

Richmond
Valley
Council



ATTACHMENTS

Tuesday, 19 September 2023

UNDER SEPARATE COVER

Ordinary Council Meeting

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Richmond
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MINUTES

**Ordinary Council Meeting
15 August 2023**

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ORDINARY COUNCIL MEETING MINUTES

15 AUGUST 2023

**MINUTES OF RICHMOND VALLEY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, 10 GRAHAM PLACE, CASINO
ON TUESDAY, 15 AUGUST 2023 AT 6PM**

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

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

IN ATTENDANCE: Vaughan Macdonald (General Manager), Angela Jones (Director Community Service Delivery), Ryan Gaiter (Director Organisational Services), Ben Zeller (Director Projects & Business Development), Jenna Hazelwood (Chief of Staff), Julie Clark (Personal Assistant to the General Manager and Mayor), and Simon Breeze (IT Support Coordinator).

1 ACKNOWLEDGEMENT OF COUNTRY

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

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

2 PRAYER

The meeting opened with a prayer by the General Manager.

3 PUBLIC ACCESS

Nil

4 APOLOGIES

RESOLUTION 150823/1

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That the apology received from Cr Sam Cornish be accepted and leave of absence granted.

CARRIED

ORDINARY COUNCIL MEETING MINUTES

15 AUGUST 2023

5 MAYORAL MINUTES**5.1 MAYORAL MINUTE - LOCAL GOVERNMENT WEEK AWARDS 2023****RESOLUTION 150823/2**

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council:

- 1 Acknowledges receipt of the RH Dougherty Award for its Rebuilding the Richmond Valley recovery plan
- 2 Extends its congratulations to all Council staff involved in preparing and delivering the plan to support our community's continued flood recovery.

CARRIED**5.2 MAYORAL MINUTE - CASINO TRUCK SHOW****RESOLUTION 150823/3**

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council:

- 1 Notes the outstanding success of the 2023 North Coast Petroleum Casino Truck Show and its well-deserved title as the biggest truck show in the southern hemisphere.
- 2 Extends its congratulations to the Organising Committee, volunteers and council staff led by our Community Connection team for delivering a high quality event for our community.

CARRIED**RESOLUTION 150823/4**

Moved: Cr Robert Mustow

Seconded: Cr Sandra Humphrys

That Council accepts the Mayoral Minute – Casino Showground Precinct Funding Boost as a late item to the business paper.

CARRIED

5.3 MAYORAL MINUTE - CASINO SHOWGROUND PROJECT FUNDING BOOST**RESOLUTION 150823/5**

Moved: Cr Robert Mustow

Seconded: Cr Sandra Humphrys

That Council:

1. Acknowledges the receipt of an additional \$4.6m for the Casino Showground and Racecourse upgrade, under the Bushfire Local Economic Recovery Fund.
2. Notes the significant investment by the Australian and NSW Governments in supporting Council's development of this precinct as a leading regional equestrian centre.
3. Writes to the Minister for Regional NSW, the Minister for the North Coast, the Member for Page and the Member for Clarence to thank them for their continued support for the showground project.

CARRIED

6 CONFIRMATION OF MINUTES**6.1 MINUTES ORDINARY MEETING HELD 18 JULY 2023****RESOLUTION 150823/6**

Moved: Cr Sandra Humphrys

Seconded: Cr Robert Hayes

That Council confirms the Minutes of the Ordinary Meeting held on 18 July 2023.

CARRIED

7 MATTERS ARISING OUT OF THE MINUTES

Nil

8 DECLARATION OF INTERESTS

Nil

9 PETITIONS

Nil

ORDINARY COUNCIL MEETING MINUTES

15 AUGUST 2023

10 NOTICE OF MOTION**10.1 NOTICE OF MOTION - RATE REBATE EXTENSION****RESOLUTION 150823/7**

Moved: Cr Robert Hayes
Seconded: Cr Patrick Deegan

That Council writes to the Premier of NSW, the Hon. Chris Minns MP, seeking further rate relief for flood-affected residents across the Richmond Valley area for the 2023/24 financial year.

CARRIED**11 MAYOR'S REPORT****11.1 MAYORAL ATTENDANCE REPORT 12 JULY - 8 AUGUST 2023****RESOLUTION 150823/8**

Moved: Cr Robert Mustow
Seconded: Cr Stephen Morrissey

That Council receives and notes the Mayoral Attendance Report for the period 12 July – 8 August 2023.

CARRIED**12 DELEGATES' REPORTS****12.1 DELEGATES REPORT - NATIONAL SALEYARDS EXPO JULY 2023****RESOLUTION 150823/9**

Moved: Cr Stephen Morrissey
Seconded: Cr Sandra Humphrys

That Council receives and notes the Delegates' Report for the month of July 2023.

CARRIED

13 MATTERS DETERMINED WITHOUT DEBATE

13.1 MATTERS TO BE DETERMINED WITHOUT DEBATE

RESOLUTION 150823/10

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

That items 17.1 and 17.2 identified be determined without debate.

CARRIED

14 GENERAL MANAGER**14.1 REBUILDING THE RICHMOND VALLEY DELIVERY PROGRAM PROGRESS REPORT****EXECUTIVE SUMMARY**

Richmond Valley Council has completed the first 12 months of its Rebuilding the Richmond Valley interim Delivery Program, with substantial progress in all areas of flood recovery.

The recovery journey from the catastrophic 2022 floods is expected to take at least three years, with activity during the first year focused on:

- Understanding the scale of the damage and how long it will take to fix
- Completing emergency repairs to essential infrastructure, such as water supply, sewerage services and road networks
- Getting people back into their homes wherever possible
- Fixing essential facilities, such as halls and sports grounds, so that communities can come together again
- Supporting the long-term recovery of our environment
- Advocating for support and funding from state and federal governments to complete the recovery process.

At the end of Year One, we have seen positive progress in these areas. Council has now completed its emergency infrastructure repairs and the majority of restoration works for community buildings and sporting facilities. More than \$36m has been secured in government funding to support recovery works. However, continued delays with regional buy-backs, relocation and house resilience programs remain a major concern for the community and Council will continue to advocate strongly for further assistance.

Actions for the remaining two years of the program have been incorporated into Council's 2023-25 Delivery Program. This will concentrate on continued repairs and reconstruction of flood damaged roads and bridges, major infrastructure upgrades, improving preparedness for natural disasters and supporting long-term economic growth and prosperity for the Valley.

RESOLUTION 150823/11

Moved: Cr Robert Hayes

Seconded: Cr Sandra Humphrys

That Council:

1. Receives and notes the progress report for the January-July 2023 period of the Rebuilding the Richmond Valley Delivery Program;
2. Acknowledges the outstanding efforts of the community in its continued journey towards recovery from the 2022 floods;
3. Continues to advocate strongly for:
 - a) urgent progress in implementing regional housing solutions, and
 - b) accelerated approvals for Disaster Recovery Funding Arrangements (DRFA) claims for essential infrastructure repairs.

CARRIED

ORDINARY COUNCIL MEETING MINUTES

15 AUGUST 2023

15 COMMUNITY SERVICE DELIVERY

Nil

16 PROJECTS & BUSINESS DEVELOPMENT

Nil

17 ORGANISATIONAL SERVICES**17.1 FINANCIAL ANALYSIS REPORT - JULY 2023****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 (AASB9) and Council's Investment Policy.

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

Bank Accounts	Term Deposits	Floating Rate Notes	Fixed Rate Bonds	TCorp IM Funds	Total
\$15,405,218	\$47,000,000	\$5,750,390	\$2,000,000	\$15,506,502	\$85,662,110

The weighted average rate of return on Council's cash and investments as at 31 July 2023 was 6.28% which was above the Bloomberg AusBond Bank Bill Index for July of 0.37%, which is Council's benchmark.

