

Richmond
Valley
Council



AGENDA

Ordinary Council Meeting

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

Date: Tuesday, 21 November 2023

Time: 6pm

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

**Vaughan Macdonald
General Manager**

Statement of Ethical Obligations

In accordance with Clause 3.23 of the Model Code of Meeting Practice, Councillors are reminded of their Oath or Affirmation of Office made under section 233A of the *Local Government Act 1993* and their obligations under Council's Code of Conduct to disclose and appropriately manage conflicts of interest.

Oath or affirmation of office

The Oath or Affirmation is taken by each Councillor whereby they swear or declare to:

Undertake the duties of the office of Councillor in the best interests of the people of the Richmond Valley and Richmond Valley Council, and that they will faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act to the best of their ability and judgment.

Conflicts of interest

All Councillors must declare and manage any conflicts of interest they may have in matters being considered at Council meetings in accordance with Council's Code of Conduct.

All declarations of conflicts of interest and how the conflict of interest was managed will be recorded in the minutes of the meeting at which the declaration was made.

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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 17 OCTOBER 2023

RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting held on 17 October 2023.

REPORT

Refer attached Minutes.

ATTACHMENT(S)

- 1. Unconfirmed Minutes 17 October 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 10 OCTOBER - 14 NOVEMBER 2023

Author: Robert Mustow

RECOMMENDATION

That Council receives and notes the Mayoral Attendance Report for the period 10 October 2023 – 14 November 2023.

October

- 11th Oak Centre Re-launch
- 12th Northern Rivers Recovery Community Leaders Forum
- 12th Casino Swimming Club
- 13th Community Assets Funding Announcement - Casino
- 13th Community Assets Funding Announcement - Woodburn
- 13th Casino Show Official Opening
- 14th Disabled Surfing Association Event, Evans Head.
- 14th Woodburn on the Green event
- 16th Casino Richmond Valley Blind Citizens Australia Branch White Cane Day
- 17th Richmond Valley Council Ordinary meeting
- 18th Rous County Council Ordinary meeting
- 24th Meeting with Member for Clarence Richie Williamson
- 26th CWA of NSW Far North Coast Group Annual General Meeting (AGM)
- 26th Northern Co-operative Meat Company AGM
- 26th Northern Rivers Recovery Community Leaders Forum
- 28th Richmond Valley Cup Race Day

November

- 2nd J & J Rodeo shop opening
- 4th Ellangowan Hall Centenary Celebrations
- 4th Woodburn Wolves presentation
- 8th Richmond Valley Councillor Information Session
- 9th Northern Rivers Recovery Community Leaders Forum
- 9th Casino High School Year 12 Formal
- 10th Northern Rivers Joint Organisation Board meeting, Mullumbimby
- 10th Casino Beef Week Christmas function
- 11th Remembrance Day service Casino
- 11th St Mary's Year 12 Formal
- 12th LGNSW Conference Sydney
- 13th LGNSW Conference Sydney
- 14th LGNSW Conference Sydney

ATTACHMENT(S)

Nil

12 DELEGATES' REPORTS**12.1 DELEGATES' REPORT NOVEMBER 2023 - ROUS COUNTY COUNCIL****RECOMMENDATION**

That Council receives and notes the Delegates' Report – Rous County Council for November 2023.

REPORT

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

Cr Robert Mustow and Cr Sandra Humphrys have provided the following summary of the main items of business for the Rous County Council Ordinary Meeting held on 18 October 2023.

ATTACHMENT(S)

- 1. Rous County Council meeting summary 18 October 2023**

Rous Council Meeting 18 October 2023

Summary of main items of business



1. Council meeting schedule for 2024

Dates have been selected and approved for the 2024 council meetings, as below: -

14 February, 17 April, 19 June, 14 August, October (*date to be determined following LG elections*) and 11 December.

Workshops have been selected and approved when meetings are not scheduled: -

13 March, 15 May, 17 July, September (*date to be determined following LG elections*) and 13 November.

2. Annual Financial Reports and Audit Report for year ended 30 June 2023

Council's 2022/23 Financial reports have now been completed and the Auditor's draft report received.

Mr Richard Watkinson (Thomas Noble and Russell) on behalf of the Audit Office of NSW, attended the council meeting and presented the report on the Council's accounts audit for the financial period. Mr Watkinson thanked staff for their conduct throughout the audit.

The audit opinion issues is unqualified, meaning it is a clean audit for Rous.

The 2022/23 Audited Financial Reports are currently on exhibition and will be presented at an additional meeting of Council on 15 November 2023 to be held on 10.00am

Council recognised the effort put in by the Finance and IT teams, and the outcome of the audit and congratulated Rous' team for their continued good work.

3. Drought Management Plan update

Indications of a dryer and hotter summer ahead by the Bureau of Meteorology declaring an El Nino and the Department of Primary Industries classifying most of the northern regional of NSW as drought affected.

Water levels at Rous's primary water source, Rocky Creek Dam, have steadily dropped due to low inflows and people using more water and with the culmination of infrastructure damage to the water sources from the 2022 floods, it is expected to put more pressure on the region's water sources.

Council adopted a position to introduce Level 1 water restrictions for our supply area, when Rocky Creek Dam reaches **70%**. Our Drought Management Plan currently requires us to bring Level 1 in at 60%.

Rocky Creek Dam is currently at **82%** and on current depletion rates without rainfall in the catchment, Level 1 water restrictions are likely to come in during late November or December 2023.

4. Renewable Energy and Emissions Reduction Plan

Rous' focus over the past five years has been the installation of Solar PV systems on various sites to reduce consumption of grid electricity. Solar PV systems were installed at Rous' water treatment plants, a pump station, water filling stations and operational depots and are contributing to a 13% reduction in Green House Gas emissions between 2017 and 2022.

Council resolved to: -

1. Adopt the Renewable Energy and Emissions and Emissions Reduction Plan (2023) including the target of achieving net zero for Rous by 2050.
2. Allocate various budgets to the Renewable Energy Projects and include the projects in the capital works program out to 2028.

5. Policies for review

A review of four of Rous' policies had been carried out for suitability and currency to promote and deliver against Council's commitment to continuous improvement and legislative compliance.

1. Work, Health and Safety (20 October 2021)
2. Drinking Water Quality (21 March 2018)
3. Privacy (17 August 2022)
4. Public Interest Disclosures (17 August 2022)

The Policies were either adopted without change or minor change only.

6. Information Reports

1. Investments – September 2023
 - The RBA cash rate is 4.1%
 - Total funds invested is \$36,141,745.
 - Weighted Average Return is 4.47%
 - Interest earned is \$140,929.
 - Cheque account balance is \$486,593.
 - Weel account balance is \$31,930.
 - Ethical holdings is \$4,000,000 (11.22% of current holdings)

2. Water production and consumption – September 2023

The table below is the September 2023 bulk water sales to the constituent councils in kilolitres compared to the corresponding March sales for 2022 and 2021.

| Council | Sep 2021 (kL) | Sep 2022 (kL) | Sep 2023 (kL) | % of Total Sales |
|--|----------------|----------------|----------------|------------------|
| Ballina Shire Council | 319,238 | 266,869 | 331,648 | 37.83% |
| Byron Shire Council | 190,209 | 183,993 | 229,782 | 26.21% |
| Lismore City Council | 273,228 | 215,365 | 256,254 | 29.23% |
| Richmond Valley Council | 55,167 | 49,374 | 58,944 | 6.72% |
| Total monthly consumption by constituent councils | 837,842 | 715,601 | 876,628 | |

7. Confidential Matters

Workplace consolidation – Gallans Road update

Under a closed meeting to members of the public and press, based on the grounds for closure Section 10A(2)(d), Council resolved: -

1. Note the procurement approach outlined in the report, including the outcome of the expression of interest and the intended Request for Tender process with selected tenderers.
2. Approve amendments to the project budget as per 'revised estimates' in table 4 of the report.
3. Delegate the General Manager authority to negotiate and execute the project contract(s) to the value identified in table 4 of the report.
4. Receive quarterly project updates as per project probity plan.

Council's business paper and draft meeting minutes can be found via the following link:

<https://rous.nsw.gov.au/business-papers-and-meeting-minutes>

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 ANNUAL REPORT 2022/2023

Author: Vaughan Macdonald

EXECUTIVE SUMMARY

The Annual Report is one of the key points of accountability between Council and its community. It reports on Council's financial performance and its progress in implementing the Delivery Program and achieving Community Strategic Plan outcomes.

RECOMMENDATION

That Council:

1. Receives and notes the Richmond Valley Council 2022/2023 Annual Report.
2. In accordance with section 428 of the *Local Government Act 1993*, posts the Annual Report on Council's website and provides a link to the Minister for Local Government and the Office of Local Government.

DELIVERY PROGRAM LINKS

Objective 10: Lead and advocate for our community

10C Lead with integrity

10C1 Provide representative and accountable community governance

BUDGET IMPLICATIONS

Nil

REPORT

Council is required under section 428 of the *Local Government Act 1993* to prepare an Annual Report. The document reports on Council's progress in implementing its Delivery Program and achieving Community Strategic Plan outcomes.

The Local Government (General) Regulation 2021 prescribes additional information for inclusion in the Annual Report including Council's audited financial statements and notes, and any information required by the Office of Local Government Guidelines.

The 2022/2023 year was a landmark year for Council as it continued to rebuild after the 2022 floods, with one of the largest-ever infrastructure programs, including significant road reconstruction and asset repairs across the Richmond Valley.

The Rebuilding the Richmond Valley Recovery Plan was adopted in June 2022, with the first year of the plan serving as the Delivery Program for 2022/2023. Having a clear plan, with allocated responsibilities and priority actions, helped Council engage with funding providers and secure much-needed support for our community. In the first year, more than \$36 million in government funding was secured through Council's advocacy and its proven capacity to deliver major works.

Apart from flood recovery work, more than \$20 million in signature projects were also finalised in 2022/2023, including the opening of the Rappville Hall. Significant progress was made on the Casino Memorial Pool upgrade, Casino Showground redevelopment, and the Casino to Bentley section of the Northern Rivers Rail Trail.

Highlights for 2022/23:**2022/23 results and focus**

- Rebuilding the RV after the 2022 floods. In excess of \$150m in damage - we are working on fixing our infrastructure right across the Valley using the natural disaster recovery funding arrangements
- Supporting our people in the community to recover and rebuild through advocacy and support
- Finishing projects like the new Rappville Hall, Casino Library Courtyard, Woodburn Coraki Road upgrade, Casino Memorial Pool and more....
- The return of Festivals and Events – supporting the Evans Head Fishing Classic, the first Evans Head Rodeo, Farmers Markets across the Valley, Woodburn Orchid Show, Christmas tree light ups in our towns and villages, Primex, Beef Week and the hugely successful Casino Truck Show

Rebuilding the RV Delivery Program

- 11 Objectives and 88 Principal activities of which 9 are complete, 75 on schedule, 3 behind schedule and 1 not progressed as yet
- Financial performance – Income \$125m, Expenses \$81m, \$44m funds for future capital and infrastructure recovery works
- Performance indicators – positive results across all areas including a surplus operating performance result. Grant funding and support from the Australian and NSW Govt essential for us to recover our infrastructure.

Financial Assistance program for our community groups

- \$80, 000 provided to 25 community groups across the Valley to improve their facilities and programs

Our focus for 2023/24

- Continue to rebuild our infrastructure – Naughtons Gap Rd, Bentley Rd etc
- Ongoing support and advocacy for our community recovering from flood
- Continue our future planning – Regional Jobs Precinct consultation, Mid-Richmond Place Plans development
- Finish major projects like Casino Showground & Racecourse, Northern Rivers Rail Trail, Bridge building – Willox, Tatham, Broadwater bridges
- Secure economic stimulus projects and new residential and industrial subdivisions

Making it happen - Our RVC team – our people, our most valuable resource.

To achieve all of this our people are our most valuable asset along with the many contractors, suppliers and local businesses that work with our team to deliver our daily services along with our reconstruction projects and out new projects. Well done to everyone and thank you.

A copy of the 2022/2023 Annual Report has been circulated separately to Councillors. The Report will be posted on Council's website and advice of this provided to the Minister for Local Government by 30 November 2023.

CONSULTATION

Notification of the report will be made via social media, Council's website and the community newsletter.

CONCLUSION

The Richmond Valley Council 2022/2023 Annual Report has been prepared in accordance with the *Local Government Act 1993* and associated Regulations and Guidelines and is presented to Council to receive and note.

ATTACHMENT(S)

Nil

14.2 RICHMOND VALLEY COUNCIL DISABILITY INCLUSION ACTION PLAN

Author: Vaughan Macdonald

EXECUTIVE SUMMARY

Council has been working with key stakeholders over the past few months to remake its Disability Inclusion Action Plan, in accordance with legislative requirements. The draft Plan is now presented for Council's consideration.

The consultation process provided some important insights into the barriers that people with disability face on a daily basis in navigating local streets and community assets and gaining access to employment opportunities. It also highlighted the need for Council to establish ongoing consultation links with local service providers and people living with disability, to continue to build on shared understanding and inclusion.

The Draft Plan includes 25 proposed actions, across four key areas, to help improve awareness, open more employment opportunities at Council and support local people living with disability to participate more fully in community life.

It is proposed to exhibit the draft document for a period of 21 days before presenting the final Plan to Council's December meeting.

RECOMMENDATION

That Council endorses the Draft Richmond Valley Council Disability Inclusion Action Plan 2023-25 for public exhibition for a period of 21 days.

DELIVERY PROGRAM LINKS

Objective 4: Celebrate our local identity and lifestyle

4A Provide opportunities to learn, create, share and celebrate

4A1 Celebrate our diverse community and increase inclusion and understanding

BUDGET IMPLICATIONS

Actions in the draft Action Plan will be funded through existing and future budget allocations and Council will pursue opportunities for additional funding through government grants.

REPORT

In 2022-23 Council worked with the community to create the Richmond Valley 2040 Community Strategic Plan. The Plan includes a long-term vision for the Richmond Valley as a growing sustainable community, with a relaxed lifestyle, beautiful environment and thriving economy.

The vision is supported by six key principles, reflecting our community's shared values:

- Everyone in our community should feel safe, valued and respected.
- People should be proud of where they live.
- Everyone should be treated fairly and have the same opportunities in life.
- Everyone should have a home.
- People should be able to live here all their life – they shouldn't have to move away to get an education, find a home, or get a job.
- All of us should leave this place better than we found it for the generations to come.

Achieving these goals for every member of our community, including the 4000+ residents who currently live with disability, will be challenging and requires a strong commitment to change and inclusion. Council has developed the Richmond Valley Disability Inclusion Action Plan (DIAP) to outline the actions it will undertake to support local people living with disability to participate more fully in community life.

The results of the most recent ABS Survey on Ageing, Disability and Carers indicates that 17.7% of Australia's population is living with disability. This equates to some 4171 people within the Richmond Valley. Nearly half of those identifying as having a disability (49.6%) were aged over 65 years. The National Census also collects data on disability, but focuses on those with significant levels of impairment, who require assistance with basic daily tasks. The census figures indicate that 1863 local people identify as having significant disability.

There are currently 843 Richmond Valley residents receiving support from the NDIS (which largely caters for people under the age of 65). This includes 362 children under 14 years of age.

Council utilised these statistics as a starting point for consultation and action planning for a range of services and facilities.

Inclusion planning is a requirement under the *Disability Inclusion Act 2014* for all government agencies, including local councils. While the actions in the DIAP will be integrated into Council's Delivery Program and Operational Plans, the Act requires Council to maintain a separate DIAP.

