942.98
DA2023/0162	The Shed Company	E S Whittaker	9 Wallum Drive, Doonbah	8m x 12m skillion roof colorbond shed	12/04/2023	12/05/2023	\$49,420.00
DA2023/0164	Newton Denny Chapelle	NSW Sugar Milling Cooperative Ltd & Manildra Stock Feeds (Manufacturing) Pty Ltd	117 Baraang Drive, Broadwater	Replacement of the former laboratory building which was damaged as a result of the February 2022 flood event	19/04/2023	25/05/2023	\$376,450.00
DA2023/0168	Crestwood Drafting Services	B R Johnston & R A Johnston	41 Figtree Drive, Casino	Inground concrete swimming pool & associated fencing	21/04/2023	23/05/2023	\$67,000.00

Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 May 2023 to 31 May 2023							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2023/0169	Crestwood Drafting Services	B R Johnston & R A Johnston	41 Figtree Drive, Casino	Construction of a shed (12.3m x 5m) with attached awning (12.3m x 4m). Total size being 12.3m x 9m	21/04/2023	23/05/2023	\$19,000.00
DA2023/0132.01	K P McClymont	K P McClymont & C R McClymont	310 Ellangowan Road, Yorklea	S4.55 (1) - Modification to approved engineering plans	24/05/2023	30/05/2023	\$0.00
Summary of Council Complying Development Applications determined under the Environmental Planning and Assessment Act for the period 1 May 2023 to 31 May 2023							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
CDC2023/0016	Hayes Building Consultancy	T J Lawler & T L Lawler	47 Cherry Street, Evans Head	Flyover roof carport	10/05/2023	25/05/2023	\$19,500.00
Summary of Flood Affected Development Applications determined under the Environmental Planning and Assessment Act for the period 1 May 2023 to 31 May 2023							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2023/0158	S J Martin	S J Martin & G V P Martin	74 Rileys Hill Road, Broadwater	Raise existing two storey dwelling including construction of a two storey extension	31/03/2023	12/05/2023	\$450,000.00

Summary of Privately Certified Applications determined under the Environmental Planning and Assessment Act for the period 1 May 2023 to 31 May 2023							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
CDC2023/0018	Professional Certification Group	M J Y Santos & L M A Santos	60 Sheppard Street, Casino	Single Storey Dwelling and attached garage	29/05/2023	25/05/2023	\$408,867.00
CDC2023/0019	Professional Certification Group	M J Y Santos & L M A Santos	60 Sheppard Street, Casino	Retaining Wall	29/05/2023	25/05/2023	\$9,000.00
CDC2023/0020	Buildcert Certification Pty Ltd	B F Perez	12 Pearse Street, Rappville	Dwelling & Garage	29/05/2023	26/05/2023	\$185,000.00
Summary of Development Applications Refused under the Environmental Planning and Assessment Act for the period 1 May 2023 to 31 May 2023							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
Nil							
Summary of Development Applications Withdrawn under the Environmental Planning and Assessment Act for the period 1 May 2023 to 31 May 2023							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Completion Date	Estimated Cost
Nil							

19.4 GRANT APPLICATION INFORMATION REPORT - MAY 2023

Director: Ryan Gaiter

Responsible Officer: Rylee Vidler

RECOMMENDATION

That Council receives and notes the Grant Application Information Report for the month of May 2023.