RESOLUTION 150823/12

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

That Council adopts the Financial Analysis Report detailing the performance of its cash and investments for the month of July 2023.

CARRIED

17.2 MONTHLY BUDGET ADJUSTMENTS REPORT - JULY 2023**EXECUTIVE SUMMARY**

This report details proposed budgeted "Carry Forwards" and "Revotes" for the 2023 Financial Year.

Carry forwards represent the unspent portion of budgeted projects that were either started or contracted to be started in the 2022/2023 year. Revotes represent the unspent portion of budgeted projects that were not underway in the 2022/2023 year.

Both carry forwards and revotes are an annual occurrence and can be due to several factors including, savings in completion of projects, where those funds can then be utilised on new or additional projects, weather events, contractor availability, material availability, timing of grant funding and the associated expenditure of those funds.

The proposed carry forwards total \$7,331,606 comprising \$170,342 in operating expenditure and \$7,161,264 in capital expenditure. This represents only 0.21% of budgeted operating expenditure and 13.56% of budgeted capital expenditure for 2022/2023.

The proposed revotes total \$852,140 comprising \$624,386 in operating expenditure and \$227,754 in capital expenditure. This represents only 0.77% of budgeted operating expenditure and 0.43% of budgeted capital expenditure for 2022/2023.

Council's annual Financial Statements are currently being prepared for audit and as such, the final carry forward and revote budgets are still subject to change. At this stage the proposed changes will have no impact on the projected budget surplus of \$212,574 for 2023/2024 as the carry over works are fully funded from unexpended grants and contributions or previously budgeted from other reserves.

RESOLUTION 150823/13

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

That Council:

1. Notes carry forwards for the financial year ended 30 June 2023
2. Approves revotes for the financial year ended 30 June 2023
3. Notes the revised budget for 2023/2024, including carry forward and revotes.

CARRIED

18 GENERAL BUSINESS

Nil

19 MATTERS FOR INFORMATION**RESOLUTION 150823/14**

Moved: Cr Stephen Morrissey
Seconded: Cr Robert Hayes

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

CARRIED

19.1 NORTHERN RIVERS LIVESTOCK EXCHANGE STATISTICS AS AT 30 JUNE 2023**RESOLUTION 150823/15**

Moved: Cr Stephen Morrissey
Seconded: Cr Robert Hayes

That Council receives and notes the Northern Rivers Livestock Exchange Statistics as at 30 June 2023.

CARRIED

19.2 RICHMOND-UPPER CLARENCE REGIONAL LIBRARY ANNUAL REPORT 2022/2023**RESOLUTION 150823/16**

Moved: Cr Stephen Morrissey
Seconded: Cr Robert Hayes

That Council receives and notes the Richmond-Upper Clarence Regional Library Annual Report 2022/2023.

CARRIED

19.3 GRANT APPLICATION INFORMATION REPORT - JULY 2023**RESOLUTION 150823/17**

Moved: Cr Stephen Morrissey
Seconded: Cr Robert Hayes

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

CARRIED

19.4 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 JULY 2023 - 31 JULY 2023**RESOLUTION 150823/18**

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That Council receives and notes the Development Application report for the period 1 July 2023 to 31 July 2023.

CARRIED

19.5 NSW WATER CONFERENCE 26-28 JUNE 2023**RESOLUTION 150823/19**

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That Council receives and notes the summary of the LGNSW Water Management Conference held 26-28 June 2023.

CARRIED

19.6 CORRESPONDENCE: RICHMOND VALLEY FLOOD RECOVERY PRIORITIES**RESOLUTION 150823/20**

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That Council receives and notes the correspondence provided to:

- The Hon. Chris John Minns, MP Premier of New South Wales
- The Hon. Jihad Dib MP, Minister for Customer Service and Digital Government, Minister for Emergency Services, and Minister for Youth Justice, and
- The Hon. Paul Scully MP, Minister for Planning and Public Spaces

CARRIED

19.7 TENDER VP333465 - COLLEY PARK FACILITY BUILDING**RESOLUTION 150823/21**

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That Council receives and notes the report Tender VP333465 – Colley Park Facility Building.

CARRIED

20 QUESTIONS ON NOTICE

20.1 QUESTIONS ON NOTICE - NORTHERN RIVERS LIVESTOCK EXCHANGE

The following questions on notice were received from Councillor Robert Hayes.

Questions

Background

We are now nearly 7 weeks into no sales at the Northern Rivers Livestock Exchange (NRLX) due to agents refusing to sign the licence agreements to operate at the facility, leaving doubt over the future of the NRLX as a livestock selling facility. To inform our future decision making around our ongoing involvement in the management of the complex, can the General Manager answer the following questions:

1. What is the current value of the complex?
2. Is Council able to lease the complex and what would that entail?
3. What other business uses could the complex be suited for?
4. If, prior to 30th June 2023 with the previous selling permit and fees in place, a special rate levy was applied across all ratepayers within the Richmond Valley Local Government Area to bring the NRLX business to a break-even operating result, allowing for all expenditure including maintenance, borrowing costs and depreciation, what would that levy amount be?
5. What are the potential impacts for Council if serious Work Health & Safety issues occur at the facility?

Responses

The General Manager advised;

1. The current written down value of the asset is \$28.5m. To get an indication of the market value of the asset we would need to procure an independent market valuation.
2. Councils do have the authority to lease their assets. To lease the facility to operate as a saleyard, a draft contract could be drawn up and Council could go to Public Tender. A panel would assess the submissions and if a successful tender was resolved by Council a contract would be signed granting an operating lease as a saleyard to the successful tenderer.
3. The NRLX Business Plan did not assess other uses, however some options that could be considered include:
 - Private enterprise saleyard
 - Boutique livestock or other animal sales e.g. horse sales
 - Parts of the premises could potentially be utilised as a small volume feedlot subject to licensing amendments with the EPA
 - Covered green waste organics processing facility
4. The 2022/23 NRLX Program Deficit was \$647,000. With 10,828 rateable properties, a flat rate special levy across all properties would require a levy of \$60 per property to fund the

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NRLX program deficit so it breaks even.

5. Section 19 of the WHS Act sets out our Primary Duty of Care and specifies that the Person Conducting a Business or Undertaking PCBU must ensure, so far as is reasonably practicable the health and safety of all workers.

Section 20 of the WHS Act sets out the Duty of persons conducting businesses or undertakings involving management or control of workplaces which includes:

“The person with management or control of a workplace must ensure, so far as is reasonably practicable, that the workplace, the means of entering and exiting the workplace and anything arising from the workplace are without risks to the health and safety of any person”.

Penalties - If found guilty of recklessly exposing a person to risk of death or injury and not upholding these primary duties, penalties may include a personal fine for an employee of up to \$381,000 and up to 5 years imprisonment, the officer (PCBU) up to \$761,000 and up to 5 years imprisonment, and for a body corporate, which includes a Council, it is \$3.8m.

RESOLUTION 150823/22

Moved: Cr Robert Hayes

Seconded: Cr Sandra Humphrys

That the responses received in relation to the Questions on Notice - Northern Rivers Livestock Exchange be received and noted.

CARRIED

21 QUESTIONS FOR NEXT MEETING (IN WRITING)

Nil.