The State DIAP framework focuses on four key areas:

- Attitudes and behaviours – encouraging positive attitudes towards inclusion within government organisations, as well as the wider community.
- Liveable communities – Ensuring all people, including those with disability, are able to exercise their rights, live, learn, work and play, feel safe, raise a family and grow old within their own community.
- Employment – Ensuring people with disability have the opportunity to gain, retain, contribute effectively and experience the positive self and social benefits of employment.
- Systems and processes – Ensuring people with disability are able to access information, systems, processes and services and supporting their right to exercise choice and control.

Council's draft DIAP is based around these four key areas and includes 25 actions for improved inclusion and participation. This includes promoting and participating in community awareness days, providing disability awareness training for Council staff, improving accessibility in Council's processes, continuing to implement Council's Pedestrian Access Mobility Plan, and providing opportunities to consult with local disability groups on the design of key assets and public spaces.

Improving opportunities for people living with disability to gain employment at Council is another key focus of the draft Plan. This includes consulting with local disability employment agencies on options to make it easier to engage with Council's recruitment processes, actively promoting job opportunities to people of all abilities and providing ongoing support to employees with workplace adjustments and options to advance their careers.

CONSULTATION

To support development of the Draft Plan, Council consulted with local people living with disability, as well as local groups and service providers. The consultation sessions provided some important insights into the barriers that people with disability face on a daily basis in navigating local streets and community assets and gaining access to employment opportunities. It also highlighted the need to establish ongoing consultation links with local groups and services to better understand the needs of those living with disability and identify emerging issues.

CONCLUSION

The process of remaking Council's Disability Inclusion Action Plan is nearing completion, with the draft Plan presented for Council's consideration. The draft Plan includes 25 proposed actions, across four key areas, to help improve Council's processes and services and support local people living with disability to participate more fully in community life. It is proposed to place the Draft plan on public exhibition before presenting the final document for consideration at Council's December meeting.

ATTACHMENT(S)

Nil

14.3 TRANSPORT FOR NSW EXECUTIVE SAFETY LEADERSHIP SUMMIT

Author: Vaughan Macdonald

EXECUTIVE SUMMARY

Representatives of local councils throughout Regional NSW gathered in Sydney last month for the Transport for NSW Executive Safety Leadership Summit. The Summit was part of an Enforceable Undertaking under the Work Health and Safety Act, which was agreed between Safework NSW and Transport for NSW, in response to a workplace fatality experienced by a regional road maintenance crew. The Summit aimed to build a shared commitment to improving safety culture throughout the local government sector, in partnership with Transport for NSW.

The key speakers at the Summit included the Minister for Regional Transport & Roads the Hon. Jenny Aitchison along with the Secretary Josh Murray and Deputy Secretary Matt Fuller from Transport for NSW. Those attending the Summit were asked to support a Statement of Common Commitment and it will be recommended that Council endorses this Statement and continues to build a positive safety culture for all members of its workforce. A number of actions are proposed in response to the key messages of the Summit and these are outlined in the following report.

RECOMMENDATION

That Council

1. Receives and notes the Transport for NSW Executive Safety Leadership Summit Report;
2. Reaffirms its ongoing commitment to supporting the General Manager to improve safety culture and performance in Council's operations;
3. Endorses the Statement of Common Commitment to take reasonable steps to provide a healthy and safe workplace for all workers, contractors, suppliers and visitors involved in Council's work sites and facilities;
4. Notes the four key directions to support the Statement of Common Commitment and the actions outlined in this report to continue to develop a positive safety culture.

DELIVERY PROGRAM LINKS

Objective 11: Manage resources responsibly

11C Manage organisational risks responsibly

11C1 Implement Richmond Valley Council's Enterprise Risk Management Framework

BUDGET IMPLICATIONS

Safety improvement programs will be funded via Council's approved budget allocations and annual risk mitigation funding from Council's insurer.

REPORT

Last month, I joined General Managers and senior leaders from Councils throughout regional NSW at the Transport for NSW Executive Safety Leadership Summit, held over two days at Pyrmont, to build on our shared commitment to improving safety culture throughout the local government sector.

Richmond Valley Council currently undertakes maintenance work on State and regional roads, under contract to Transport for NSW with a number of our crews regularly involved in this work. However, the key messages of the Summit relate to all activities undertaken by local councils and

the importance of ensuring consistent safety standards to protect our employees and the community.

Those attending the Summit were asked to support a Statement of Common Commitment to *“take reasonable steps to provide a healthy and safe workplace for all workers, contractors, suppliers and visitors involved in our work sites across NSW”*.

The Statement commits to four key directions to honour this shared responsibility between local councils and Transport for NSW:

- Fostering a positive, no blame, safety culture across our organisations through pro-active safety leadership.
- Building collaboration between our organisations by being willing to share safety knowledge, systems and experiences.
- Promoting continuous improvement in our operations through constructive review of safety performance.
- Enhancing safety maturity and capability across regional NSW by creating and sharing training resources that enhance safety standards, safe work practices and upskill our workers.

Richmond Valley Council has developed a comprehensive Work Health and Safety system, and last year, Council recommitted to the three key objectives of its Enterprise Risk Management Framework:

- To keep people safe in our workplace and community
- To pursue opportunities that will add value to our organisation and the wider community
- To act as responsible stewards for the assets and resources in our care.

However, there is always more that can be done to improve safety culture and ensure that we remain vigilant in applying safety systems at work.

At present, NSW has the highest rate of workplace deaths in Australia, with more than 50 people losing their lives each year. Many of these fatalities involved workers being struck by vehicles or road plant, falls from heights, crush injuries from machinery, contact with powerlines, or lack of training/supervision for young, inexperienced workers.

NSW also has the lowest penalties for employers who expose workers to the risk of death through gross negligence. However, the NSW Government announced last month that it intends to introduce Industrial Manslaughter Laws in the first half of 2024, which will substantially increase jail time for those found responsible for workplace deaths.

This change follows years of campaigning by the families of those who have been killed at work and it should result in safer workplaces throughout NSW. However, these new laws will require all organisations, including local councils to reaffirm and strengthen their commitment to developing safe systems of work and promoting continuous improvement in safety performance.

The Executive Safety Leadership Summit featured a range of key speakers, including the Minister for Regional Transport & Roads the Hon. Jenny Aitchison, the Secretary of Transport for NSW Josh Murray, Deputy Secretary Matt Fuller and Executive Directors of Transport for NSW, legal advisors and performance improvement experts, but the most resounding messages came from those who had been personally affected through workplace accidents, suffering permanent injuries, or losing family members.

Guest presenters included James Wood from *cnb safe* who uses his experience of having a workplace injury and the knowledge gained from visiting workplaces for over 25 years to share the ways that we can all prevent workplace injury and fatality. He provides powerful messages and importantly he takes responsibility for what happened to him, and now aims to minimise the risk of others ending up in the same situation. More information on ‘Woody’s’ story can be found at www.cnbsafe.com.au .

A second guest speaker was Patrizia Cassaniti who is the Founder and Director of the *Touched by Christopher Foundation*. Patrizia's son Christopher was killed in a workplace incident at Macquarie Park in Sydney in 2019, when scaffolding collapsed on a building site. Her key message is "Coming home safe from work, is a human right NOT A Privilege". Her presentation is very powerful and emotional, reliving the day of the incident and emphasising the importance of ALL workers' responsibilities to ensure a safe workplace environment. More information on the Foundation can be found at www.touchedbychristopher.org.au .

These presentations and the importance of safety in the workplace, highlight the responsibilities that come with the role under the Work Health and Safety Act of being the Person Conducting a Business or Undertaking (PCBU) which for Council is the General Manager. The experience of attending this Summit has re-enforced my commitment to continual improvement to safety and wellbeing in the workplace at Richmond Valley Council.

Actions in response to the Summit

The Executive Safety Leadership Summit provided a pathway for local council leaders to continue to build their organisational safety culture. The following actions are proposed in response to the key messages of the Summit:

- Formal endorsement of the Statement of Common Commitment, including support from Council's leadership team, supervisors and front-line workers
- Sharing key messages from the Summit at regular works meetings, staff gatherings and toolbox talks
- Providing training and other learning opportunities for staff to improve safety knowledge and culture
- Encouraging staff to be actively involved in workplace safety improvements and rewarding positive behaviour in safe work practices
- Reviewing Council's workplace health and safety systems to identify areas for further development and continuing to drive safety culture through Council's Workplace Safety Team and Work Health and Safety Committee
- Including safety performance in our internal audit and workplace reporting processes
- Providing regular updates on workplace safety performance to Council.

CONSULTATION

Council will continue to consult directly with its workforce, particularly those involved in road construction, civil works, water and sewer and other high-risk activities, to identify improvement opportunities in safety performance. It will also consider opportunities to work directly with neighbouring councils, government agencies and other stakeholders to share information and safety systems and support joint training activities.

CONCLUSION

The Executive Safety Leadership Summit sent a clear message to local councils that the NSW Government will be increasing its safety monitoring and compliance activities in terms of regional roads contracts and that a shared commitment to improved safety culture is required across the sector. Council will support continuous improvement in safety performance through implementing the four key directions of the Statement of Common Commitment, developed at the Summit.

ATTACHMENT(S)

Nil

15 COMMUNITY SERVICE DELIVERY

15.1 MODIFICATION OF APPROVED OVERHEIGHT RAISING OF DWELLING

Director: Angela Jones

Responsible Officer: Francis Eyndhoven

EXECUTIVE SUMMARY

Council has received a development application for alternations and additions to a flood-affected home at Woodburn. This includes raising the dwelling by 2.6m to help avoid future inundation. The proposal would result in the building being more than 10% above the permissible height limit and, therefore, it must be referred to Council for determination. As the home is located on a large rural lot and there will be no impacts on neighbouring properties, the variation is recommended for approval.

RECOMMENDATION

That pursuant to Clause 4.6 of *Richmond Valley Local Environmental Plan 2012* a variation in respect of Clause 4.3 Height of Buildings be granted for DA2023/0076.01, as outlined in this report.

DELIVERY PROGRAM LINKS

Objective 5: Live sustainably in a changing climate

5A Improve community preparedness and response to natural disasters

5A1 Support regional disaster planning, response and recovery

BUDGET IMPLICATIONS

There are no budget implications for this matter.

REPORT

The Modification Application (DA2023/0076.01) relates to a dwelling at 305 Woodburn-Evans Head Rd, Woodburn (Lot 11, DP703642). The application proposes a variation to the approved building height of 10.1 metres as previously approved by Council at the December 2022 Ordinary Council meeting. The proposal is to raise the dwelling by a further 1.0m, which will mean that the peak of the dwelling's roof will be 2.6m above the maximum building height of 8.5m in this zone (or 11.10m above ground level). The lot requires a minimum habitable floor level (HFL) of 5.6m AHD and the dwelling will have a proposed HFL of 8.0m AHD upon completion of works. The existing dwelling is approximately 85m from the front boundary and is located on a lot approximately 4ha in size.