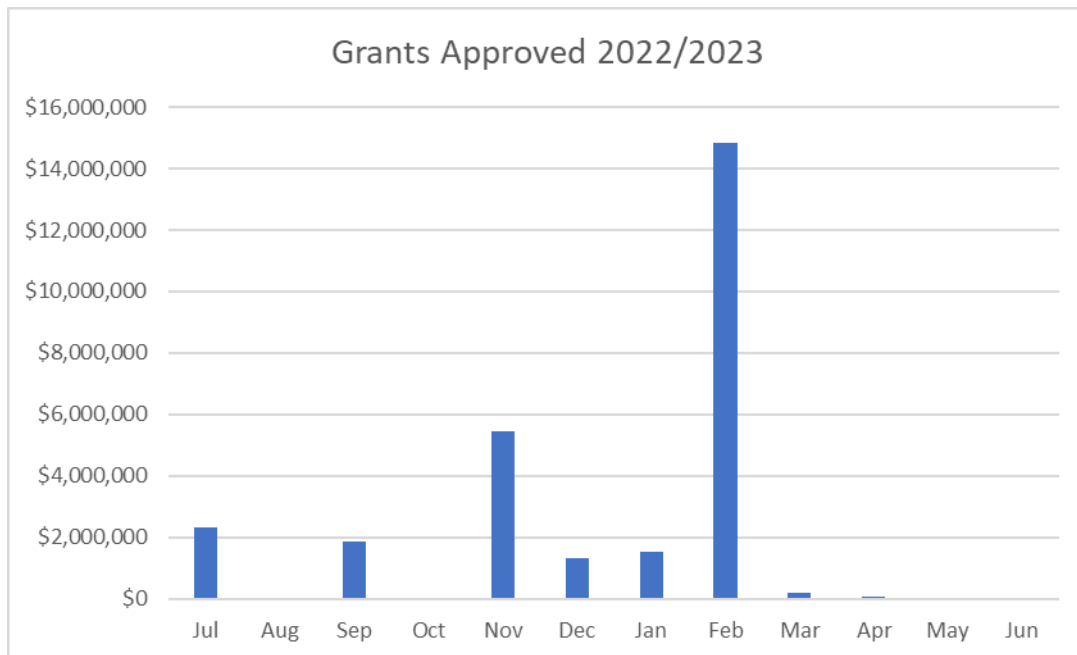
REPORT

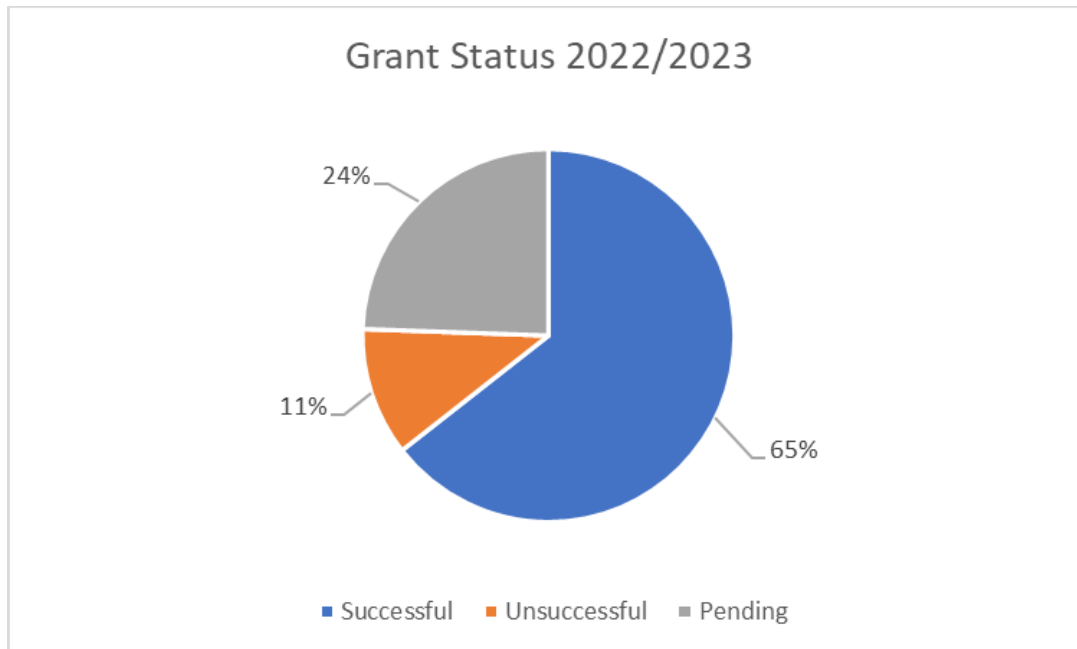
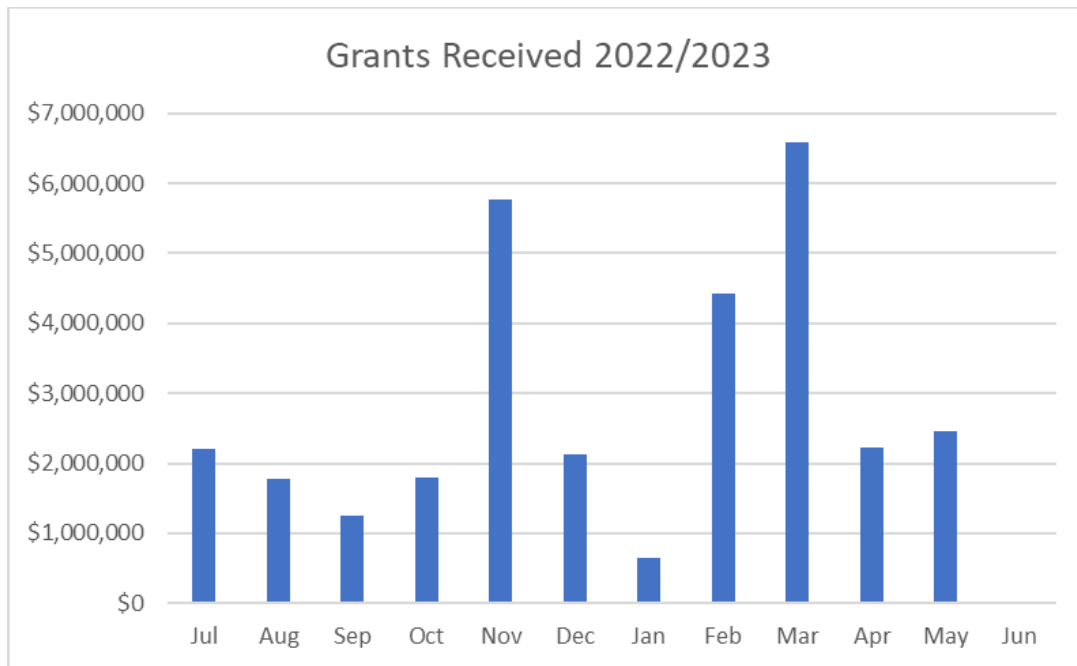
This report provides information on grant applications that have been approved, grants that have been received, grant applications that were unsuccessful and grant applications that were submitted for the month of May 2023.

During the reporting period, there were no grant applications approved. Council was notified of one unsuccessful grant application and did not submit any new grant applications during May.

Council received funding for six grants totalling \$2,464,827.

A summary of grants approved and received as well as the status of applications for the current financial year to 31 May 2023 is shown below:





Grants that have been received

Project Name	Funding Body	Funding Name	Project Value	Grant Funding	Council Funding	Application Submitted	Date Received	Total Received
Tactile Ground Surface Indicators (TGSi) Projects	Transport for NSW (State)	Safety and Minor Works	\$ 18,000	\$ 18,000	\$ -	25 July 2022	\$ 18,000 1 May 2023	\$ 18,000
Comment: Funding received for completion of works.								
Multipurpose Meeting Rooms for the Community	State Library NSW (State)	Public Library Infrastructure Grants	\$ 179,696	\$ 173,803	\$ 5,893	28 October 2022	\$ 173,803 5 May 2023	\$ 173,803
Comment: Total grant received to allow commencement of works.								
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 17 May 2023	\$ 5,981,973
Comment: Final payment for 2022/23 allocation								
Casino Drill Hall Memorial Walk and Razorback Lookout	Department of Infrastructure, Transport, Regional Development and Communications (Federal)	Local Roads and Community Infrastructure Grants (LRCI).	\$ 1,304,963	\$ 1,284,964	\$ 19,999	N/A	\$ 448,903 19 May 2023	\$ 1,284,964
Comment: Final payment for works completed on Casino Drill Hall and Razorback Lookout.								
Richmond Valley Council Local Heritage Grants Program 2022 and 2023	Heritage NSW (State)	2021-23 Community Heritage - Local Government Advisors	\$ 11,000	\$ 11,000	\$ -	8 February 2021	\$ 5,500 25 May 2023	\$ 11,000
Comment: 2022-23 component of the grant received.								
Roads to Recovery 2019/20 to 2023/24	Department of Infrastructure, Transport, Regional Development and Communications (Federal)	Roads to Recovery Program	\$ 5,011,072	\$ 5,011,072	\$ -	N/A - annual allocation of \$1,002,214	\$ 869,889 22 March 2023	\$ 4,008,859
Comment: Final payment for 2022/23 allocation.								
MR145 Woodburn-Coraki Road Major Upgrade	Transport for NSW (Federal)	N/A - Election Promise	\$10,000,000	\$10,000,000	\$ -	N/A	\$ 546,809 31 May 2023	\$ 7,195,615
Comment: Progress payment for works completed								

Unsuccessful Grant Applications

Project Name	Funding Body	Funding Name	Project Value	Grant Funding	Council Funding	Application Submitted	Advised Unsuccessful
McDonald Park Fish Habitat Restoration Grant	Department of Primary Industries - Recreational Fishing Trust	Habitat Action Grants (State)	\$ 57,707	\$ 27,271	\$ 30,436	23 September 2022	1 May 2023

Comment: The successful projects assisted kilometres of riverbanks, including with private landholders, and this was not possible for this project.

19.5 INTERNAL AUDIT AND RISK COMMITTEE MINUTES 3 MAY 2023**Responsible Officer: Hayley Martin****RECOMMENDATION**

That Council receives and notes the Minutes of the Internal Audit and Risk Committee Meeting held on 3 May 2023.

ATTACHMENT(S)

1. **Minutes of the Internal Audit and Risk Committee Meeting - 3 May 2023 (under separate cover)**

19.6 CORRESPONDENCE - CASINO COURT HOUSE CLOSURE**Responsible Officer: Vaughan Macdonald****RECOMMENDATION**

That Council:

1. Receives and notes the correspondence forwarded to the Attorney General and Member for Clarence, as resolved at Council's May Ordinary meeting; Mayoral Minute: Casino Court House – Flood Damage Ongoing Closure.
2. Notes that Council is yet to receive a response from the Attorney General
3. Notes the address delivered by Mr Richie Williamson (Member for Clarence) on 23 May 2023 to NSW Parliament in response to this matter.

SUMMARY OF CORRESPONDENCE

Council resolved at its May Ordinary meeting to write to the relevant Minister and the Member for Clarence, raising concerns about the community impacts of the continued closure of Casino Court House and seeking assistance to expediate the repair works required.

A copy of the correspondence forwarded to the Attorney General and Member for Clarence is attached. The Member for Clarence also raised the matter in an address to the NSW Parliament on 23 May 2023. A copy of the Hansard extract is attached.

ATTACHMENT(S)

1. **Letter to Attorney General**
2. **Letter to Mr Richie Williamson, MP**
3. **Hansard Mr Richie Williamson Casino Court House**



24 May 2023

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

council@richmondvalley.nsw.gov.au
www.richmondvalley.nsw.gov.au

ABN 54 145 907 009

The Hon. Michael Daley MP
Attorney General
GPO Box 5341
SYDNEY NSW 2001

Dear Mr Daley

Casino Court House Flood Damage and Ongoing Closure

I write to you on behalf of Richmond Valley Council to seek your urgent assistance to expedite the repair works required to ensure the reopening of the Casino Court House as soon as possible.