22 MATTERS REFERRED TO CLOSED COUNCIL

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

22.1 Tender VP359745 - Design and Construct Package - Reynolds Road Bridge and Lollback Creek Bridge Replacement

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

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

22.2 Tender VP367264 - South Casino Sewage Transfer Station (Pumping Station)

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

This matter is considered to be confidential under Section 10A(2) - (d)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on

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15 AUGUST 2023

balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

22.3 Write-off of Monies Under Delegation

This matter relates to

- (a) personnel matters concerning particular individuals (other than councillors)
- (b) discussion in relation to the personal hardship of a resident or ratepayer.

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

22.4 Northern Rivers Livestock Exchange Agent Licence Procurement Process Update

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

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

RESOLUTION 150823/23

Moved: Cr Stephen Morrissey

Seconded: Cr Debra McGillan

That:

1. Council enters Closed Council to consider the business identified in Item 22, together with any late reported tabled at the meeting.
2. Pursuant to section 10A(2) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis the business to be discussed is classified confidential under the provisions of section 10(2) as outlined above.
3. The correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) *Local Government Act 1993*.

CARRIED

Council closed its meeting at 7.18 pm.

The Open Council meeting resumed at 8.05 pm.

The resolutions of the Closed Council meeting were read by the Director Projects & Business Development, Director Community Service Delivery, Director Organisational Services and the General Manager.

23 RESOLUTIONS OF CLOSED COUNCIL**22.1 Tender VP359745 - Design and Construct Package - Reynolds Road Bridge and Lollback Creek Bridge Replacement**

That

1. Council accepts the tender from Ozwide Bridge Rail and Civil Pty Ltd which represents the best value for council at \$1,358,250 (exclusive of GST); and
2. The General Manager be authorised to negotiate and finalise the terms and conditions of any contract or agreement, in line with the content of this report and the available budget and affixing the seal of Council where necessary.

22.2 Tender VP367264 - South Casino Sewage Transfer Station (Pumping Station)

That Council:

1. Declines the submissions received for Tender VP367264 – South Casino Sewage Transfer Station (Pumping Station) due to the single submission prices being higher than the budget allocated for the works.
2. Applies Clause 178 (3)(e) of the Local Government (General) Regulation 2021 to authorise the General Manager to enter direct negotiations with suitably qualified contractors with a view to procure works that provide Council with the best outcome both from a financial and delivery perspective, and to finalise the terms of the contract or agreement and affixing the seal of Council where necessary.
3. Notes that the outcome of the negotiations will be reported to Council for information at a future meeting.

22.3 Write-off of Monies Under Delegation

That Council receives and notes the Write-off of monies totalling \$7,765.11 under the General Manager's delegation.

22.4 Northern Rivers Livestock Exchange Agent Licence Procurement Process Update

That Council receives and notes the Northern Rivers Livestock Exchange Agent Licence Procurement Process update and the interest shown in operating at the facility.

The Meeting closed at 8.10pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 19 September 2023.

.....
CHAIRPERSON



BMT OFFICIAL

BMT Commercial Australia Pty Ltd
 Level 5, 348 Edward Street,
 Brisbane, Qld, 4000
 Australia

ABN: 54 010 830 421

Project Memorandum

Project	A10749 Richmond Valley Flood Study		
From:	BMT		
Date:	06/09/2023	To:	Richmond Valley Council
Doc Ref:	M.A10749.005.00_Community_Consultation		
Subject:	Public Exhibition of Draft Richmond Valley Flood Study 2023		

Background

The draft 'Richmond Valley Flood Study (June 2023)' was placed on public exhibition in the Richmond Valley LGA between 3 July 2023 and 13 August 2023. This provided the community and key stakeholders with an opportunity to review the draft study and provide feedback that would be considered in finalising the report.

The Public Exhibition period included:

- Online exhibition of a digital copy of Volumes 1 and 2 of the draft 'Richmond Valley Flood Study' (June 2023) on Council's website.
- Hard copies of Volumes 1 and 2 of the draft 'Richmond Valley Flood Study' (June 2023) available for review at Council's Customer Service Desk.
- Online access via Intramaps on the Richmond Valley Council website to peak flood depth, velocity and hazard mapping for each of the modelled design floods. This included functionality to undertake a property search to obtain minimum and maximum flood levels.
- In person drop-in community information sessions to provide the community with an opportunity to discuss the project, ask any specific questions and provide feedback. These were held at:
 - Casino Community and Cultural Centre, Walker Street Casino—Wednesday, 26 July 2023 from 1pm to 6pm
 - Evans Head Library Meeting Room, Woodburn Street Evans Head—Thursday, 27 July 2023 from 12 noon to 4pm
- Richmond Valley Council further engaged with the community via the following:
 - The July 2023 edition of the "Valley New" letterbox drop newsletter
 - The July 2023 eNewsletter
 - Council's Facebook page

Written feedback was invited via an online submission form, email or post. Richmond Valley Council also wrote to key stakeholders including:

- NSW SES
- NSW Resilience
- NSW Reconstruction Authority
- DPE-Biodiversity Conservation Division (incorporating Floodplain Management)
- DPE-Planning & Assessment
- Rous Water
- Lismore City Council
- Kyogle Council
- Ballina Shire Council
- Transport for NSW

This memorandum provides a summary of responses received on the draft Richmond Valley Flood Study 2023. This includes both formal submissions and a summary of enquiries from the community drop in sessions.

Formal Submissions

Four formal submissions were received; one from Transport for NSW (TfNSW), one from the NSW State Emergency Service (SES) and two from members of the public. A resident also provided a series of queries via email. Other agencies/organisations provided brief responses as follows:

- Northern Rivers Reconstruction Corporation (NSW Reconstruction Authority) thanked Council for referring the Draft Study.
- Rous Water congratulated Council on getting the Flood Study to its present position.
- Lismore City Council congratulated Council on getting the Flood Study to its present position and has asked for access to flood data for the lower Wilsons River (within Lismore City Council's LGA) once the project had been finalised.

With regards to the formal submissions, the submission from TfNSW acknowledged the opportunity to review the study and made no recommendations.

The submission from the SES was primarily with regards to whether the study meets the key aspects of the guideline 'Support for Emergency Management Planning Flood Risk Mitigation Guideline' (EM01) and whether it meets the key principles of the Floodplain Development Manual. The main point summarised was "*Review of the NSWSES Flood Plan contents is of significant importance to the community and the flood study review needs to include this in its process*".

BMT notes that the Flood Study forms part of the floodplain management process as defined in the NSW Floodplain Development Manual. The flood study defines the nature and extent of the flood problem and will underpin a subsequent flood risk management study and plan which will quantify and weigh the relevant risks to communities, including looking at emergency management planning. It is expected that the NSW SES Flood Plan will be reviewed against the flood study outputs during this subsequent flood risk management study. In addition to the design flood mapping, the Richmond Valley Flood Study includes a number of post processed outputs that will facilitate this future analysis including information on affected populations, locations and lengths of roads inundated and areas that become high or low flood islands. No updates to the Flood Study are proposed as a result of this submission.

Of the two submissions from the community, one relates to a property specific query for a large rural property to the east of Casino. The submission commented that the 2022 flood event was between a 1 in 500 and 1 in 1000 year flood event (greater than a 0.2% AEP flood event). A further comment then compared the mapped 0.2% AEP flood depth on that property with observations of the flood depth during the 2022 event. It was implied that the modelled 0.2% AEP flood depth is too great as it is notably higher than the observed flood depth during the 2022 event.