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

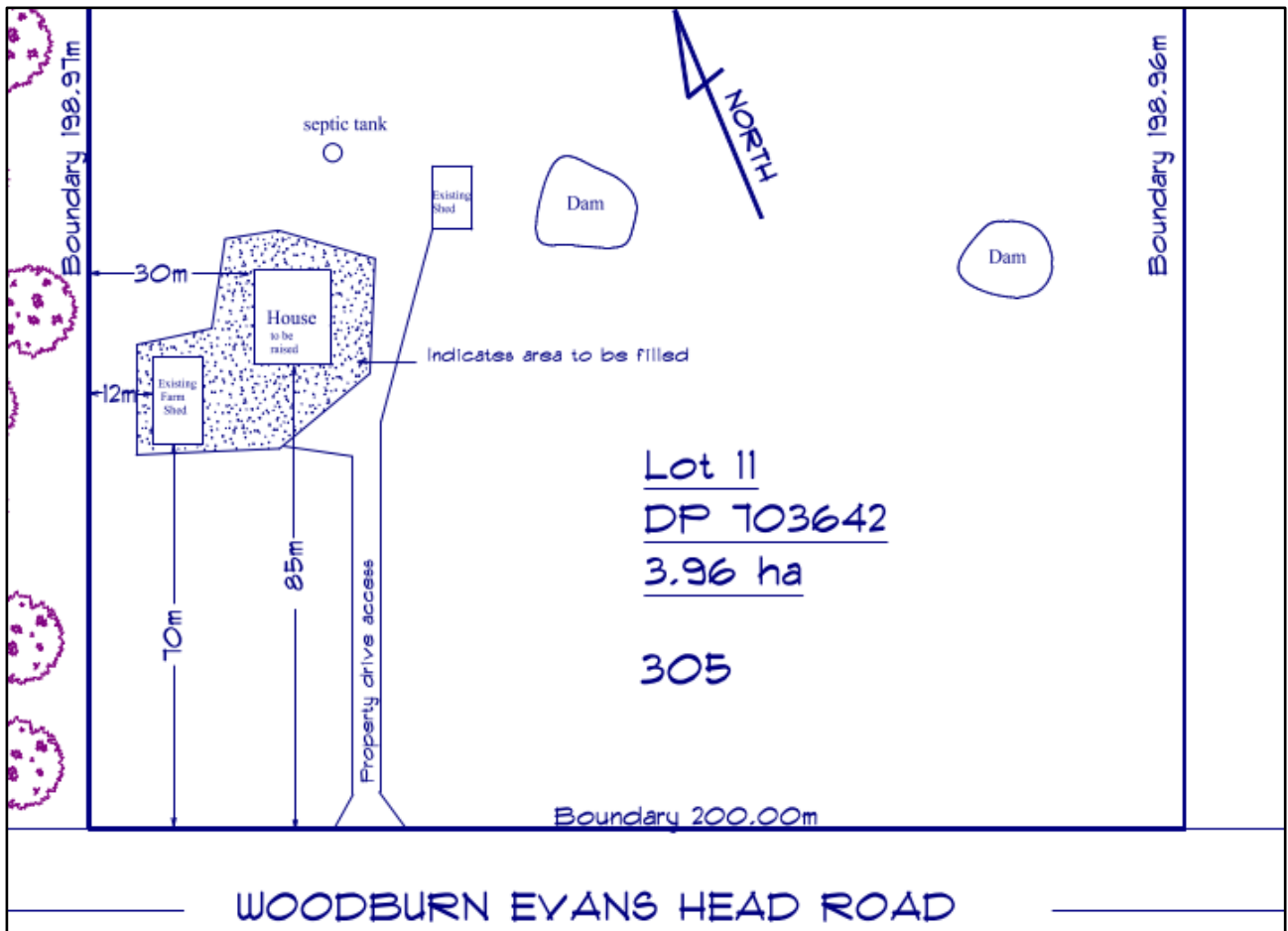


Figure 2. Approved Elevation showing degree of Non-compliance with RVLEP 2012

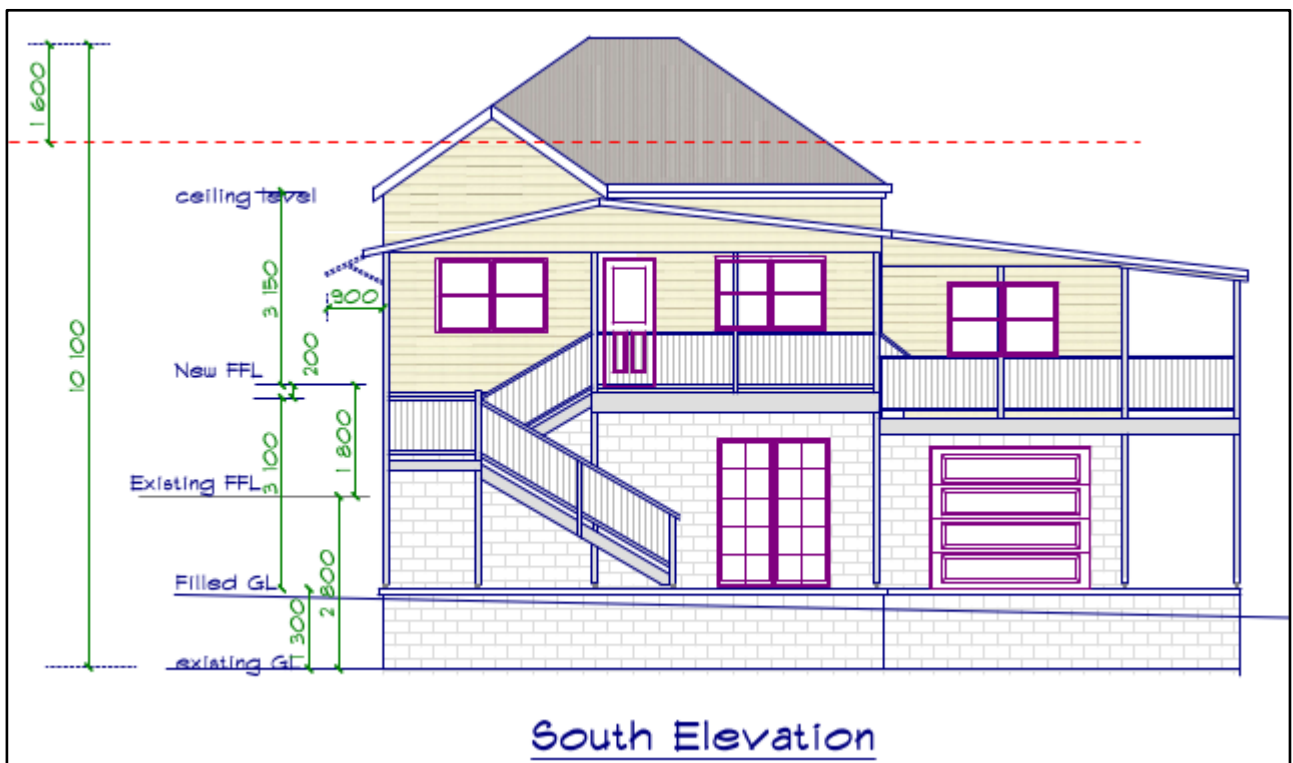
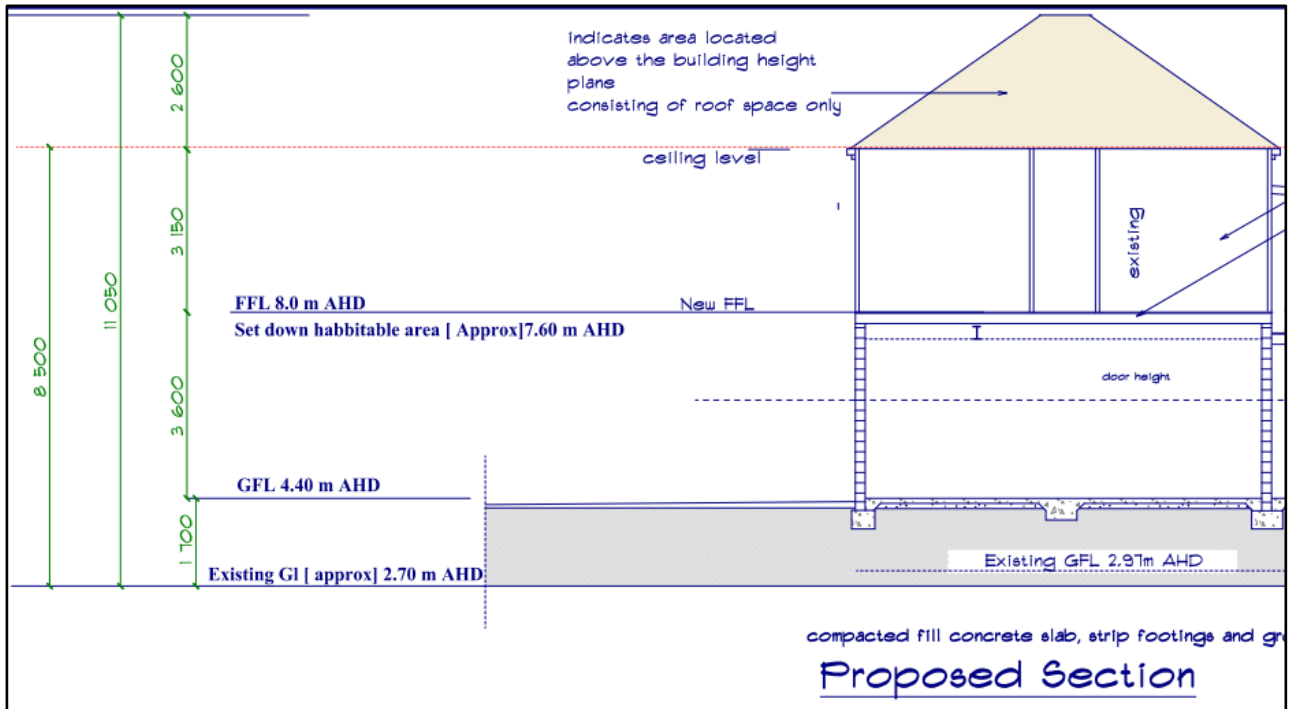


Figure 3. Proposed increased elevation of dwelling showing degree of Non-compliance with RVLEP 2012



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

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

The proposed house raising will vary the maximum height as set out in the DCP by approximately 24%. Under NSW planning requirements, all variations greater than 10% must be referred to Council for determination.

CONSULTATION

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

CONCLUSION

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

ATTACHMENT(S)

Nil

16 PROJECTS & BUSINESS DEVELOPMENT

16.1 CASINO STORMWATER DRAINAGE STUDY

Director: Ben Zeller

Responsible Officer: Kim Anderson

EXECUTIVE SUMMARY

Richmond Valley Council engaged Ardill Payne & Partners to develop a stormwater hydraulic model to study the impacts of stormwater flooding issues in Casino and the surrounding area.

Casino's main trunk and supporting stormwater infrastructure was constructed in the 1950's and 1960's, to relieve local flooding from stormwater drains during heavy rain. Since then, increased rain frequency, quantity, urban surface density and development has placed increasing pressure on the system, and some areas of Casino are experiencing localised flooding from minor events.

The Casino Stormwater Flooding Assessment Report 2023 details the model setup and outputs including stormwater flow, restrictions, and ponding locations. The Stormwater Flooding Assessment includes the attached report and spatial mapping which will be made available for display to the community via Council Public IntraMaps. The mapping represents flow depths from the critical storm events (90-120 minutes) over a 20-100% Annual Exceedance Probability (AEP).

The Casino Stormwater Flooding Mitigation Options Evaluation Report 2023 provided six mitigation options and consideration of improvements in the overland flow paths. Five (Options 1,3,4,5,6) relate to improving the performance of the main trunk main while the other option (Option 2) relates to stormwater performance west of the railway line.

It should be noted that similar studies for stormwater modelling are to be undertaken within other communities in the Mid-Richmond, with this work being included in the 2023-25 Delivery Program.

RECOMMENDATION

That Council:

1. Notes the *Casino Stormwater Flooding Assessment Report 2023* and *Casino Stormwater Flooding Mitigation Options Evaluation Report 2023* by Ardill Payne & Partners;
2. Undertakes further detailed planning and investigations into the recommendations of the *Casino Stormwater Flooding Mitigation Options Evaluation Report 2023*; and
3. Actively explores and applies for funding opportunities to implement the recommended options.

DELIVERY PROGRAM LINKS

Objective 6: Provide infrastructure that meets community needs

6D Manage water supply, sewerage and drainage effectively

6D6 Improve local stormwater and drainage networks

BUDGET IMPLICATIONS

To give an indication of the costs involved in the identified options, the preliminary strategic cost to implement options 1 & 2 as per the mitigation report is estimated at \$6.59M – \$7.29M. Council will need to actively explore and then apply for funding opportunities to implement any proposed options.

REPORT

Casino's main trunk and supporting stormwater infrastructure was constructed in the 1950's and 1960's, aimed at relieving local flooding resulting from overwhelmed stormwater drains during heavy rain. Increased rain frequency, quantity, urban surface density and development has resulted in areas of Casino continuing to experience localised flooding from minor events.

Ardill Payne & Partners was engaged to finalise a stormwater hydraulic model to assess the impacts of the stormwater network infrastructure within the Casino urban area. The stormwater hydraulic model enables Council to plan for upgrades to improve stormwater management.

Council, in partnership with Ardill Payne & Partners, has investigated and identified potential mitigation options. Surveys have been completed with details being evaluated into the model to identify effective strategies and capital improvement projects in stormwater mitigation.

Following the endorsement of the potential mitigation investigation options, a proposed plan will be produced identifying capital projects which will be designed, cost evaluated, scoped, prioritised, and planned for construction. The final stage will be the implementation of mitigation options subject to funding availability. Post re-evaluation of the hydraulic model will continue to evolve as mitigation options are implemented.

The mitigation option evaluation has provided six options to consider. Five (Options 1,3,4,5,6) relate to improving the performance of the main trunk main while the other option (Option 2) relates to stormwater performance west of the railway line.

Stormwater Model

The stormwater model has been developed over a four-year period in collaboration with Flume Engineering, Ardill Payne & Partners and Council. A copy of the report is available via this link https://richmondvalley.nsw.gov.au/wp-content/uploads/2023/11/11120-Casino-Stormwater-Flooding-Assessment-Report_Rev1-Copy.pdf.

The model predicts stormwater impacts on various rainfall conditions across the Casino township based upon the setup of a Tuflow hydraulic model. This model was developed to assess impacts using the details from the terrain and stormwater infrastructure to predict the stormwater flow, restrictions, and ponding.

The modelling shows that Casino's stormwater drainage infrastructure has capacity limitations and that most of the stormwater ponding areas are located surrounding the main drainage trunk pipeline. Council has verified the model assessment with investigations from community feedback, customer service requests and staff observations during wet weather events.

The study identified that with the existing capacity of the drainage system, future development within the township area is likely to cause further stormwater related adverse impacts to existing properties in various locations.

The Casino stormwater model will be used to:

- Identify measures to improve the stormwater infrastructure to mitigate existing drainage issues.
- Analyse the effectiveness of mitigation options.
- Provide benefits for comparison to cost estimates for potential mitigation options.
- Enable a prioritisation of mitigation options based upon benefits, sourcing of funds and the development of a capital investment delivery strategy.

The Stormwater Flooding Assessment includes the attached report and spatial mapping which will be made available for display to the community via Council Public IntraMaps. The mapping represents flow depths from the critical storm events (90-120 minutes) over a 20-100% Annual Exceedance Probability (AEP).

Stormwater Mitigation Option Evaluation

Following identification of stormwater issues, mitigation options were identified and assessed using the hydraulic model. The options considered additional pipelines as well as a focus on the overland flow downstream of existing surcharge points of the main stormwater trunk.

The effectiveness of each assessment has been evaluated by comparing ponding areas (extent and depth), discharge capacity, and AEP capacity in the current condition and post mitigation option.

Preliminary strategic cost estimates have been provided for cost/benefit evaluation developed on unit rates. Each option will require a full detailed design and market evaluation to provide a more accurate detailed costing.

The mitigation options are evaluated based on potential improvements to the stormwater network and the estimated cost.

Option 1 – Construction of 887m (1500/1800mm diameter) pipeline from Johnson Street, Hickey Street, North Street to Wharf Street. Reduces ponding issues in a large part of the town including improvements around Colley Park by relieving main trunk capacity at estimated cost of \$5M - \$5.7M.

Option 2 – Construction of 497m (750mm diameter) pipeline from Casino Hospital along Hotham Street to Richmond River. Improves localised issues surrounding the hospital at an estimated cost of \$1.59M.

Option 3 – Construction of 383m (1200mm diameter) and 439m (1500mm diameter) pipeline from main trunk traversing along Canterbury Street to Wheat Street/Richmond River. This option reduces ponding and relieves the main stormwater trunk however evaluated as not being as effective as Option 1. This option has a cost of \$4M.

Option 4 - Re-establishing an overland flow path on Dyraaba Street, Short Street, Spring Grove Road to Barling Creek. This option was considered as an alternative to implementing Options 1, 3 and 5. Design guidelines for overland flow minimum slope is considered at a minimum of 0.5% grade. Due to limitations of Casino topography along the 4.3km the model was restricted to a slope of 0.1% is required. Slight improvement of flow ponding on main trunk however elsewhere in catchment is insignificant. This option does not create a detectable change to flow and discharge at a cost of \$4.67M.

Option 5 - Construction of 1111m (1200/1500mm diameter) pipeline connecting from trunk main along North Street to Wharf Street discharge. This is a longer network compared to Option 3 enabling additional connections. This option reduces flood ponding along trunk main. No noticeable differences between Option 3 and 5 at an estimated cost of \$5.2M.

The cost/benefit mitigation options (20% AEP event) are shown in Table 5.1 below.

Based on Table 5.1, Option 1 (1800mm) and Option 3 provide the highest mitigation effect compared to the construction costs. However, the combined Options (Option 1 & 5 or Option 1 & 3) do not create additional discharge capacity based on the event proportional to increased capacity to the main trunk.

Option 6 – Construction of 947m (1200mm/1800mm diameter) pipeline connecting from Pratt St/West Street intersection (Colley Park) travelling south along West St to the Richmond River. This option provides a greater discharge benefit than Option 1 at a higher construction cost of \$6.46M. This option includes construction challenges with existing stormwater infrastructure along West Street and requires conduit installation depth of 10m south of Richmond Street to enable adequate gradient fall.

The report includes costings which enable an assessment of the most cost-effective solutions. In planning for the decisions that need to be made, other factors need to be considered including future development and constructability limitations. The report will be made available on Council's website following the Council meeting.

CONSULTATION

Council has verified the model assessment with investigations from community feedback, customer service requests and staff observations during wet weather events. A review of the mitigation options has been undertaken through the development of the mitigation report. The reports will be made publicly available enabling interested community members to better understand the stormwater impacts, mitigation options and the costs involved in construction any of the proposed solutions.

CONCLUSION

It is proposed that the *Casino Stormwater Flooding Assessment Report 2023* and *Casino Stormwater Flooding Mitigation Options Evaluation Report 2023* be made publicly available including the spatial mapping, available via Council Public IntraMaps.

The mapping represents flow depths from the critical storm events (90-120 minutes) over a 20-100% Annual Exceedance Probability (AEP). This information can be presented to the community along with actions being undertaken to assess options to improve stormwater management within urban areas.

In exploring each option underground services clashes must be investigated by reviewing the location and depth of the existing services after making a decision regarding the preferred option/s.

It is proposed that Council commence further detailed planning and investigations into the options and recommendations outlined in the mitigation report. Future development within Casino will require additional options to be explored. Council will need to actively explore funding opportunities to implement any proposed options.