The Court House was closed following flood damage in February 2022. However, some 15 months later, this important facility remains unavailable to our community. The closure has meant that all court matters are now being heard at the Lismore Court House and the travel required (additional 30 minutes of car travel) is having the following impacts on our local community:

- Operational/resourcing impacts on Police who must travel to/from Lismore for appearances/hearings
- Resourcing impacts on staff who work for local solicitors having to travel for appearances/hearings.
- Economic impacts on Casino due to loss of regular Court days which bring professional people and community members to town for a day.
- Increased difficulties with court attendance for disadvantaged members of our community who don't have their own transport, as public transport options are very limited
- Impacts on community and family members who may be supporting a person who needs to attend Court (with an Aboriginal and Torres Strait Islander population of 10.5%).
- Concerns that if the Court remains out of action for a long period a decision may be made to permanently close the facility.

The Casino Court House is a vital facility for the Casino community and Council has written to the The Hon Richie Williamson, Member for Clarence, seeking his support to expedite the current repairs. We ask that you also make representations on our behalf, to ensure that our community does not continue to suffer from the impacts of the courthouse closure.

For further information or to arrange a meeting, please contact General Manager, Vaughan Macdonald at vmacdonald@rvc.nsw.gov.au or on 0415 155 257.

Yours sincerely

A handwritten signature in black ink, appearing to read "R Mustow".

Cr Robert Mustow
Mayor

Love where we live and work





**Richmond
Valley
Council**

24 May 2023

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

council@richmondvalley.nsw.gov.au
www.richmondvalley.nsw.gov.au

ABN 54 145 907 009

Mr Richie Williamson, MP
Member for Clarence

Email: clarence@parliament.nsw.gov.au

Dear Richie

Casino Court House Flood Damage and Ongoing Closure

I write to you on behalf of Richmond Valley Council to seek your urgent assistance to expedite the repair works required to ensure the reopening of the Casino Court House as soon as possible.

The Court House was closed following flood damage in February 2022. However, some 15 months later, this important facility remains unavailable to our community. The closure has meant that all court matters are now being heard at the Lismore Court House and the travel required is having the following impacts on our local community:

- Operational/resourcing impacts on Police who must travel to/from Lismore for appearances/hearings
- Resourcing impacts on staff who work for local solicitors having to travel for appearances/hearings.
- Economic impacts on Casino due to loss of regular Court days which bring professional people and community members to town for a day.
- Increased difficulties with court attendance for disadvantaged members of our community who don't have their own transport, as public transport options are very limited
- Impacts on community and family members who may be supporting a person who needs to attend Court.
- Concerns that if the Court remains out of action for a long period a decision may be made to permanently close the facility.

The Casino Court House is a vital facility for the Casino community and Council has written to the Attorney General, seeking his support to expedite the current repairs. We ask that you also make representations on our behalf, to ensure that our community does not continue to suffer from the impacts of the courthouse closure.

For further information or to arrange a meeting, please contact General Manager, Vaughan Macdonald at vmacdonald@rvc.nsw.gov.au or on 0415 155 257.

Yours sincerely

Cr Robert Mustow
Mayor

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CASINO COURTHOUSE- HANSARD EXTRACT

Mr RICHIE WILLIAMSON (Clarence) (20:04): I remind the House that my electorate is still recovering from the floods of 2022. The effects of that natural disaster are still being felt in the electorate today. Local governments are always at the front of any community-led recovery; it is what they do. It is true that they are most certainly the form of government closest to the people. I acknowledge the work of one of those councils in my electorate, Richmond Valley Council, led by Mayor Robert Mustow, his fellow councillors and the general manager, Vaughan Macdonald. At its ordinary council meeting the council resolved, via mayoral minute, a motion regarding the continued operation of the Casino courthouse, which was severely damaged during that natural disaster. In fact, the courthouse has not opened since the natural disaster. Among many other things in the mayoral minute was a request that I bring this to the attention of the House and the Government, urgently seeking that the Casino courthouse be reopened, and seek any assistance to expedite the repair works that are needed to ensure the reopening of the Casino courthouse as soon as possible, given the impacts on the local community and the economy.