BMT does not dispute any of the stated observations of the 2022 flood event. However, the 2022 event differed in its assigned rarity across different parts of the catchment. The most extreme rainfall fell in the Wilsons catchment above Lismore whereas rainfall intensities were more modest, but still significant, upstream of Casino. Based on the flood study findings, the 2022 event was close to a 1% AEP flood in Casino but rarer than a 0.2% flood in lower parts of the catchment. Historical floods will always have characteristics that differ from hypothetical design floods used in flood studies. A design flood can match the level of a historic flood at one location but be quite different at another location due to the variability in rainfall intensities and durations across the catchment. When the stated observations of the 2022 event flood depths were compared against the modelled 2022 event flood depths it was seen that the model results matched reasonably well with the observed depths provided in the submission.

The second submission relates primarily to the Bungawalbin Creek catchment with concern raised that the lack of available gauges (in the Bungawalbin Creek catchment) means that a proper study has not been undertaken for this catchment. The submission also notes that the road raising (specifically Coraki-Woodburn Road) surrounding the Bungawalbin catchment has not been taken into consideration.

The flood study recognises that it remains challenging to calibrate to floods within the Bungawalbin Creek catchment due to the sparse coverage of gauges (both rainfall and water level). Furthermore, the significant magnitude of the February/March 2022 event caused a number of gauges to fail. Following the February/March 2022 flood, a data collection exercise was undertaken by Public Works Department in a separate exercise to the flood study. BMT was passed a copy of the surveyed peak flood levels to use in the flood study model calibration. Whilst useful, the survey only indirectly captures the peak of the flood and remains fairly sparse in coverage. The February/March 2022 event calibration within the Bungawalbin Creek catchment achieved a good level of calibration in the area around Rappville and near the confluence with the Richmond River. The calibration is poorer for parts of the catchment in between, although this is based on the sparse number of surveyed flood marks available. Notwithstanding the above, the Draft Richmond Valley Flood Study 2023 has significantly extended the model coverage upstream into the Bungawalbin Creek catchment compared to the previous 2010 flood study. This allows for an improved understanding of flood behaviour to assist with future floodplain risk management. BMT also understands that there is a program of works in place to address the lack of gauges within the Bungawalbin Creek catchment.

With regards to the specific point about Coraki-Woodburn Road not being included in the model, this was included. The road upgrade occurred after the capture of the LiDAR data used to form the model

base topography. Therefore, survey data of the road upgrade was read into the model as an additional dataset.

A council employee who works at the Coraki Depot contacted Council with a query on the reported gauge levels at Coraki. The query related to the observed differences in flood depth between the 2017 and 2022 floods being significant at the depot (2m or more difference) but the reported Coraki Gauge levels only showing a 0.8m difference.

This difference is explained by the 2017 flood level in the river being notably higher than that in land to the west of Coraki. In the 2017 event, water spilled out of bank and flowed west through parts of Coraki into low points but did not fill those low points to the same level as that in the river. The gauge records the level in the river and so reported a higher 2017 flood level than that in western parts of Coraki. The reported observations of the 2017 flood extents and depths generally agree with the 2017 modelled flood extents and depths.

The council employee followed up by referring to a 2022 flood depth of 1.5m over Richmond Terrace and that this would equate to a depth of around 0.6m over Richmond Terrace in the 2017 event (based on the height difference between these events at the Coraki Gauge). It was maintained that water did not cross Richmond Terrace in the 2017 event and so this discrepancy is not satisfactorily explained.

BMT notes that the difference in flood heights between the 2022 and 2017 event changes with distance from the gauge. The ground levels along Richmond Terrace also change. The 2017 modelled flood extent shows parts of Richmond Terrace overtopping and other parts remaining dry. Without additional survey data to confirm locations and flood levels it is difficult to provide further comment on the perceived discrepancy.

The model showed a good match to the recorded 2017 and 2022 flood levels at the Coraki Gauge and a reasonable match to surveyed peak flood level marks for the 2022 event (none were available for the 2017 event at Coraki). Localised discrepancies will always remain between results from a regional scale flood model and observations of a flood but, based on available data, the model shows a reasonable to good calibration at Coraki.

Community Information Sessions

Six people attended the community information session at Casino and six attended the session at Evans Head. The majority of feedback related to individual property queries such as what the updated flood levels are at respective properties. Other specific queries or points mentioned were as follows:

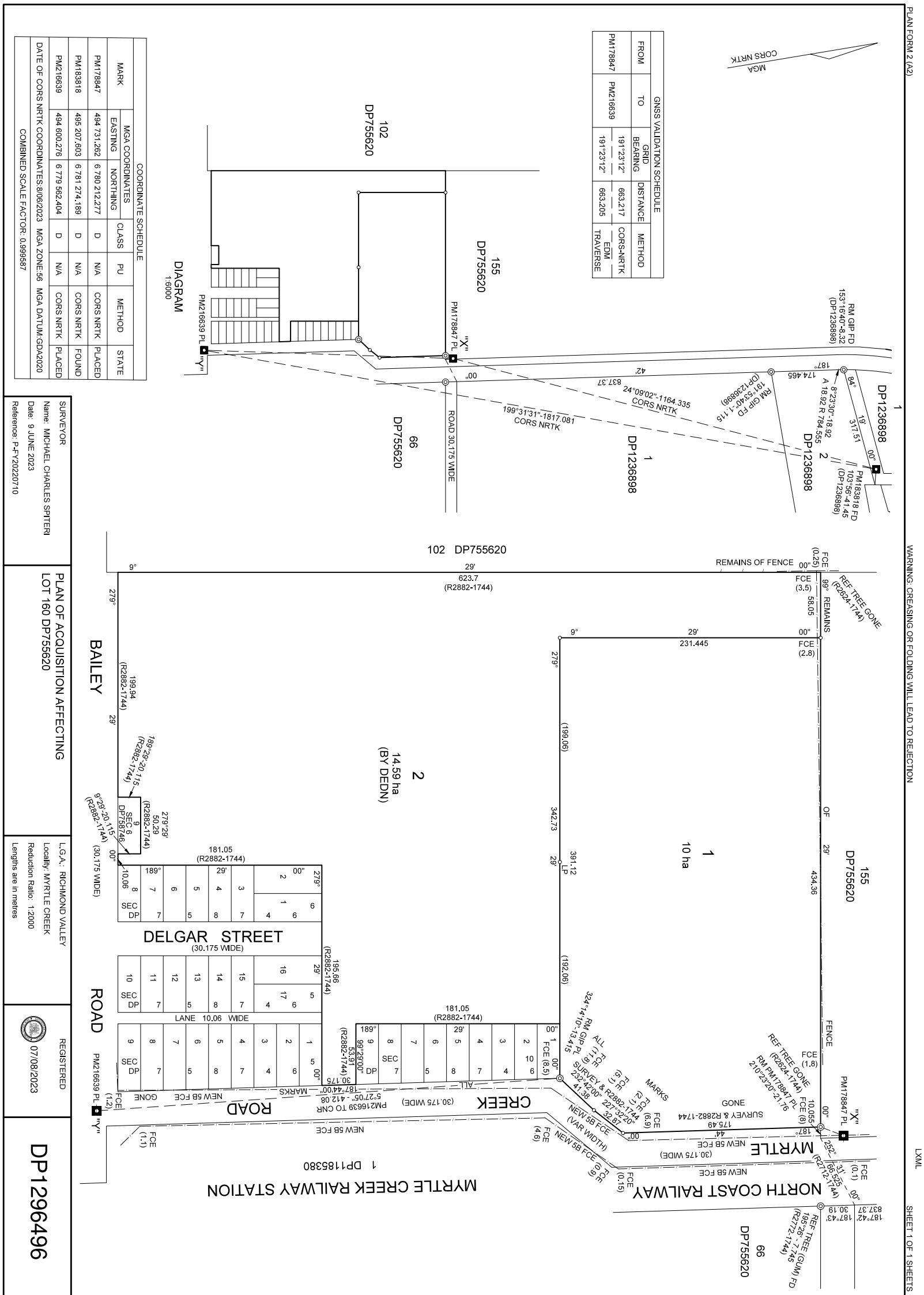
- Queries seeking information on the flood study and its purpose.
- Providing anecdotal accounts of the 1954 flood.
- Wanting to discuss the flood study findings in the Mid-Richmond and Bungawalbin parts of the catchment, including anecdotal information on the flood water flowing backwards into the Bungawalbin catchment when it becomes a large flood storage area during Richmond/Wilsons dominated floods.
- Wanting to discuss observations of the 2022 flood event including observations of flowpaths and estimated velocities in the Swan Bay and Woodburn area.
- Queries on the rainfall inputs, for example how can we know what a 1 in 500 AEP (0.2% AEP) rainfall is when we only have 100 years of data.