ATTACHMENT(S)

Nil

17 ORGANISATIONAL SERVICES

17.1 FINANCIAL STATEMENTS 2022/2023

Director: Ryan Gaiter

Responsible Officer: Hayley Martin

EXECUTIVE SUMMARY

Council adopted the audited financial statements for 2022/2023 at its Ordinary Meeting, on 17 October 2023, and resolved to present the audited financial statements and auditor's reports to the public at its November Ordinary Meeting. This is the final step in complying with the legislative requirements regarding annual financial reporting.

Council's external auditor, the Audit Office of New South Wales has advised that its representative firm, Thomas, Noble and Russell (TNR) will provide a presentation on the auditor's reports in relation to the 2022/2023 financial statements at this meeting. The Auditor has expressed an 'unmodified opinion' on the financial statements. This means that it was of the opinion that the financial reports present fairly the financial position of Council as at 30 June 2023 and its financial performance and cash flows were presented in accordance with Australian Accounting Standards and other legislative requirements.

As reported to the October Ordinary Meeting, Council achieved a surplus from continuing operations of \$44.257 million for the 2022/2023 financial year, compared to a surplus of \$19.987 million in the previous year. Council recorded a surplus before capital grants and contributions of \$2.954 million for 2022/2023, compared to a loss of \$5.595 million for the 2021/2022 financial year. The improvement in this result is positive and was one of the objectives of Council's special rate variation in moving towards a break-even result before capital grants and contributions over the medium term. It is important to note that this result is prone to fluctuations due to the level of grant funding received by Council and other economic factors.

RECOMMENDATION

That Council presents the financial statements of Richmond Valley Council for the financial year ended 30 June 2023 to the public in accordance with Sections 418 and 419 of the *Local Government Act 1993*.

DELIVERY PROGRAM LINKS

Objective 11: Manage resources responsibly

11A Manage finances responsibly and provide value for money

11A1 Undertake long-term financial planning and ensure compliance with financial regulation

BUDGET IMPLICATIONS

Nil.

REPORT

Section 418 (1) (a) of the *Local Government Act 1993* requires Council to fix a date for a meeting where the financial statements are to be presented to the public and Section 419 (1) requires Council to present the financial reports and auditor's reports to the meeting on the date fixed. Council resolved at the Ordinary Meeting held on 17 October 2023 that the financial statements would be presented at the meeting to be held on 21 November 2023.

Council's operating result from continuing operations for 2022/2023 was a surplus of \$44.257 million, compared to a surplus of \$19.987 million in 2021/2022. Council received \$41.303 million in capital grants and contributions during 2022/2023, which was an increase of \$15.721 million from the previous year and mainly related to disaster recovery funding along with the major projects of Casino Swimming Pool upgrade, Casino Showground and MR145 Woodburn-Coraki Road Upgrade.

There was an increase in the operating result before capital grants and contributions, from a loss of \$5.595 million in 2021/2022 to a surplus of \$2.954 million in 2022/2023. This is a positive result for Council and was a key objective of Council's special rate variations. It is important to note that this result can be influenced by natural disasters and the availability of operational grant funding, along with other economic factors.

Council's total cash, cash equivalents and investments increased by \$11.933 million to \$90.585 million as at 30 June 2023 and the majority of Council's key performance indicators remain above the industry benchmark.

Net losses from the disposal of assets totalled \$2.557 million, a slight increase from \$2.340 million in the previous year.

The summarised financial results for the year ended 30 June 2023 are as follows:

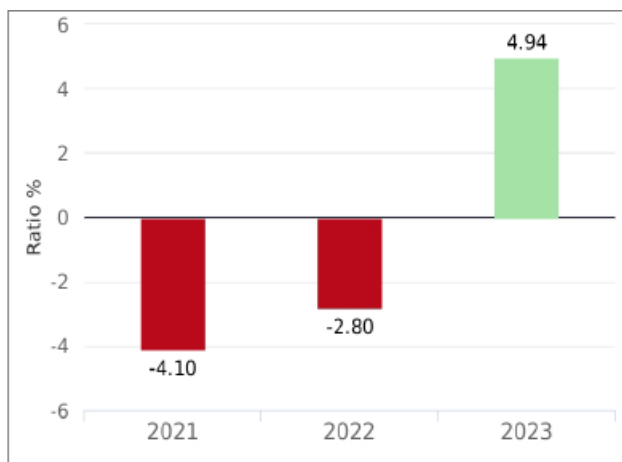
| Income Statement | Actual 2023 \$'000 | Actual 2022 \$'000 |
|--|-----------------------|-----------------------|
| Total Income from Continuing Operations | 125,401 | 101,857 |
| Total Expenses from Continuing Operations | 81,144 | 81,870 |
| Operating Result from Continuing Operations | 44,257 | 19,987 |
| Net Operating Result before grants and contributions provided for capital purposes | 2,954 | (5,595) |

| Statement of Financial Position | Actual 2023 \$'000 | Actual 2022 \$'000 |
|---------------------------------|-----------------------|-----------------------|
| Total Current Assets | 100,704 | 89,643 |
| Total Non-Current Assets | 941,505 | 842,277 |
| Total Assets | 1,042,209 | 931,920 |
| Total Current Liabilities | 33,306 | 26,170 |
| Total Non-Current Liabilities | 20,345 | 24,598 |
| Total Liabilities | 53,651 | 50,768 |
| Net Assets | 988,558 | 881,152 |
| Equity | | |
| Accumulated Surplus | 433,897 | 389,640 |
| Revaluation Reserves | 554,661 | 491,512 |
| Total Equity | 988,558 | 881,152 |

| Statement of Cash Flows | Actual 2023 \$'000 | Actual 2022 \$'000 |
|---|-----------------------|-----------------------|
| Cash Flows from Operating Activities - receipts | 124,974 | 99,977 |
| Cash Flows from Operating Activities - payments | (61,902) | (57,347) |
| Net Cash provided (or used in) Operating Activities | 63,072 | 42,630 |
| Cash Flows from Investing Activities - receipts | 269 | 9,389 |
| Cash Flows from Investing Activities - payments | (53,607) | (30,611) |
| Net Cash provided (or used in) Investing Activities | (53,338) | (21,222) |
| Cash Flows from Financing Activities - receipts | 0 | 4,740 |
| Cash Flows from Financing Activities - payments | (3,809) | (3,245) |
| Net Cash provided (or used in) Financing Activities | (3,809) | (1,495) |
| Net Increase/(Decrease) in Cash & Cash Equivalents | 5,925 | 22,903 |
| Cash and Cash Equivalents - beginning of year | 49,572 | 26,669 |
| Cash and Cash Equivalents - end of year | 55,497 | 49,572 |
| Plus: Investments on Hand - end of year | 35,088 | 29,080 |
| Total Cash, Cash Equivalents and Investments | 90,585 | 78,652 |

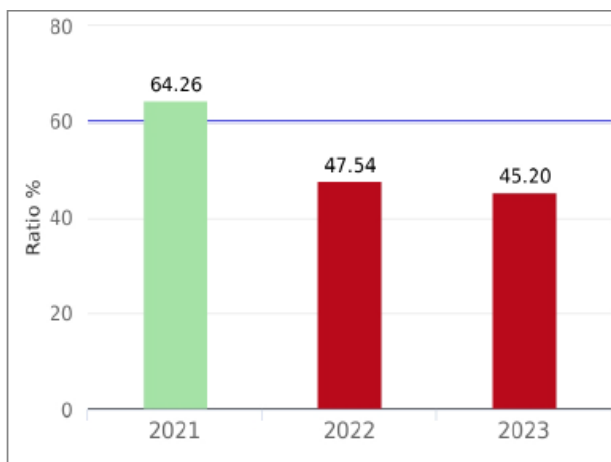
Council's key performance measures remain strong, with the majority of these being above the industry benchmark. These are summarised below:

Operating performance ratio



Benchmark: — > 0.00%

Own source operating revenue ratio

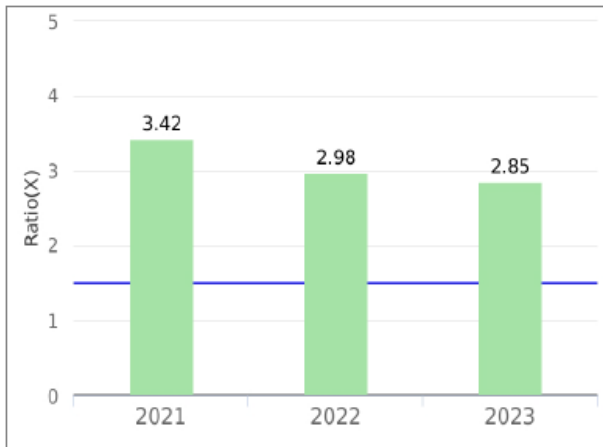


Benchmark: — > 60.00%

Council's operating performance ratio has improved to 4.94% on a consolidated basis, from -2.80% in 2021/2022. Council's operating income increased considerably from \$76.275 million in 2021/2022 to \$84,098 million in 2022/2023. The main increase was \$1.705 million in interest income, \$1.849 million in other income which includes fair value gains on investments and \$3.027 million in user charges and fees for Transport for NSW works. The industry benchmark for this ratio is > 0.00%. This is a positive result and will remain as a key focus moving forward.

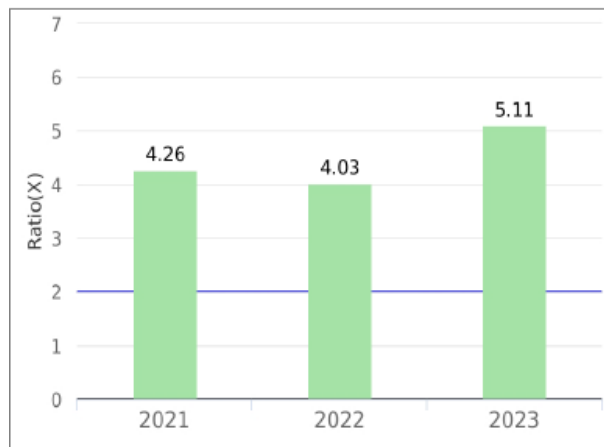
Council's own source operating revenue ratio has decreased to 45.20%, compared to 47.54% in 2021/2022. This is largely due to Council receiving insurance and natural disaster funding as a result of the major flood event in February 2022. Council's special rate variation has contributed to having less reliance on external funding such as operating grants and contributions. The industry benchmark is > 60.00%.

Unrestricted current ratio



Benchmark: — > 1.50x

Debt service cover ratio

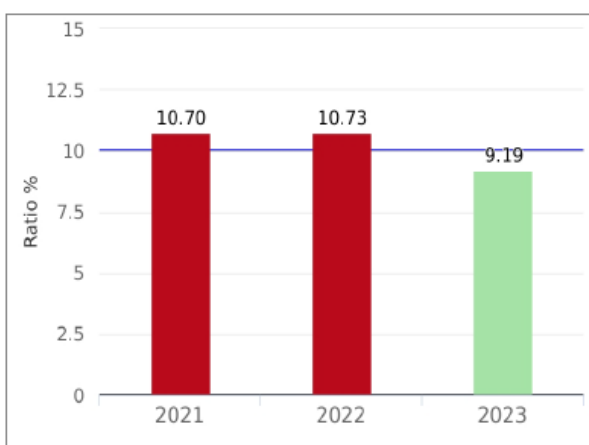


Benchmark: — > 2.00x

Council's unrestricted current ratio has decreased slightly to 2.85, from 2.98 in 2021/2022, meaning Council now has \$2.85 in unrestricted current assets for every \$1 of current liabilities. This ratio is well above the benchmark of > 1.50x.

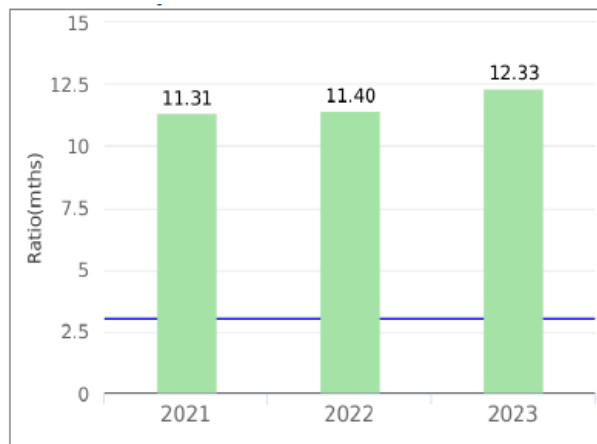
The debt service cover ratio has increased to 5.11, from 4.03 in 2021/2022. This ratio measures the availability of operating cash to service debt including interest, principal and lease payments. This ratio is well above the benchmark of > 2.00x.

Rates and annual charges outstanding percentage



Benchmark: — < 10.00%

Cash expense cover ratio

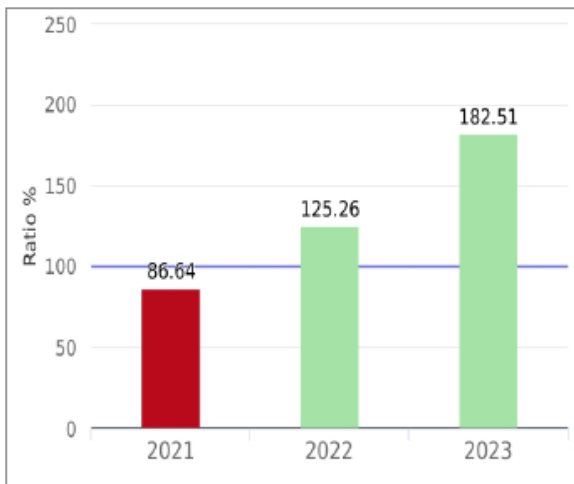


Benchmark: — > 3.00months

Council's rates and annual charges outstanding percentage has improved from the previous year at 9.19% on a consolidated basis. This ratio now meets the industry benchmark of < 10.00%, however is still impacted by the fact that Council levies its water and sewerage annual charges in arrears. The general fund ratio is a more representative measure of outstanding rates and annual charges, which has also improved to 3.21%, from 4.80% in 2021/2022. Given the number of challenges the Richmond Valley has faced in the last 12 months, this is a positive result and demonstrates that Council continues to actively monitor and pursue outstanding balances through its debt recovery practices.

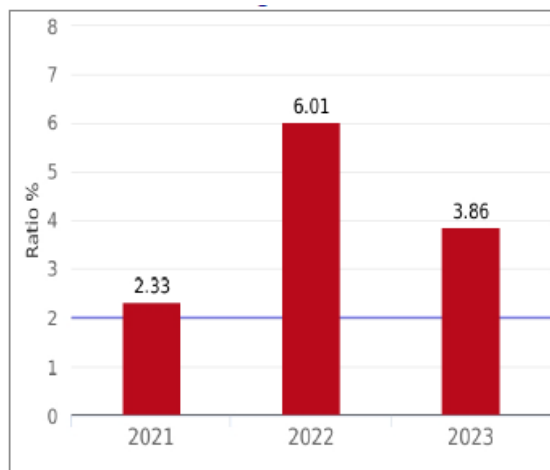
The cash expense cover ratio has increased slightly from the previous year at 12.33 months, from 11.40 months in 2021/2022. This ratio indicates the number of months Council can continue paying for its immediate expenses without additional cash inflow and is well above the benchmark of > 3 months.