The court has been closed for some time, as I said, and now Local Court matters are being heard at Kyogle and Lismore local courts. The closure of the Casino Local Court is having a negative impact in many ways, as the council reported. The low socio-economic and high Indigenous communities, some of whom have very limited transport, are struggling to attend because public transport is almost non-existent. It is impacting family members who are needed at the court as support people. I believe that the operational impact on our local police force is now immense because local police officers need to travel to and from Lismore or Kyogle for appearances and court hearings. This is having a resource impact not only with the local police force but also on local solicitors who must travel to and from the hearings. Economic impacts on Casino are being felt because of the lack of court days, which would normally bring to the community a high number of professional people to the community, where they would quite often stay for the night.

So it concerns me, and it concerns the council, that the court remains closed. It is a real concern for the Casino community. It would be a great shot of confidence for the community if the court were reopened as soon as possible. It is a part of the healing and recovery process that is so important for my community. I urge the Government to do everything in its power to have the Casino courthouse fully operational again as soon as possible. I fully support the Richmond Valley Council and the community in their efforts to have the Casino courthouse operational. I thank them for the work they have been doing in the flood recovery in their local area.

19.7 CORRESPONDENCE - EMERGENCY SERVICES LEVY

Responsible Officer: Vaughan Macdonald

RECOMMENDATION

That Council receives and notes the correspondence forwarded to the Treasurer, Minister for Emergency Services, the Minister for Local Government and the Member for Clarence regarding concerns with the Emergency Services Levy.

SUMMARY OF CORRESPONDENCE

At Council's May 2023 Ordinary Meeting the following resolution was passed:

That:

1. *Council writes to the Treasurer, the Minister for Emergency Services, the Minister for Local Government and local State Member:*
 - a. *Expressing Council's concerns with the NSW Government's decision to discontinue the subsidy on the Emergency Services Levy (ESL) which will impact on Council's service delivery in 2023/24;*
 - b. *Noting that as a consequence of the 73% increase in the State Emergency Service budget and an 18% increase in the Fire and Rescue NSW budget, Council's 3.7% rate increase to provide essential community services and infrastructure has been significantly eroded.*
 - c. *Advising that the Government's decision is likely to mean a reduction in important local services and/or the cancellation of necessary infrastructure projects;*
 - d. *Calling on the NSW Government to take action to:*
 - i. *restore the Emergency Services Levy subsidy in 2023/24;*
 - ii. *introduce legislation to separate the ESL from the general rating provisions to enable councils to recover the full cost via a separate item listed on the annual rate notice;*
 - iii. *develop a fairer, more transparent and financially sustainable method of funding critically important emergency services in consultation with local government.*

A copy of the letter provided to the above parties is included in this report. Council is yet to receive a response.

ATTACHMENT(S)

1. **Letter to Minister for Emergency Services**



1 June 2023

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

council@richmondvalley.nsw.gov.au
www.richmondvalley.nsw.gov.au

ABN 54 145 907 009

The Hon. Jihad Dib MP
Minister for Emergency Services
Via NSW Government Online Message Form

Dear Minister

Impacts of the Emergency Services Levy increase on our community

I write on behalf of Richmond Valley Council to seek your urgent support in developing a more equitable and sustainable solution to the continued impost of Emergency Services Levy increases on local councils in regional NSW. While I realise that you will receive many letters of this nature, I want to take the time to explain what this increase means to our community, as we continue to recover from the catastrophic floods of 2022.