- Queries on the climate change allowances applied in the study and concern that these allowances are not enough.

Conclusions

Overall, the submissions and feedback received did not raise any significant concerns regarding the Draft Richmond Valley Flood Study 2023 except for concern regarding the calibration in the Bungawalbin Creek catchment. These concerns are driven by lack of calibration data for historic flood events which is a limitation that cannot be overcome for past events. BMT understands that there is a program of works in place to address the lack of gauges within the Bungawalbin Creek catchment.

No updates to the draft report are proposed as a result of the submission received during the Public Exhibition of the Draft Richmond Valley Flood Study 2023. Some requests for further information relating to property specific queries have been responded to separately.




PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REFLECTION

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SHEET 1 OF 1 SHEETS

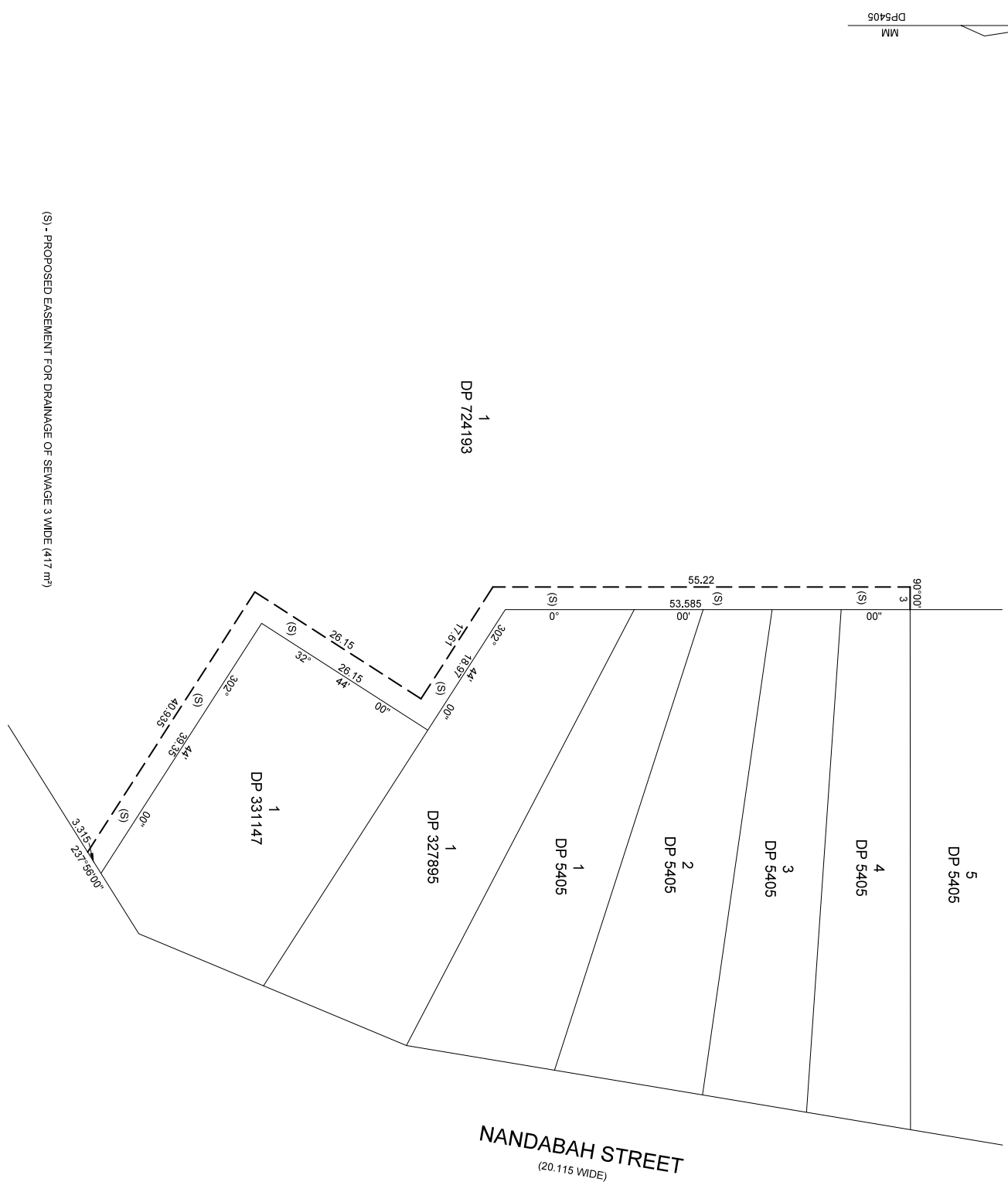
PLAN FORM 6_E (2020)	DEPOSITED PLAN ADMINISTRATION SHEET	Sheet 1 of 2 sheet(s)
Registered: 07/08/2023 Title System: TORRENS	Office Use Only <h1 style="margin: 0;">DP1296496</h1>	Office Use Only
PLAN OF ACQUISITION AFFECTING LOT 160 DP755620	LGA: RICHMOND VALLEY Locality: MYRTLE CREEK Parish: MYRTLE County: RICHMOND	
<p style="text-align: center;">Survey Certificate</p> I, MICHAEL CHARLES SPITERI of NSW PUBLIC WORKS a surveyor registered under the <i>Surveying and Spatial Information Act 2002</i> , certify that: (a) Survey (b) The part of the land shown in the plan being (lot 1 and connections) was surveyed in accordance with the Surveying and Spatial Information Regulation 2017, the part surveyed is accurate and the survey was completed on 09-Jun-2023 the part not surveyed was compiled in accordance with that Regulation. (c) Compilation Datum Line: "X" - "Y" Type: Urban <input type="checkbox"/> Rural <input checked="" type="checkbox"/> The terrain is Level-Undulating <input checked="" type="checkbox"/> Steep-Mountainous <input type="checkbox"/> Signature: Dated: 27/06/2023 Surveyor Identification No: SU000243 Surveyor registered under the <i>Surveying and Spatial Information Act 2002</i>	<p style="text-align: center;">Crown Lands NSW/Western Lands Office Approval</p> <p style="text-align: center;">----- (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given.</p> Signature: ----- Date: ----- File Number: ----- Office: -----	
Plans used in the preparation of survey/compilation. M1-2944, M2-2944, M4-2944, M5-2944, MS813-3050, R1171-1744, R2624-1744, R2712-1744, R2772-1744, R2839-1744, R2882-1744, DP1236898	<p style="text-align: center;">Subdivision Certificate</p> <p style="text-align: center;">----- ----- certify that the provisions of section 6.15 of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to the proposed subdivision, new road or reserve set out herein.</p> Signature: ----- Registration number: ----- Consent Authority: ----- Date of endorsement: ----- Subdivision Certificate number: ----- File number: -----	
Statements of intention to dedicate public roads, create public reserves and drainage reserves, acquire/resume land. IT IS INTENDED TO ACQUIRE LOT 1 FOR SEWERAGE PURPOSES UNDER THE LOCAL GOVERNMENT ACT 1993	Surveyor's Reference: P-FY20220710	
Signatures, Seals and Section 88B Statements should appear on the following sheet(s)		