Building and infrastructure renewals



Benchmark: — $\geq 100.00\%$

Infrastructure backlog ratio

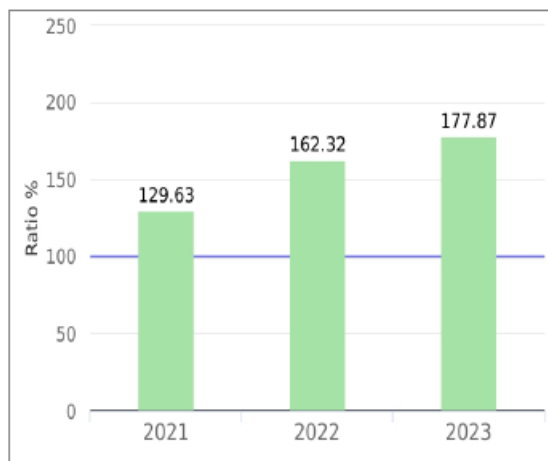


Benchmark: — $< 2.00\%$

Council’s buildings and infrastructure renewals ratio has improved to 182.51%. The special rate variation has assisted with moving this ratio towards the benchmark. The fact that a number of Council’s signature projects this year were renewal of older assets rather than building new assets has helped improve this ratio. The industry benchmark is $\geq 100.00\%$.

Council’s infrastructure backlog ratio has decreased to 3.86%, from 6.01% in 2021/2022. This is mainly due to restoration of damaged infrastructure from the major flood events of 2022. Council is currently working with Transport for NSW and NSW Public Works through its natural disaster funding to restore these assets to pre-flood condition. The industry benchmark is $< 2.00\%$.

Asset maintenance ratio



Benchmark: — $> 100.00\%$

Council’s asset maintenance ratio has improved to 177.87%, from 162.32% in 2021/2022. This is above the benchmark of $> 100.00\%$, which indicates that Council is investing sufficient funds to stop its infrastructure backlog growing.

As at 30 June 2023, Council had \$90.585 million in cash, cash equivalents and investments, an increase of \$11.933 million from the previous year ended 30 June 2022. The schedule of restricted assets (reserves) held by Council as at 30 June 2023 is as follows:

| Restricted Asset | 30 June 2023 \$'000 | 30 June 2022 \$'000 |
|--|------------------------|------------------------|
| External Restrictions | | |
| Bonds and Deposits | 536 | 818 |
| Developer Contributions - General Fund | 3,690 | 3,516 |
| Developer Contributions - Water Fund | 2,852 | 2,413 |
| Developer Contributions - Sewerage Fund | 5,739 | 4,795 |
| Specific Purpose Unexpended Grants | 6,390 | 11,169 |
| Specific Purpose Unexpended Loans – General Fund | 0 | 2,372 |
| Water Supplies | 5,534 | 5,096 |
| Sewerage Services | 8,919 | 8,268 |
| Domestic Waste Management | 7,137 | 6,298 |
| Stormwater Management | 1,096 | 860 |
| Other | 2,728 | 2,982 |
| Total External Restrictions | 53,492 | 48,587 |
| Internal Restrictions | | |
| Employee Leave Entitlements | 1,481 | 1,407 |
| Richmond Upper Clarence Regional Library | 139 | 200 |
| Other Waste Management | 6,266 | 5,420 |
| Insurance Reserve | 2,455 | 2,181 |
| Plant Replacement | 4,199 | 3,692 |
| Real Estate and Infrastructure | 3,038 | 3,132 |
| Petersons Quarry | 2,503 | 2,235 |
| Woodview Quarry | 2,440 | 1,771 |
| Quarry Rehabilitation | 515 | 355 |
| Road Rehabilitation Reserve | 2,272 | 1,872 |
| Northern Rivers Livestock Exchange | 160 | 322 |
| Rural Road Safety Program | 91 | 98 |
| Unexpended Special Rates Variations | 865 | 1,111 |
| Financial Assistance Grant Advance Payment | 6,397 | 4,374 |
| TfNSW State Roads Maintenance Contract | 6 | 6 |
| Public Cemeteries Perpetual Maintenance Reserve | 186 | 156 |
| Carry Over Works | 3,035 | 1,118 |
| Event Funding | 75 | 0 |
| Northern Rivers Rail Trail Maintenance | 655 | 311 |
| Total Internal Restrictions | 36,778 | 29,761 |
| Total Restrictions | 90,270 | 78,348 |
| Total Cash, Cash Equivalents and Investments | 90,585 | 78,652 |
| Unrestricted Cash, Cash Equivalents and Investments | 315 | 304 |

CONSULTATION

Council is currently advertising the financial statements for the year ended 30 June 2023 to the public and is inviting submissions in writing, with submissions closing at 4:00pm, Tuesday 21 November 2023. Any submissions will be reported to the December 2023 Ordinary Meeting.

Copies of the financial statements have been made available for viewing and download by the public from the date public notice was given until the day after the meeting where the financial statements were presented.

CONCLUSION

Council has recorded a positive result in the 2022-23 financial year, with the majority of its key performance measures above the industry benchmark. The presentation of Council's financial statements to the public is the last step in complying with the legislative requirements regarding annual financial reporting. Council has also advertised the financial statements for the year ended 30 June 2023, advising that they will be presented to the public at this Ordinary Meeting and inviting submissions. Section 420 of the *Local Government Act 1993* invites submissions from the public on the financial statements and Section 420 (3) requires Council to refer any submissions it may receive to the Auditor. Submissions close at 4:00pm Tuesday 21 November 2023. If any submissions are received, these will be reported to the December 2023 Ordinary Meeting.

ATTACHMENT(S)

1. **Annual Financial Statements for the year ended 30 June 2023 (under separate cover)**

17.2 FINANCIAL ANALYSIS REPORT - OCTOBER 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 October 2023 is shown below:

| Bank Accounts | Term Deposits | Floating Rate Notes | Fixed Rate Bonds | TCorp IM Funds | Total |
|---------------|---------------|---------------------|------------------|----------------|--------------|
| \$17,658,528 | \$32,000,000 | \$7,500,390 | \$4,500,000 | \$15,166,329 | \$76,825,247 |

The weighted average rate of return on Council's cash and investments at 31 October 2023 was 1.66% which was above the Bloomberg AusBond Bank Bill Index for October of 0.33%, 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 October 2023.

DELIVERY PROGRAM LINKS

Objective 11: Manage resources responsibly

11A Manage finances responsibly and provide value for money

11A1 Undertake long-term financial planning and ensure compliance with financial regulation

BUDGET IMPLICATIONS

As at 31 October 2023, Council has earned \$992,340 in interest and \$170,994 in fair value losses from funds held in TCorp, for a total investment income of \$821,346. This equates to 64.88% of the annual budget for interest and investment income of \$1,266,010. Council currently receives a net return of 4.45% on its Macquarie CMA Account after Council's financial advisors receive their commission of 0.05%. Commissions for the 2023/2024 financial year to 31 October 2023 total \$324.

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 held the cash rate at 4.10% per annum at its October meeting.

Rate of Return

The weighted average rate of return on cash and investments in October was 1.66%, an increase in 125 basis points from the previous month. The rate of return is 132 basis points above the Bloomberg AusBond Bank Bill Index of 0.33% which is Council's benchmark.

Council's NSW Treasury Corporation IM Funds returned net losses of \$141,704 during the month of October. The Medium-Term Growth Fund (MTGF) returned a loss of \$98,529 and the Long-Term Growth Fund (LTGF) returned a loss of \$43,175.

During October, bond yields increased globally, and equity markets continued to fall further as investors prepared for interest rates to remain higher for longer. The RBA continues to note that further tightening may be necessary if inflation continues to increase.

The MTGF has a recommended investment timeframe of 7 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 \$76,825,247 at 31 October 2023. This was made up of Council's Business Online Saver Account (\$5,800,000), Macquarie Cash Management Account (\$10,039,476), Term Deposits (\$32,000,000), Floating Rate Notes (\$7,500,390), Bonds (\$4,500,000), NSW Treasury Corporation Investments (\$15,166,329) and other bank accounts (\$1,819,052).

Council's investment portfolio had maturity dates ranging from same day up to 1,742 days. Term deposits, floating rate notes and bonds of \$44,000,390 represented 57.27% of the total portfolio as at 31 October 2023.

Council made the following new investments during October 2023:

| Banking Institution | Investment Type | Environmentally Sustainable Investment | Amount Invested | Investment Term | Interest Rate |
|-------------------------|-----------------|--|---------------------|-----------------|---------------|
| Judo Bank | Term Deposit | Y | \$2,000,000 | 3 months | 4.90% |
| Bank of Queensland | Term Deposit | N | \$2,000,000 | 6 months | 5.15% |
| Judo Bank | Term Deposit | Y | \$2,000,000 | 3 months | 4.90% |
| Judo Bank | Fixed Rate Bond | Y | \$1,500,000 | 2 years | 6.40% |
| Bank of Queensland | Fixed Rate Bond | Y | \$1,000,000 | 3 years | 5.60% |
| Bank of Queensland | Term Deposit | N | \$2,000,000 | 6 months | 5.15% |
| Bank of Queensland | Term Deposit | N | \$2,000,000 | 4 months | 4.95% |
| National Australia Bank | Term Deposit | N | \$1,000,000 | 3 months | 5.00% |
| Total | | | \$13,500,000 | | |

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

| Banking Institution | Investment Type | Environmentally Sustainable Investment | Amount Invested | Interest Earned |
|---------------------|-----------------|--|-----------------|-----------------|
| Auswide Bank | Term Deposit | Y | \$2,000,000 | \$26,630 |

| | | | | |
|--------------|--------------|---|---------------------|------------------|
| Judo Bank | Term Deposit | Y | \$2,000,000 | \$26,630 |
| Judo Bank | Term Deposit | Y | \$2,000,000 | \$27,518 |
| AMP Ltd | Term Deposit | N | \$2,000,000 | \$49,636 |
| AMP Ltd | Term Deposit | N | \$2,000,000 | \$26,214 |
| AMP Ltd | Term Deposit | N | \$1,000,000 | \$12,981 |
| Total | | | \$11,000,000 | \$169,609 |

Council had \$15,166,329 in longer term investments being the MTGF and LTGF held with NSW Treasury Corporation as at 31 October 2023. The investment values and fair value returns are shown below:

| Investment Holding | Fair Value 31 October 23 | Fair Value Gain/(Loss) at 31 October 23 | Fair Value Gain/(Loss) YTD | Fair Value Gain/(Loss) Life of Investment |
|-------------------------|-----------------------------|---|----------------------------------|---|
| Medium Term Growth Fund | \$12,145,942 | (\$98,529) | (\$101,075) | \$1,140,913 |
| Long Term Growth Fund | \$3,020,387 | (\$43,175) | (\$69,919) | \$20,387 |
| Total | \$15,166,329 | (\$141,704) | (\$170,994) | \$1,161,300 |

The performance of the NSW Treasury Corporation Investments for October is disappointing; however, it follows strong gains in July and August, highlighting the ups and downs of long-term investments in volatile markets.

Environmentally Sustainable Investments (ESI's)

Council's cash and investments portfolio of \$76,825,247, at 31 October 2023 includes \$43,166,329 or 56.2% 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 October 2023, Council's investments have been made in accordance with the Act, the Regulations and Council's Investment Policy.

As at 31 October 2023 Council's cash and investments totalled \$76,825,247 with \$17,658,528 of this being funds held in bank accounts. The weighted average rate of return was 1.66% and total investment revenue equals 64.88% of budgeted revenue for the year to 31 October 2023.

ATTACHMENT(S)

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

17.3 QUARTERLY BUDGET REVIEW STATEMENT FOR THE QUARTER ENDED 30 SEPTEMBER 2023

Director: Ryan Gaiter

Responsible Officer: Zakari Witt

EXECUTIVE SUMMARY

This report outlines the proposed adjustments for the 2023/2024 budget for the quarter ended 30 September 2023. These adjustments exclude previously adopted revotes and carry forwards.

Council's projected operating result from continuing operations for 2023/2024 is proposed to increase by \$17,701,956 to a surplus of \$30,755,573 after all prior adjustments. The net operating result before capital grants and contributions has improved slightly from a deficit of \$2,186,415 to a deficit of \$1,929,065.

Income from continuing operations has increased by \$18,026,011, with total income now projected to be \$106,301,768. This is largely due to an increase in natural disaster grant funding being approved in 2023/2024 for recovery and reconstruction efforts due to the flood events of February 2022. Expenses from continuing operations have increased by \$324,056 to a projected cost of \$75,546,194.

Council's capital works program has been reviewed, resulting in a projected program for 2023/2024 of \$71,731,194, increasing the 2023/2024 programmed works by \$20,801,964. This program of works is largely focused on disaster recovery works and the restoration of essential public infrastructure following the February 2022 flood event along with betterment projects announced under the Northern Rivers Recovery and Resilience funding to ensure Council's assets are more resilient for future disasters. The delivery of this program of works will be heavily reliant on the availability of contractors and materials. Council will continue to ensure its capital works program is closely monitored, with any adjustments required to be included in future quarterly budget reviews or monthly budget adjustment reports to Council.

Council's unrestricted cash surplus has remained unchanged at \$212,574 as of 30 September 2023.

A detailed Quarterly Budget Review Statement for the first quarter of 2023/2024 has been circulated separately to each Councillor. These changes are disclosed by priority areas on pages 4-8 of the Quarterly Budget Review Statement and detailed explanations are provided on pages 9-16.

RECOMMENDATION

That Council:

1. Receives the Quarterly Budget Review Statement as at 30 September 2023; and
2. Approves the recommended budget variations.

DELIVERY PROGRAM LINKS

Objective 11: Manage resources responsibly

11A Manage finances responsibly and provide value for money

11A1 Undertake long-term financial planning and ensure compliance with financial regulation

BUDGET IMPLICATIONS

As detailed in the report.

REPORT

The budget review for the first quarter of the 2023/2024 financial year has resulted in Council's operating result from continuing operations improving to a projected surplus of \$30,755,573. The net operating result before capital grants and contributions has improved slightly from a deficit of \$2,186,415 after all prior adjustments to a deficit of \$1,929,065.

Council's estimated budget result (unrestricted cash result) has remained unchanged from the 2023/2024 original budget at \$212,574.

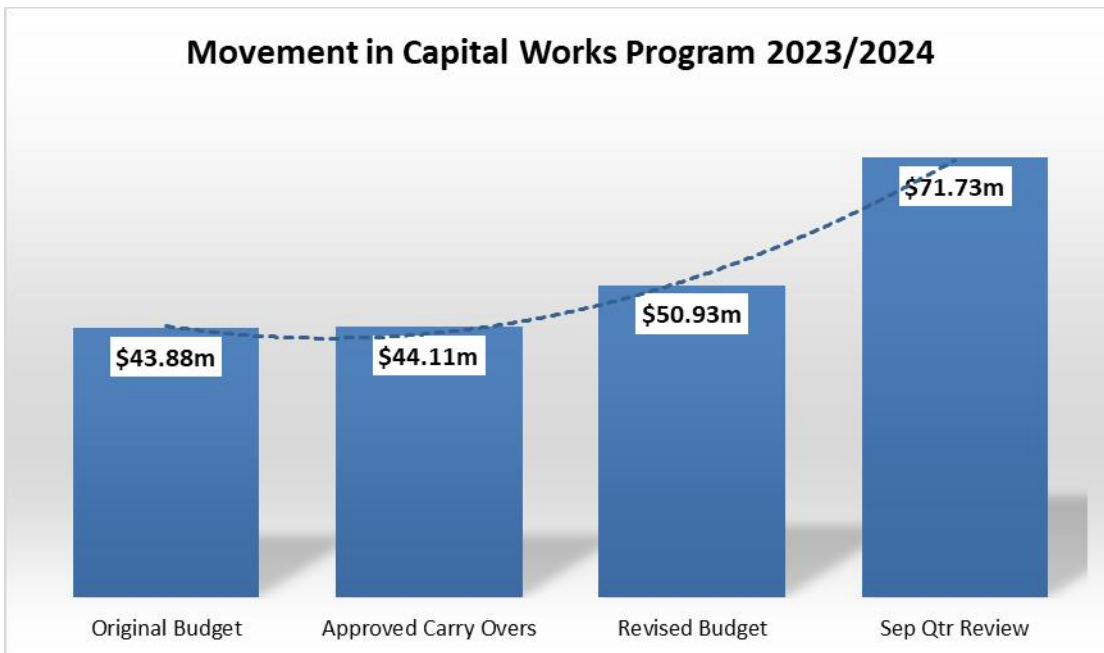
In overall cash terms, there is an increase in the estimated funding from reserves of \$3,045,399 with an estimated total transfer from reserves of \$19,801,556 for the 2023/2024 financial year. This is predominately due to an increase in capital works with unexpended grant funding at 30 June 2023 being transferred out towards the delivery of the projects in 2023/2024.