As you would be aware, the Richmond Valley suffered major damage in the February/March 2022 events. I'm sure you would recall the heart-rending images relayed around the world of families trapped on the Woodburn Bridge, or elderly people and children being carried through the rain to rescue boats. These floods left more than 450 local homes uninhabitable, more than 1000 members of our community displaced and a damage bill of more than \$200 million for community infrastructure repairs.

Having lived through this experience, our Council agrees with the need to invest in better, more coordinated disaster response in NSW – but we also need a more transparent system to share the cost of this commitment – one that involves consultation with those most directly affected.

For Richmond Valley Council, the NSW Government invoice we have received for the ESL represents an increase of \$233,850 for 2023/24, bringing the total Council contribution to \$729,000. While our Council budgeted with the expectation that the ESL subsidy would not continue, our final account is still some \$30,400 more than expected. This means that funding will be reduced for other important community services and facilities.

For the last four years, the NSW Government has provided an ESL subsidy to ease the impact of continued increases on local councils and their communities. To remove this subsidy without due notice has created challenges for many councils. The timing is particularly challenging as it comes so late in the local government budgeting cycle, well after IPART's rate determination for the coming financial year and at a time of soaring inflation and ongoing costs of disaster recovery.

As I write this letter, many members of our community are facing yet another winter in temporary housing, caravans and tents, as the NSW Government continues to delay re-housing support for Northern Rivers flood victims. It seems ironic that communities are being asked to surrender much-needed recovery funds from one disaster, to build unspecified

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resources for the next. We could have spent the \$30,000 ESL increase helping flood-affected families and local businesses get back on their feet now.

While our Council acknowledges that continued cross-subsidisation of ESL increases through an annual subsidy is not sustainable, nor transparent– neither is repeated price hikes in ESL charges each year, with no consultation regarding the process.

Local Councils are required to consult with their communities when they propose increases to fees, charges and rates – to justify the need for each increase and to explain the funding formulas behind our charges. It would appear the same transparency does not apply to the ESL.

Perhaps the ESL funding formula should receive the same scrutiny from IPART as Council special rate variations, then our community would be able to understand why repeated increases are required, where the additional funds will be directed, and for what community benefit.

Having regard to the late notice of the ESL subsidy removal, it would seem appropriate to restore this subsidy for local councils in 2023/24, with the understanding that this assistance cannot continue indefinitely.

Ultimately, our council would like to see a fairer, more transparent and financially sustainable method of funding critically important emergency services in the longer term – one that is developed in consultation with local government and the communities it serves.

However, should the NSW Government wish to continue with the current ESL funding formula, we would ask that, as a minimum, the *Local Government Act 1993* is appropriately amended to allow the levy to be recorded as a separate service charge on the rates notice – as currently occurs with other essential services, such as water supply and waste management. This would allow a more transparent representation of the true cost to the community of emergency services management.

Thank you for taking the time to consider this letter. For further information or to arrange a meeting, please contact General Manager, Vaughan Macdonald at vmacdonald@rvc.nsw.gov.au or 0415 155 257.

Yours sincerely,



Robert Mustow
Mayor

cc. The Hon. Daniel Mookhey MLC
Treasurer
Via NSW Government Online Message Form

The Hon. Ron Hoenig MP
Minister for Local Government
Via NSW Government Online Message Form

Mr Richie Williamson, MP
Member for Clarence
Email: clarence@parliament.nsw.gov.au

20 QUESTIONS ON NOTICE

Nil

21 QUESTIONS FOR NEXT MEETING (IN WRITING)**22 MATTERS REFERRED TO CLOSED COUNCIL****RECOMMENDATION**

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

22.1 Northern Rivers Livestock Exchange Agent Licence Procurement Process

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

23 RESOLUTIONS OF CLOSED COUNCIL