PLAN FORM 6_E (2020) DEPOSITED PLAN ADMINISTRATION SHEET		Sheet 2 of 2 sheet(s)																		
Registered:	 07/08/2023	Office Use Only																		
PLAN OF ACQUISITION AFFECTING LOT 160 DP755620		DP1296496																		
Subdivision Certificate number: Date of Endorsement:		Office Use Only This sheet is for the provision of the following information as required: <ul style="list-style-type: none"> A schedule of lots and addresses - See 60(c) <i>SSI Regulation 2017</i> Statements of intention to create and release affecting interests in accordance with section 88B <i>Conveyancing Act 1919</i> Signatures and seals- see 195D <i>Conveyancing Act 1919</i> Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets. 																		
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Lot Number</th> <th style="width: 15%;">Sub-Address Number</th> <th style="width: 10%;">Address Number</th> <th style="width: 30%;">Road Name</th> <th style="width: 10%;">Road Type</th> <th style="width: 25%;">Locality Name</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td></td> <td style="text-align: center;">5</td> <td style="text-align: center;">BAILEY</td> <td style="text-align: center;">ROAD</td> <td style="text-align: center;">MYRTLE CREEK</td> </tr> <tr> <td style="text-align: center;">2</td> <td></td> <td style="text-align: center;">5</td> <td style="text-align: center;">BAILEY</td> <td style="text-align: center;">ROAD</td> <td style="text-align: center;">MYRTLE CREEK</td> </tr> </tbody> </table>			Lot Number	Sub-Address Number	Address Number	Road Name	Road Type	Locality Name	1		5	BAILEY	ROAD	MYRTLE CREEK	2		5	BAILEY	ROAD	MYRTLE CREEK
Lot Number	Sub-Address Number	Address Number	Road Name	Road Type	Locality Name															
1		5	BAILEY	ROAD	MYRTLE CREEK															
2		5	BAILEY	ROAD	MYRTLE CREEK															
If space is insufficient use additional annexure sheet																				
Surveyor's Reference: P-FY20220710																				

PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

SHEET 1 OF 1 SHEETS



(S) - PROPOSED EASEMENT FOR DRAINAGE OF SEWAGE 3 WIDE (417 m²)

<p>SURVEYOR Name: MICHAEL CHARLES SPITERI Date: 28 JUNE 2023 Reference: P-FY20220710 20M (Comp)</p>	<p>PLAN OF PROPOSED EASEMENT FOR DRAINAGE OF SEWAGE OVER LOT 1 DP724193</p>	<p>L.S.A.: RICHMOND VALLEY Locality: RAPPVILLE Reduction Ratio: 1:400 Lengths are in metres</p>	<p>REGISTERED 25/07/2023</p>	<p>DP1296497</p>
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PLAN FORM 6 (2020)

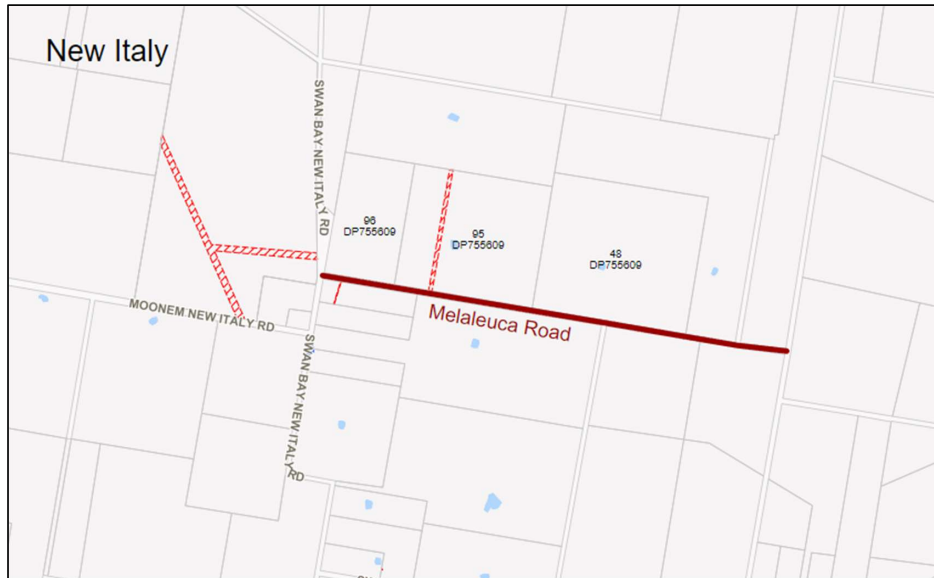
WARNING: Creasing or folding will lead to rejection

DEPOSITED PLAN ADMINISTRATION SHEET		Sheet 1 of 1 sheet(s)
<p style="text-align: right; margin: 0;">Office Use Only</p> <p>Registered: 25/07/2023</p> <p>Title System: TORRENS</p>	<p style="text-align: right; margin: 0;">Office Use Only</p> <h1 style="text-align: center; margin: 0;">DP1296497</h1>	
<p>PLAN OF PROPOSED EASEMENT FOR DRAINAGE OF SEWAGE OVER LOT 1 DP724193</p>	<p>LGA: RICHMOND VALLEY</p> <p>Locality: RAPPVILLE</p> <p>Parish: NANDABAH</p> <p>County: RICHMOND</p>	
<p style="text-align: center;">Survey Certificate</p> <p>I, MICHAEL CHARLES SPITERI of NSW PUBLIC WORKS a surveyor registered under the <i>Surveying and Spatial Information Act 2002</i>, certify that:</p> <p>*(a) The land shown in the plan was surveyed in accordance with the Surveying and Spatial Information Regulation 2017, is accurate and the survey was completed on, or</p> <p>*(b) The part of the land shown in the plan (*being/*excluding **,) was surveyed in accordance with the Surveying and Spatial Information Regulation 2017, the part surveyed is accurate and the survey was completed on..... the part not surveyed was compiled in accordance with that Regulation, or</p> <p>*(c) The land shown in this plan was compiled in accordance with the <i>Surveying and Spatial Information Regulation 2017</i>.</p> <p>Datum Line:</p> <p>Type: *Urban*/Rural</p> <p>The terrain is *Level Undulating*/*Steep Mountainous.</p> <p>Signature: Dated: 28/06/2023</p> <p>Surveyor Identification No: SU000243</p> <p>Surveyor registered under the <i>Surveying and Spatial Information Act 2002</i></p> <p><small>*Strike out inappropriate words. **Specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey.</small></p>	<p style="text-align: center;">Crown Lands NSW/Western Lands Office Approval</p> <p>I, (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given.</p> <p>Signature:</p> <p>Date:</p> <p>File Number:</p> <p>Office:</p> <hr/> <p style="text-align: center;">Subdivision Certificate</p> <p>I, *Authorised Person/*General Manager/*Registered Certifier, certify that the provisions of s.6.15 of the <i>Environmental Planning and Assessment Act 1979</i> have been satisfied in relation to the proposed subdivision, new road or reserve set out herein.</p> <p>Signature:</p> <p>Registration number:</p> <p>Consent Authority:</p> <p>Date of endorsement:</p> <p>Subdivision Certificate number:</p> <p>File number:</p> <p><small>*Strike through if inapplicable.</small></p>	
<p>Plans used in the preparation of survey/compilation. DP5405, DP327895, DP331147, DP724193</p>	<p>Statements of intention to dedicate public roads create public reserves and drainage reserves, acquire/resume land.</p>	
<p>Surveyor's Reference: P-FY20220710 '20M (Comp)'</p>	<p>Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A</p>	