Income from continuing operations has increased by \$18,026,011, with total income from continuing operations now projected to be \$106,301,768. Largely contributing to the increase is \$10,067,773 in natural disaster funding for roads, bridges and footpath flood repair works. Other proposed increases to the income budget include \$5,639,093 in grant funding from the Northern Rivers Recovery and Resilience Program for essential road and drainage improvements, \$1,080,868 for the Casino Showground and \$272,814 for natural disaster restoration works at Woodburn oval. All recommended changes for Council resolution of \$18,026,011 are disclosed by Priority Area on page 4 of the Quarterly Budget Review Statement and detailed explanations are provided on pages 9-16.

Expenses from continuing operations have increased by \$324,056 to a projected total of \$75,546,194. Contributing to this was an increase in the contract costs of swimming pools following the redevelopment of the Casino Memorial Pool as well as some smaller operational budget adjustments. All recommended changes for Council resolution of \$324,056 are disclosed by Priority Area on page 5 of the Quarterly Budget Review Statement and detailed explanations are provided on pages 9-16.

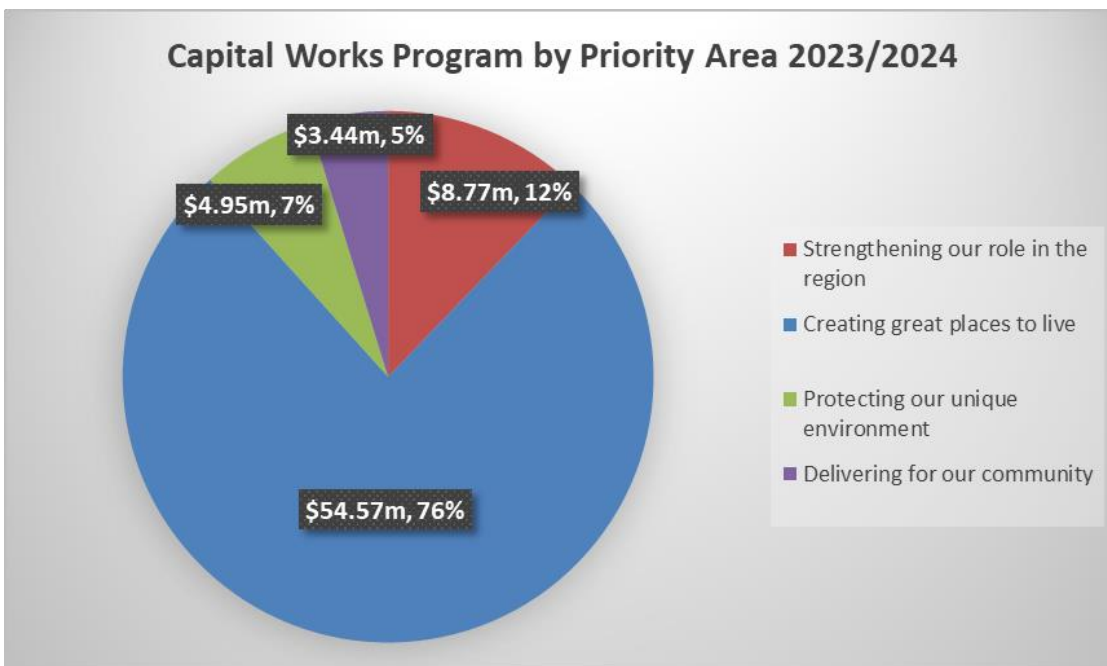
Council's capital works budget has increased by \$20,801,964 to a program of \$71,731,194 as at 30 September 2023. The restoration of essential public assets following the February 2022 flooding event continues to be the key focus for Council, with \$19,340,285 of this increase being attributed to roads, bridges and footpaths, including Naughtons Gap Road and betterment of MR145 Casino to Woodburn with Dairy Flay and Thearles canal upgrades. This results in Council's capital works program for 2023/2024 being one of the largest capital programs Council has undertaken and will require close monitoring throughout the 2023/2024 year. All recommended changes of \$20,801,964 to the capital works program are disclosed by priority area on page 6 of Council's Quarterly Budget Review Statement and detailed explanations are provided on pages 9-16.

The following graph tracks the movement in the capital works program for 2023/2024 from the original budget, after the adoption of approved carry over works and other approved monthly adjustments up to the September Quarterly Budget Review.



This graph strongly illustrates the increase in the capital works program and the importance of constantly reviewing the program to make sure it is deliverable, as increasingly more natural disaster funding is approved to return Council’s infrastructure back to pre-flood conditions.

The following graph provides a summary of the capital works program by priority area:



This graph illustrates that a considerable portion of Council’s capital works program is dedicated to making the Richmond Valley Council a great place to live with a focus on establishing a vibrant, liveable and safe community, with quality infrastructure that meets community needs.

Council's projected budget position and recommended changes for Council resolution are summarised in the table below:

| Quarterly Budget Review Statement for the quarter ended 30 September 2023 | Revised Budget 2023/2024 | Recommended Changes for Council Resolution | Projected Year End Result 2023/2024 |
|--|-----------------------------|---|---|
| Income from Continuing Operations | 88,275,757 | 18,026,011 | 106,301,768 |
| Expenses from Continuing Operations | 75,222,139 | 324,056 | 75,546,194 |
| Operating Result from Continuing Operations | 13,053,618 | 17,701,956 | 30,755,573 |
| Operating Result before Capital Income | (2,186,415) | 257,351 | (1,929,065) |
| Add: Non-Cash Expenses | 18,648,544 | 0 | 18,648,544 |
| Add: Non-Operating Funds Employed | 6,282,588 | 54,609 | 6,337,197 |
| Less: Capital Expenditure | 50,929,230 | 20,801,964 | 71,731,194 |
| Less: Loan Repayments | 3,599,103 | 0 | 3,599,103 |
| Estimated Funding Result – Surplus/(Deficit) | (16,543,584) | (3,045,399) | (19,588,984) |
| Restricted Funds – Increase/(Decrease) | (16,756,157) | (3,045,399) | (19,801,556) |
| Unrestricted Funds – Increase/(Decrease) | 212,573 | 0 | 212,573 |

Pages 9 to 16 of the attached Quarterly Budget Review Statement contain the budget variation explanations. A summary of the main contributing factors within each Priority Area is as follows:

Strengthening our role in the region

- A revision of the budget for the Northern Rivers Rail Trail project was needed to bring the budget back in line with the 2023/2024 program resulting in a reduction to the Tourism capital income budget by \$1,005,000 and \$40,163 to the capital expenditure budget.
- Proposed increase in asset sales of \$54,609 as Council has been successful in negotiating the sale of a closed roadway in Casino.

Creating great places to live

- Proposed increase of \$10,067,773 in the 2023/2024 capital income and expenditure program for the roads budget based on the approval of \$13,692,694 in natural disaster funding arrangements for essential flood repair works of Council's infrastructure.
- A further proposed increase in capital income and expenditure for roads based on the approval of \$5,639,093 in funding for the Northern Rivers Recovery and Resilience Program for essential improvements at Dairy Flat and Thearles Canal Culvert.
- It is proposed to reallocate remaining funds in the reseal budget for rural local roads totalling \$941,703 back to reserves so that the delivery of the current capital works program can take priority.
- Sports Grounds, Parks and Facilities capital income and capital expenditure budget is proposed to increase by \$1,353,682 with \$272,814 funding approved from NSW Public Works for natural disaster restoration at Woodburn Oval and an increase of \$1,080,868 to the Casino Showground project in line with the revised work program for 2023/2024.

Protecting our unique environment

- Proposed increase in the Environmental Health operational budget due to the installation of temporary fencing on North Wall at Evans Head funded by Transport NSW.
- Proposed increase of operational income by \$39,221 in line with actual waste annual charges levied for 2023/2024.

Delivering for our community

- Proposed increase of \$350,156 in income from continuing operations for Financial Services due to the final 2023/2024 Financial Assistance Grant being announced.

- Customer Service capital expenditure is proposed to increase by \$130,000 due to the installation of solar on the Casino Admin Office building.

CONCLUSION

At the end of the first quarter, Council's operating result from continuing operations is a projected surplus of \$30,755,573, with a projected deficit before capital grants and contributions of \$1,929,065. Council's capital works budget has increased to \$71,731,194 and this will be closely monitored to ensure all projects can be delivered. Council's estimated budget result (unrestricted cash result) has remained unchanged at \$212,574 and overall, Council's projected financial position at year end remains satisfactory.

ATTACHMENT(S)

1. **Quarterly Budget Review Statement for the quarter ended 30 September 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 INFRASTRUCTURE RECONSTRUCTION UPDATE

Director: Ben Zeller

Responsible Officer: Kim Anderson

RECOMMENDATION

That Council receives and notes the information provided in the Infrastructure Reconstruction update.

REPORT

The natural disaster flood event of March 2022 caused damage to approximately 75% of the Richmond Valley's 1065km road network. Following the event, emergency and immediate reconstruction works were undertaken to restore road access for the community at a cost of \$15.36M. Funding is provided to Council for expenses incurred to complete works considered urgent, and essential to support immediate recovery of a community. The table below provides the expenditure costs for the initial stages on the road network.

| | Emergency Works (EW) | Immediate Reconstruction Works (IRW) |
|-----------------------|-----------------------------|---|
| Local Roads | \$ 5,668,077 | \$ 8,180,420 |
| Urban Roads | \$ 185,972 | \$ 40,748 |
| Regional Roads | \$ 819,851 | \$ 123,681 |
| Crown Roads | \$ 83,693 | \$ 258,344 |
| Total Spent | \$ 6,757,592 | \$ 8,603,192 |

The natural disaster restoration program transitioned to the essential public asset reconstruction working phase commencing on 1 April 2023. This process involves activities to fully reconstruct an essential public asset to pre-disaster capacity and condition. This process requires Council to submit estimated reconstruction costs for approval prior to the commencement of any physical works.

Council had submitted 35 Essential Public Asset Restoration (EPAR) claims at a strategic total estimate of \$177M as at August 2023.

The NSW Reconstruction Authority engaged external consultants (Indras Pty Ltd) with experience in disaster claims to assist Transport for NSW (TfNSW) and local councils to improve and streamline the claim submission process. This need was identified due to the large workload being experienced from disaster claims across NSW which was causing significant delay in approvals. TfNSW has revised business processes and provided additional resources to meet the workload.

Richmond Valley Council was provided with the opportunity to review its claim submissions with the support of Indras Pty Ltd. All Council's EPAR claims will undertake a quality assurance review

to ensure accurate, and eligible claims. The aim is to ensure that all claims are of a high standard resulting in faster approval times and optimal financial outcomes.

It is expected that Richmond Valley will have a further 84 Essential Public Asset Restoration (EPAR) claims at a current strategic total estimate of \$112.6M (as of November 2023). This is additional to the five claims, worth \$13.6m, which have already been approved. Council is working towards a target of all claims to be submitted before the end of the year. The table below provides the status of Council's EPAR claims as at November 2023.

| Approved | 5 | \$ 13,692,694 |
|-----------------------------------|-------------------------------|---|
| | Additional EPAR Claims | Essential Public Asset Reconstruction (EPAR) Est. Value |
| Submitted | 6 | \$ 3,654,800 |
| Under Review (RVC) | 16 | \$ 20,509,559 |
| Under Review (Indras) | 19 | \$ 12,645,633 |
| Quality Assurance (Indras) | 24 | \$ 45,512,973 |
| Claims to be created | 19 | \$ 30,268,313 |
| # of submissions | 84 | \$112,591,278 |

The table below provides details and the status of approved EPAR claims.

| Approved Projects | |
|--|--|
| MR145 (Woodburn-Coraki Rd) Washed out shoulder | Restoration construction works currently being undertaken by Council Roads & Drainage team. |
| James Lane Rappville sinkhole | Restoration construction works completed. |
| Naughtons Gap Road Landslip | Contracts issued, design has commenced, geotechnical engaged, project has commenced. |
| Busby Flat Road Pikapene Landslip | Majority of the work has been completed, site remediation pending Upper Cherry Tree Road claim for removal of stockpile. |
| Evans Head Footpath Slip | Project under procurement. |

TfNSW is currently undertaking the assessment of the following EPAR claims: Ainsworth Road; Bentley Road Landslip; Rappville Road; Hare Street, Casino MR145; Local Roads Street Signage, and Forest Street Coraki (submitted)

Council staff are currently reviewing the following EPAR claims which include: Spring Grove Road; Richmond Terrace; Manifold Road; Upper Stratheden Road; Sextonville Road; McDonalds Bridge Road; Woodburn and Evans Head township Urban roads, and drainage in Broadwater, Woodburn, and Casino.

Following the quality assurance and review of claims from Indras Pty Ltd, Council will complete the final quality assurance check prior to lodgement of the claims with TfNSW. It is estimated that an additional 19 claims are required to be reviewed, planned, and scoped for submission. This assessment work is scheduled for completion by the end of November and mostly relates to the landslip damages within the Local Government Area.

ATTACHMENT(S)

Nil

19.2 OUTCOME OF THE COMMUNITY FINANCIAL ASSISTANCE PROGRAM 2023/2024 ROUND ONE FUNDING

Director: Angela Jones

Responsible Officer: Marie Cullen

RECOMMENDATION

That Council receives and notes the allocations under the Community Financial Assistance Program 2023/2024 Round One.

REPORT

Under Section 356 of the *Local Government Act 1993* (The Act) Council may by resolution contribute financial assistance to individuals, groups and organisations seeking financial assistance. At the February 2022 Ordinary Meeting Council resolved to delegate authority to the General Manager to approve the allocation of funds in accordance with Council's Policy 1.2 Community Financial Assistance Program.

Council has allocated \$79,585.00 in the 2023/2024 budget for the Community Financial Assistance Program. The policy provides for two approximately equal funding rounds, allowing for \$38,830.00 to be allocated in this first round. This round of funding was advertised in August/September 2023 and Council received 20 applications.

All applications received have been reviewed in accordance with the policy and all 20 applications were deemed eligible. 14 projects will be partially or fully funded in this round.

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

Councillors had an opportunity to review the proposals and provide feedback at a workshop on 8 November 2023, with the General Manager approving the allocation of funds under delegation.

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

| Organisation | Purpose of funding | Amount allocated |
|--------------------------------------|---|------------------|
| Evans Head Bombers JRLC | Purchase training gear to support the launch of a junior rugby league club for Evans Head and surrounding communities. | \$5,000.00 |
| Broadwater Community Hall | Install an attic ladder to provide a permanent, safe, flood-free storage area, allowing the Hall to be better prepared for flood events and reduce the loss of valuable assets. | \$3,998.00 |
| Broadwater Koala Reserve Trust | The manufacture and installation of replacement picnic tables for visitors to the Koala Reserve, in partnership with the Green Team at Evans Head K-12 School. | \$1,610.00 |
| Evans Head Recreation Hall Committee | Purchase defib (AED) machine for use by Hall users if required. | \$2,017.00 |
| Stan Payne Memorial Oval | Replace barbecue at the oval, to support large events and sporting clubs using the facilities. | \$2,140.00 |

| | | |
|--|---|--------------------|
| The Scout Association of Australia NSW Branch | Improve security of Scout Hall through tiered master-key system and replacing front doors with metal-clad solid doors fitted with panic bars and a tamper-proof locking mechanism. | \$5,000.00 |
| Clovass McKees Hill Soldiers Memorial and Community Hall Incorporated | Internal painting of the Hall's foyer and toilets to maintain hall for community use. | \$5,000.00 |
| Coraki Rural Transaction Centre | Support the printing and distribution costs of Coraki News, a monthly newsletter to keep the community informed of local news and events. | \$500.00 |
| Rotary Club of Casino Inc | Purchase a specifically modified 6 x 4 builders trailer to store and transport all necessary catering equipment, making it easier to cater for community events and respond to natural disasters. | \$5,000.00 |
| Coraki Community Gardens | Introduce a medicinal and/or pollination garden to existing community garden, to help increase community education and connectedness. | \$1,000.00 |
| Evans River Rugby Union Club | Purchase a variety of training equipment such as tackle mats, agility poles, tackle shields and balls to continue educating juniors in how to safely play rugby. | \$3,000.00 |
| Pacific Coast Railway Society Inc trading as Casino Miniature Railway & Museum | Purchase a laptop and printer to help maintain records, administration requirements and promotion. | \$1,918.00 |
| Evans Head Living Museum | Purchase a stick vacuum cleaner and convection oven to help clean the museum and cater for the various exhibitions, reunions and meetings hosted by the museum. | \$1,348.00 |
| Evans Head Men's Shed | Purchase and install a dishwasher to encourage more group cooking activities. | \$1,299.00 |
| | TOTAL | \$38,830.00 |

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

- Backyard Sessions (auspiced by Mid Richmond Neighbourhood Centre)
- Casino RSM Youth Club
- Fortem Australia Limited
- Northern Rivers Dirty Wheels Mountain Bike Club Inc
- The Big Scrub Orchestra (auspiced by Rappville Public School)
- The New Italy Museum Inc.

ATTACHMENT(S)

Nil

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

Director: Angela Jones

Responsible Officer: Andy Edwards

RECOMMENDATION

That Council receives and notes the Development Application report for the period 1 October 2023 to 31 October 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 October 2023 to 31 October 2023 was twelve (12), with a total value of \$3,393,519.00.

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

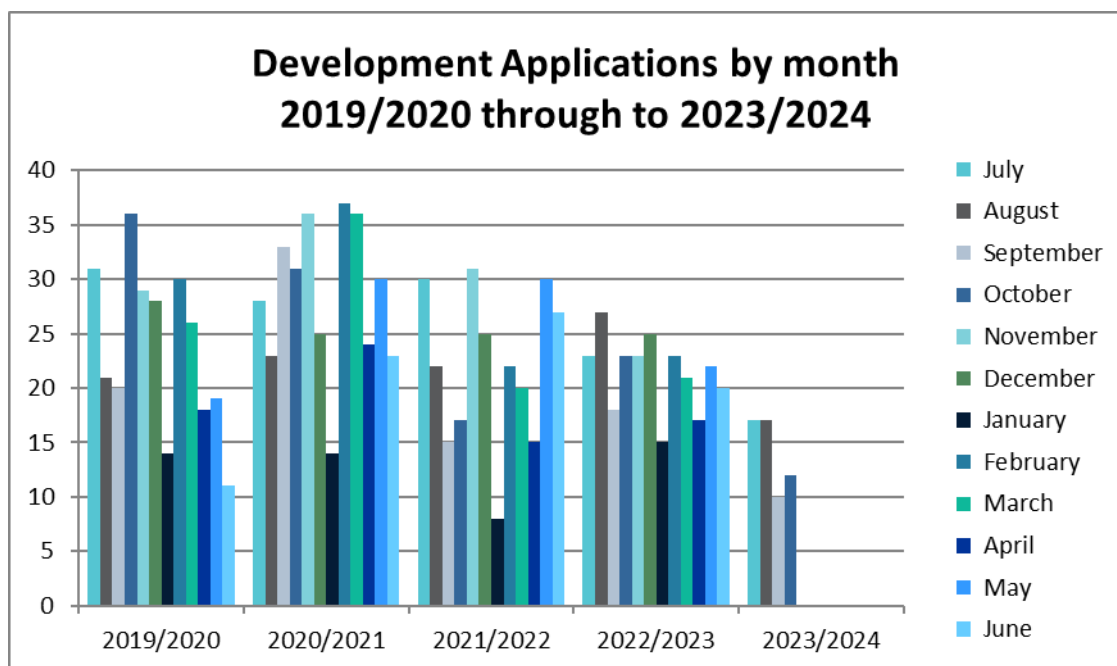


Figure 1: Monthly number of development applications processed by Council over five financial years.

Figure 2 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 October 2023.

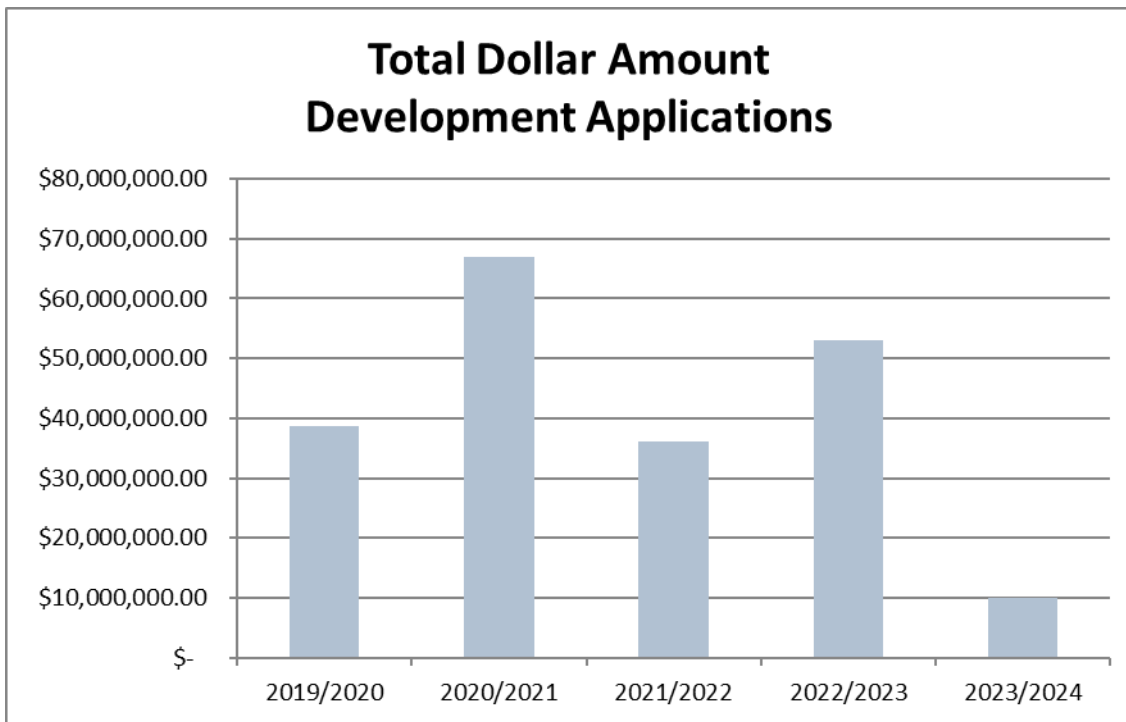


Figure 2: Annual value of development

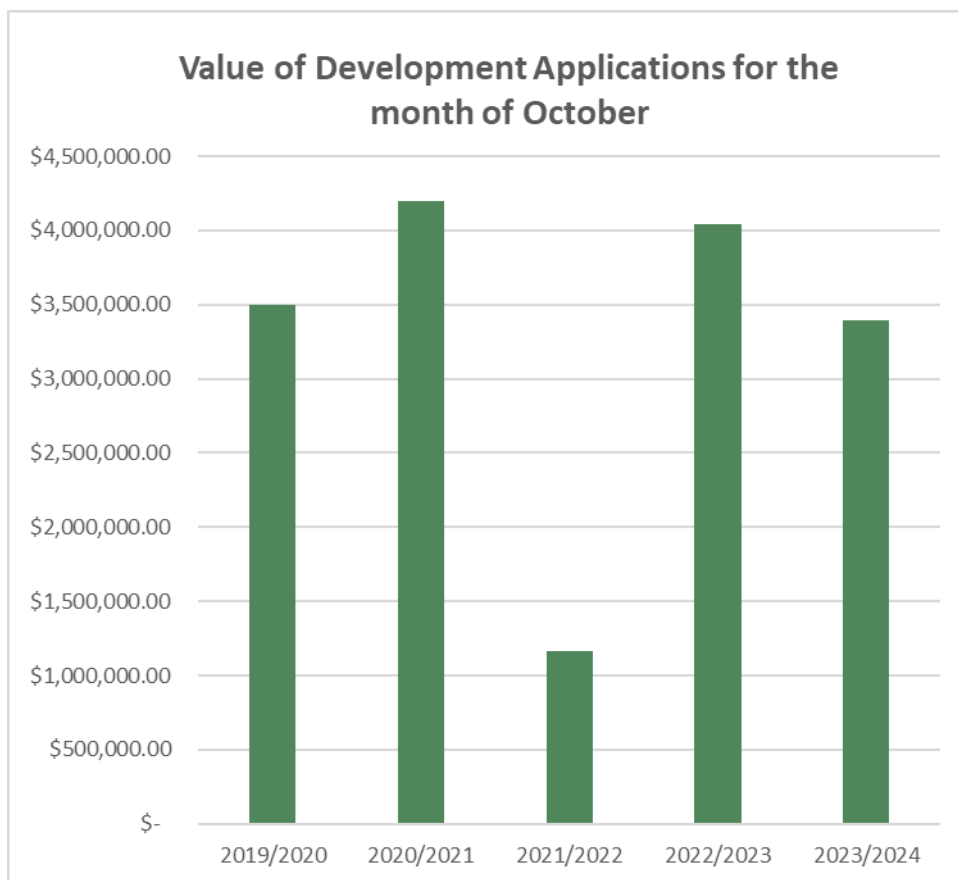


Figure 3: Value of development for the month of October 2023

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.

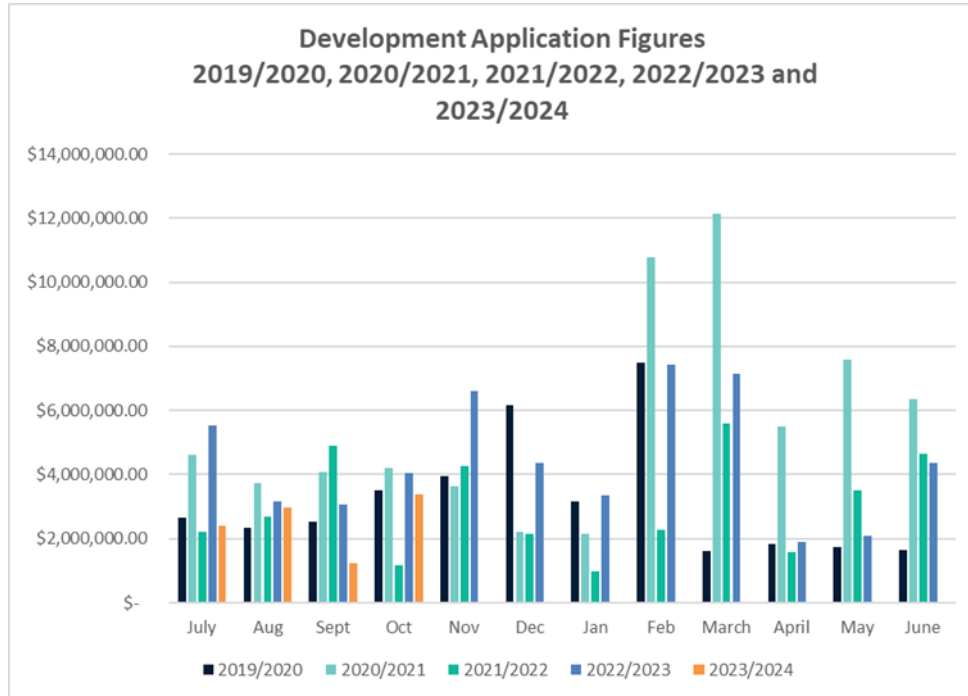


Figure 5: Value of development applications per month over five financial years.

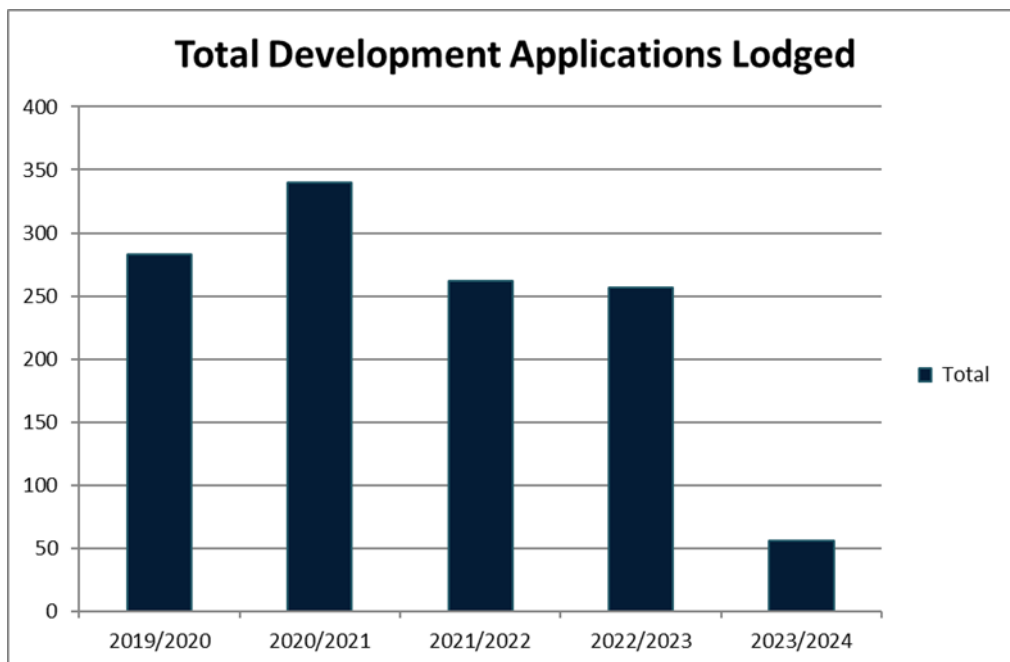


Figure 6: Number of Development Applications per annum over five financial years

Activity for the month of October 2023

| | |
|---|------------|
| General Approvals (excluding Subdivisions, Section 4.55) | 8 |
| Section 4.55 amendments to original consent | 0 |
| Subdivision | 3 |
| Refused | 0 |
| Rejected | 0 |
| Withdrawn | 0 |
| Complying Development (Council Approved) | 1 |
| Complying Development (Private Certifier Approved) | 0 |
| TOTAL NUMBER OF APPLICATIONS DETERMINED (Excluding withdrawn applications) | 12 |
| Average assessment days for applications determined in October 2023 | 46 |
| No. of Integrated development applications determined in October 2023 | 4 |
| No. of Designated development applications determined in October 2023 | 0 |
| No. of building/ compliance inspections undertaken in October 2023 | 155 |