Road Name Proposals

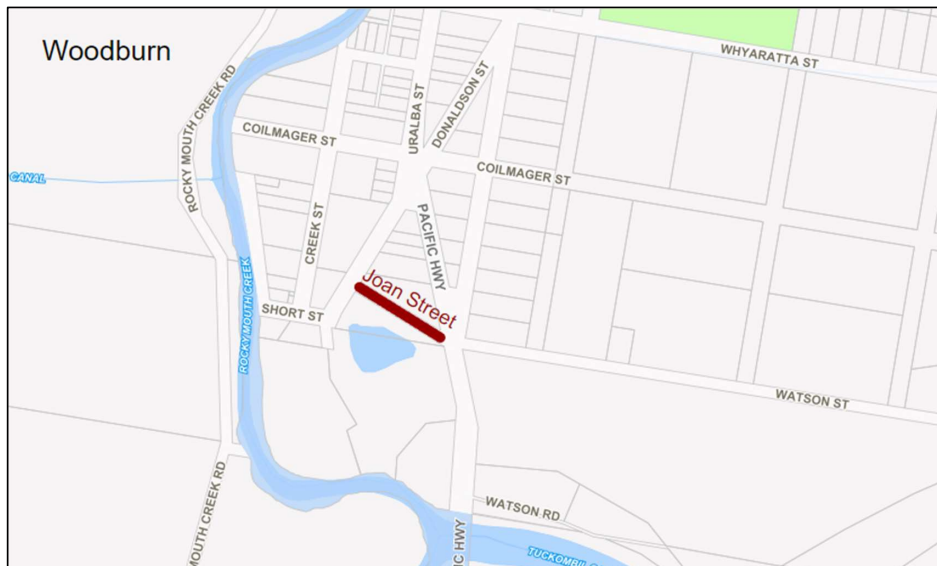
Melaleuca Road

Melaleuca Road is located off Swan Bay New Italy Road and travels east for approximately 2km. The origin of the road name is from the Melaleuca trees located within the New Italy area.



Joan Street

Joan Street is named after Joan Roots who lived on the corner of Watson Street for over sixty years. Joan was well known and much respected person of Woodburn. Joan received an OAM for her work in the community and was involved in the CWA, Chamber of Commerce and many other community services, Joan was also an Australian Water Ski Champion. Joan passed away on 4 August 2013.



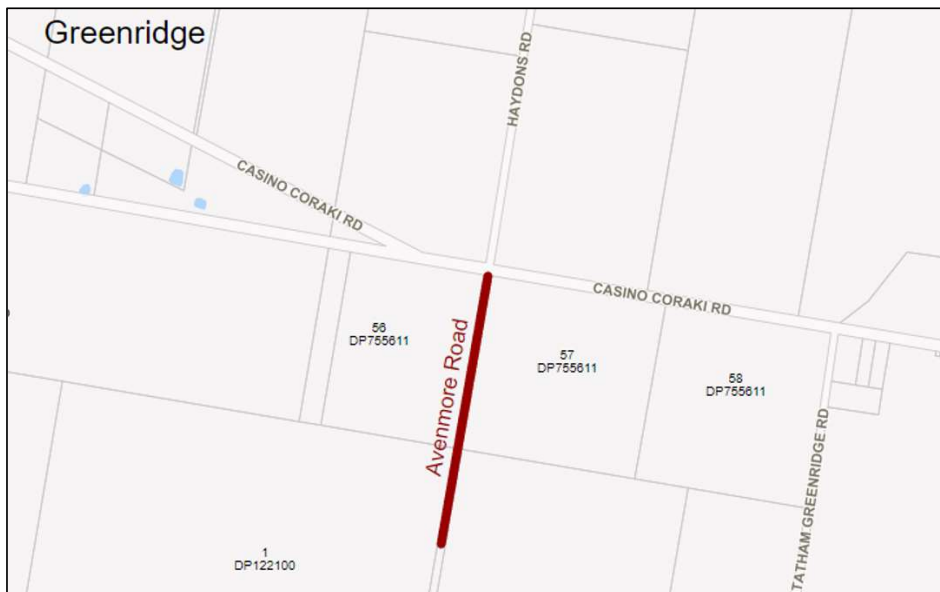
Hull Lane

The unnamed road located off The Gap Road and runs south for approximately 1.4km, The Hull family have lived in the New Italy/Woodburn area since World War 1 were members of the family fought in the war. Identified on the Parish of Evans, Country of Richmond, edition 6 from 1932. Avis Mary Hull was one of the first owners of the property located near the unnamed road, Avis Hull passed away in 1977.



Avenmore Road

Avenmore Lane, located off the Casino Coraki Road, and south of Haydons Road, measuring approximately 694m in length, providing access to surrounding rural properties. The origin of the road name is derived from 'Avenmore Farm' being the historical name of the farm connecting to the road.



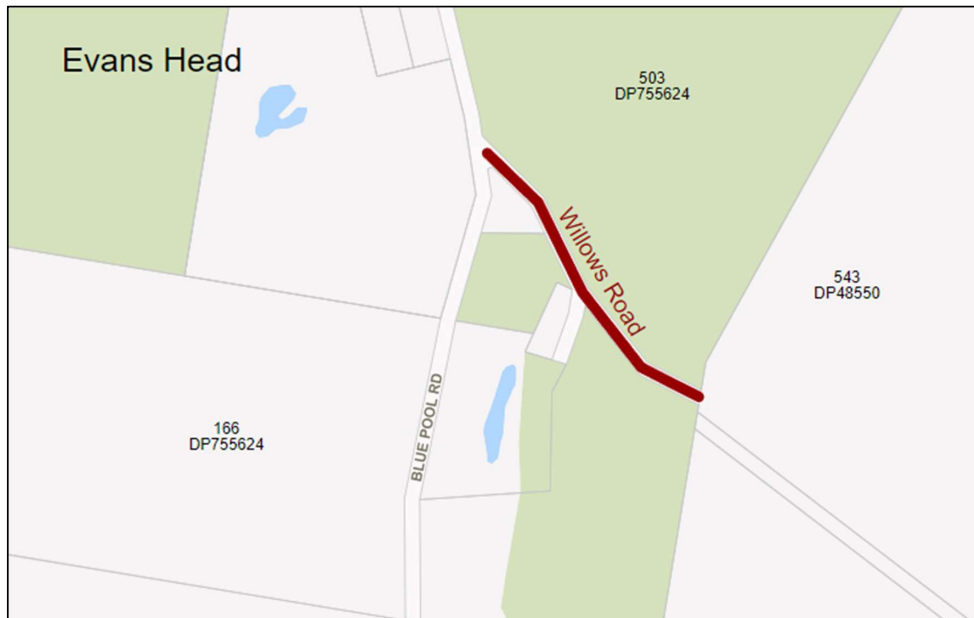
Tomkinsons Road

In the early 1990’s there was a cattle dip located along the unnamed road known as “Tomkinsons Dip.” This dip site was the only one located in the Backmede area, residents located in the area would use the dip site for tick eradication. The dip site was decommissioned late 1998. The origin of the name is also a historical name from the old Kyogle Parish maps.



Willows Road

Willows Road is located off Blue Pool Road, travelling in a south easterly direction for approximately 445m. The origin of the road name is derived from past historical land owner ‘Mr Harry Willows’ as identified on historical parish maps.



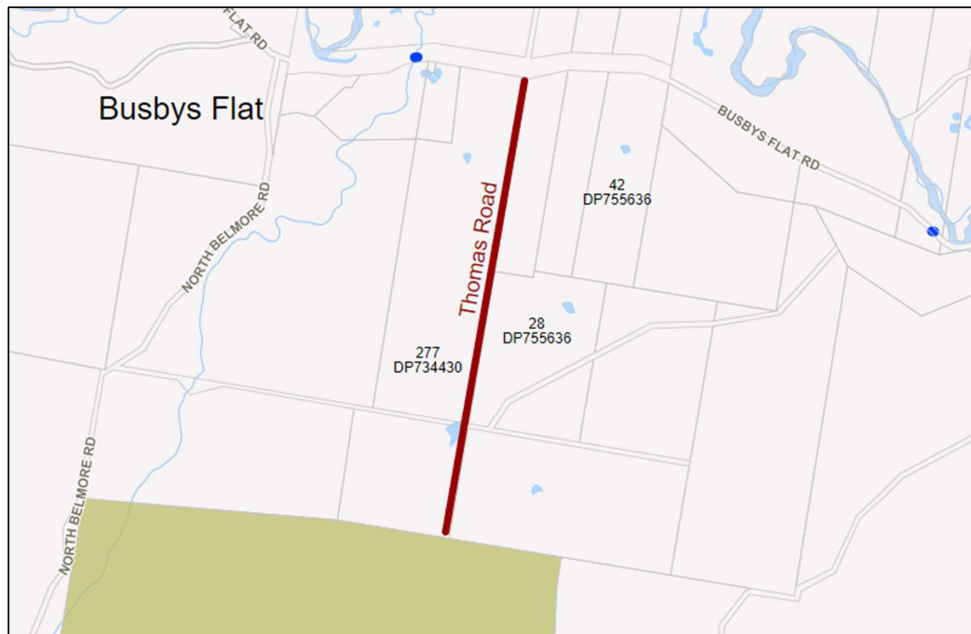
Patrica Street

Patrica Street is located off Johnston Street, just before the Bruxner Highway, the road travels north for approximately 485m. The origin of the road name is derived from past historical land owner 'Patrica Muriel Gill' as identified within historical property information and landowners.



Thomas Road

Thomas Road is located off Busbys Flat Road travelling south and ends at the Mount Belmore State Forest, measuring approximately 1.6km in length. The origin of the road name is derived from past historical land owner 'Mr Thomas S Cole' as identified on historical parish maps.



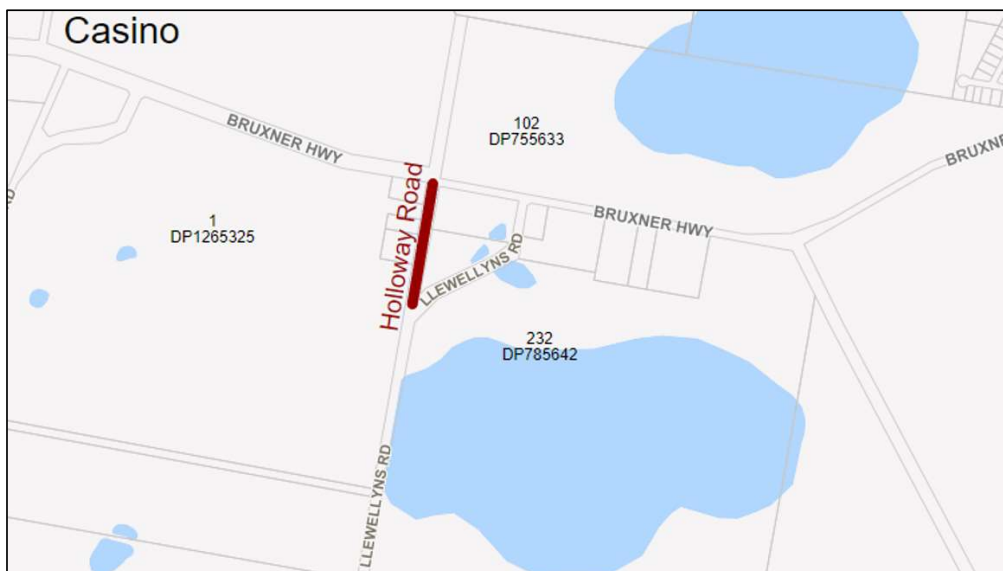
Seller Lane

Seller Lane is a non-through road located off Horseshoe Lagoon Road, travelling south for approximately 181m. The origin of the road name is derived from past historical land owner 'Mr T. T. Seller' as identified on historical parish maps.



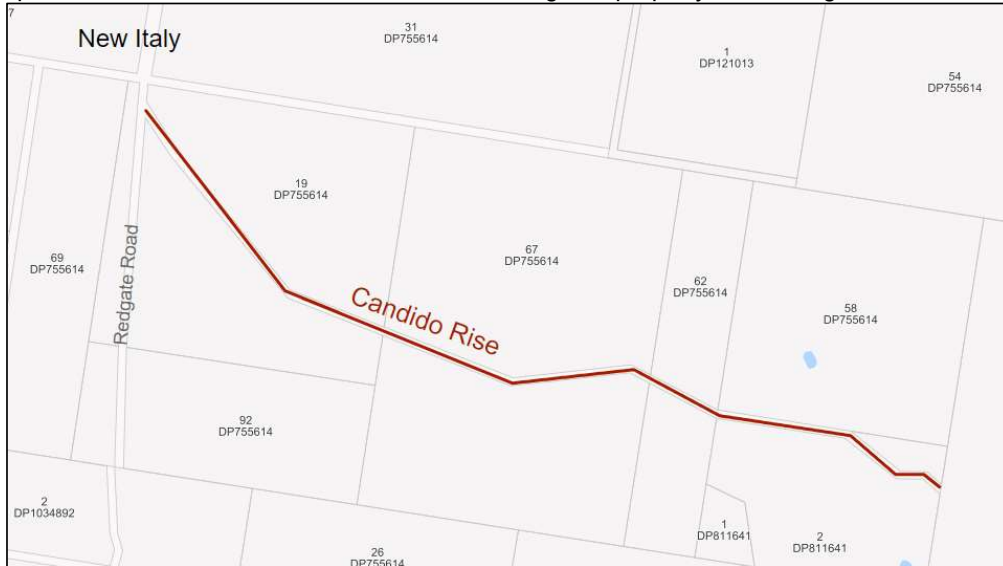
Holloway Road

Holloway is a historical name from the old parish maps of Wooroowoolgan, County of Richmond, edition 4, dated 1916. T. L Holloway was an historical owner of one of the lots within the vicinity of the unnamed road. Holloway Road is located off the Bruxner Highway and ends at the intersection of Llewellyns Road, the stretch of road measures approximately 300m in length.



Candido Rise

Candido Rise commences at Redgate Road New Italy. This road has undertaken several public consultation to resolve adding confusion. Following past exhibition ‘Plantation Rise’ was considered however rejected on exhibition from residents. The preferred recommendation is the adoption of Candido Rise to finalise the road naming and property addressing confusion.



Burton Road

Burton Road is named after one of the historical owners Yvonne Burton, who with her husband bought in 1965 Lot 61 DP 755618, the property which the unnamed road provides access to, the property was passed down to their son who is the current owner of the property. Yvonne Burton passed away in 2017.