ATTACHMENT(S)

Nil

| Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 October 2023 to 31 October 2023 | | | | | | | |
|---|-------------------------------------|--|--|--|-------------|--------------------|----------------|
| Application ID | Applicant | Owners | Location | Development | Date Lodged | Determination Date | Estimated Cost |
| DA2023/0165 | J McKay | D R Riddell & J G Riddell | 4 Wirraway Avenue, Evans Head | Conversion of 2 units into a single, two storey dwelling including new decks to both levels, a new carport, and a new shed. | 19/04/2023 | 20/10/2023 | \$654,101.00 |
| DA2023/0193 | Pinnacle Sheds Pty Ltd | P S Plummer, A M Plummer, D B Faulkner | 37 Woodburn Street, Woodburn | As built carport to be enclosed to create a shed with toilet facilities | 20/06/2023 | 12/10/2023 | \$39,025.00 |
| DA2024/0004 | Ardill Payne & Partners | E I Franco & W L Franco | 33 Baraang Drive, Broadwater | Construction of a boat ramp and jetty | 17/07/2023 | 12/10/2023 | \$31,350.00 |
| DA2024/0009 | Professional Planning Group - PPlan | W A Ridley, J P Ridley, J W Ridley | 3 Ferrier Court, Casino | Detached Dual Occupancy with garage, ancillary earthworks and retaining walls | 18/07/2023 | 19/10/2023 | \$749,351.00 |
| DA2024/0022 | M C Foster | M C Foster | 3850 Bruxner Highway, Woodview | Extension of kitchen and living area by 2.2m to the South, along with a proposed covered deck | 9/08/2023 | 3/10/2023 | \$139,700.00 |
| DA2024/0023 | P A Gill | P A Gill & J E Gill | 4 Woodside Grove, Casino | Extensions to Bedroom and add ensuite | 11/08/2023 | 13/10/2023 | \$84,200.00 |
| DA2024/0028 | R B Gamer | L J Flack & R B Gamer | 84 Gregors Road, Spring Grove | Internal alterations and additions to existing dwelling including enclosing part of existing deck area to convert to dining room | 24/08/2023 | 13/10/2023 | \$160,000.00 |
| DA2024/0029 | Steve Ryan Builder Pty Ltd | Steve Ryan Builder Pty Ltd | 2 Ferrier Court, Casino | Construction of a detached dual occupancy and strata title subdivision | 24/08/2023 | 5/10/2023 | \$673,500.00 |
| DA2024/0032 | Hayes Building Consultancy | Barbami Pty Ltd | 16 Flame Street, Evans Head | Construction of two dwellings to create a detached dual occupancy, Torrens Title Subdivision to create two lots and associated works | 7/09/2023 | 17/10/2023 | \$783,200.00 |
| DA2024/0033 | Certifiers2U | S J Carr | 198 Bundocks Road, Casino | Construction of inground concrete swimming pool with associated pool fencing | 14/09/2023 | 19/10/2023 | \$59,620.00 |
| DA2024/0035 | Newton Denny Chapelle | B A Hannigan & A L Hannigan | 7 Bennis Road, Casino & 42 Llewellyns Road, Casino | Proposed boundary adjustment between Lot 1 & Lot 2 DP1265325 | 19/09/2023 | 19/10/2023 | \$0.00 |

| Summary of Council Certified Development Applications determined under the Environmental Planning and Assessment Act for the period 1 October 2023 to 31 October 2023 | | | | | | | |
|---|-----------|-----------|------------------------|--|-------------|--------------------|----------------|
| Application ID | Applicant | Owners | Location | Development | Date Lodged | Determination Date | Estimated Cost |
| CDC2024/0011 | J R James | J R James | 9 Surry Street, Coraki | Construction of a covered deck extension to an existing dwelling | 12/10/2023 | 31/10/2023 | \$19,472.00 |

| Summary of Flood Affected Development Applications determined under the Environmental Planning and Assessment Act for the period 1 October 2023 to 31 October 2023 | | | | | | | |
|---|-----------|--------|----------|-------------|-------------|--------------------|----------------|
| Application ID | Applicant | Owners | Location | Development | Date Lodged | Determination Date | Estimated Cost |
| Nil | | | | | | | |
| Summary of Privately Certified Applications determined under the Environmental Planning and Assessment Act for the period 1 October 2023 to 31 October 2023 | | | | | | | |
| Application ID | Applicant | Owners | Location | Development | Date Lodged | Determination Date | Estimated Cost |
| Nil | | | | | | | |
| Summary of Development Applications determined under the Environmental Planning and Assessment Act with a Clause 4.6 Variation for the period 1 October 2023 to 31 October 2023 | | | | | | | |
| Application ID | Applicant | Owners | Location | Development | Date Lodged | Determination Date | Estimated Cost |
| Nil | | | | | | | |
| Summary of Development Applications Refused under the Environmental Planning and Assessment Act for the period 1 October 2023 to 31 October 2023 | | | | | | | |
| Application ID | Applicant | Owners | Location | Development | Date Lodged | Determination Date | Estimated Cost |
| Nil | | | | | | | |

19.4 GRANT APPLICATION INFORMATION REPORT - OCTOBER 2023

Director: Ryan Gaiter

Responsible Officer: Rylee Vidler

RECOMMENDATION

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

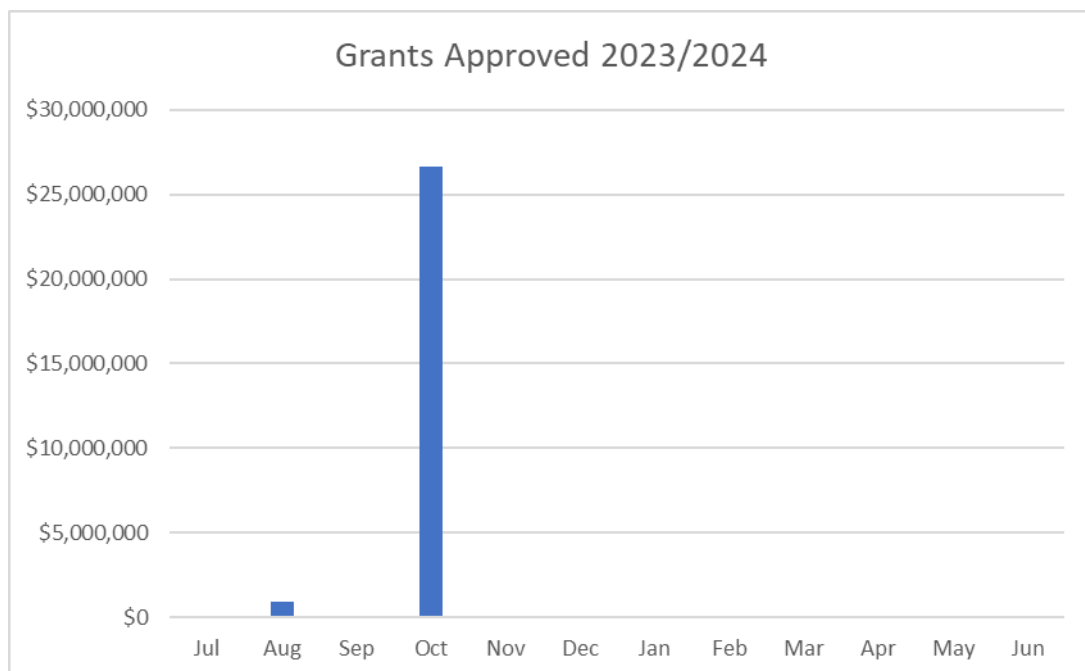
REPORT

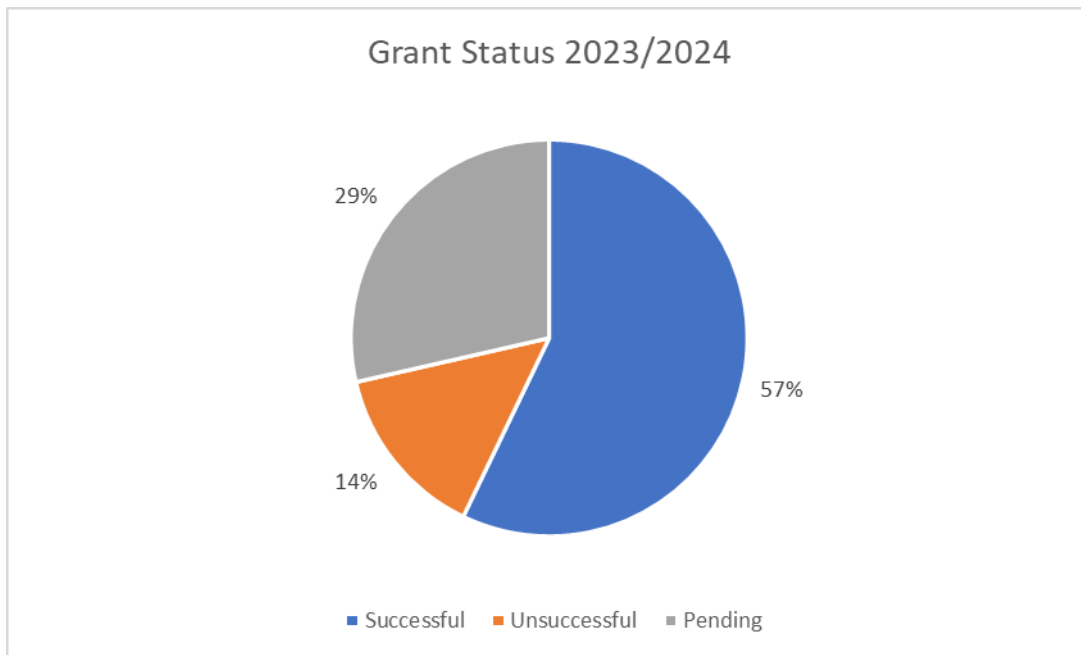
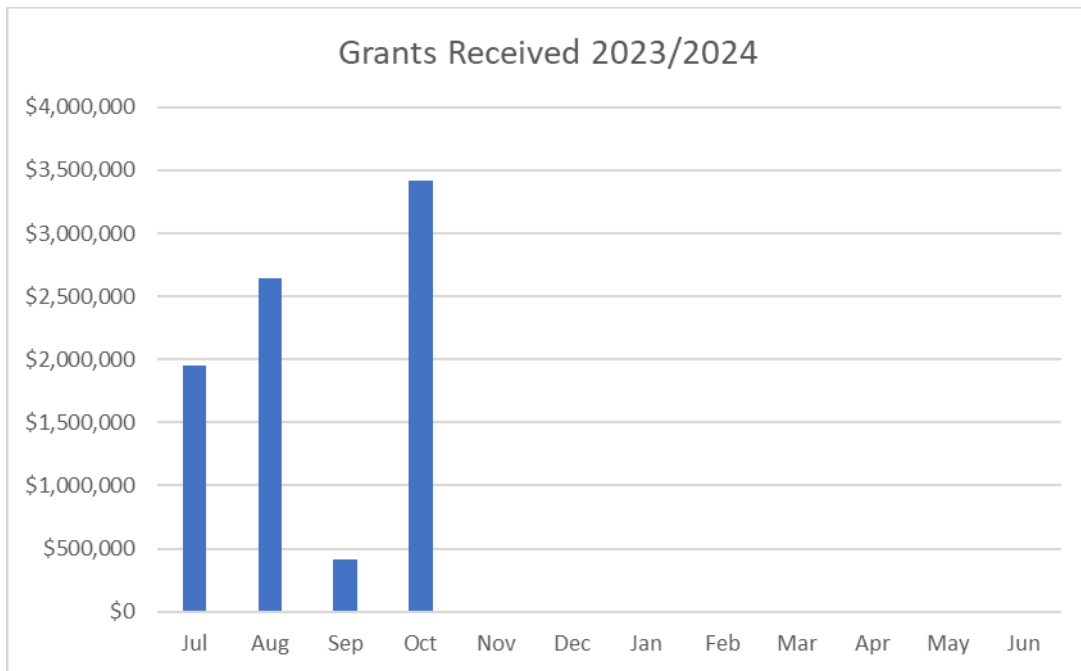
This report provides information on grant applications that have been approved, grants that have been received, grant applications that were unsuccessful and grant applications that were submitted for the month of October 2023.

During the reporting period, there were eight grants approved and one submitted. Council was not notified of any unsuccessful grant applications.

Council received funding for 11 grants totalling \$3,415,564, and there are 2 pending applications from the previous financial year outstanding.

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





Grants that have been approved

| Project Name | Funding Body | Funding Name | Project Value | Grant Funding | Council Funding | Application Submitted | Date Approved |
|---|---------------------------|---|---------------|---------------|-----------------|-----------------------|-----------------|
| NSW Severe Weather and Flooding from 22 February onwards - AGRN 1012 EPAR Works | Transport for NSW (State) | Disaster Recovery Funding Arrangements (DRFA) | \$13,692,694 | \$13,692,694 | \$ - | N/A | Various |
| Comment: Council has been approved for the following EPAR projects: Naughtons Gap Landslip, James Lane, Woodburn Coraki Rd, Pickapene Landslip, Evans Head Footpath. Note: This is a cumulative total for all EPAR projects approved, previously reported \$884,918 | | | | | | | |
| Betterment of NRLX Effluent Management | Regional NSW (State) | Infrastructure Betterment Fund | \$ 5,750,000 | \$ 5,750,000 | \$ - | 15 December 2022 | 13 October 2023 |
| Comment: This funding will allow Council to increase effluent pond wall heights, increase perimeter wall heights including increases in perimeter flow channel sizes, stabilisation and improvements of effluent pond walls, lining of effluent pond to prevent leaching. | | | | | | | |
| Betterment of Casino Netball Clubhouse | Regional NSW (State) | Community Asset Program | \$ 1,385,750 | \$ 1,385,750 | \$ - | 27 March 2023 | 13 October 2023 |
| Comment: This funding will allow Council to demolish the existing clubhouse and construct a new and improved facility for netball at Colley Park. | | | | | | | |
| Betterment of Woodburn Memorial Hall Carpark | Regional NSW (State) | Community Asset Program | \$ 234,647 | \$ 234,647 | \$ - | 27 March 2023 | 13 October 2023 |
| Comment: This funding will allow Council to formalise Woodburn Memorial Hall Carpark to make the asset more flood resilient. | | | | | | | |
| Betterment of Casino Swimming Clubhouse | Regional NSW (State) | Community Asset Program | \$ 546,875 | \$ 546,875 | \$ - | 27 March 2023 | 13 October 2023 |
| Comment: This funding will allow Council to demolish the existing clubhouse and construct a new and improved clubhouse facility. | | | | | | | |

| Project Name | Funding Body | Funding Name | Project Value | Grant Funding | Council Funding | Application Submitted | Date Approved |
|--|----------------------|-------------------------|---------------|---------------|-----------------|-----------------------|-----------------|
| Betterment of Casino Junior Rugby League Clubhouse | Regional NSW (State) | Community Asset Program | \$ 1,607,825 | \$ 1,607,825 | \$ - | 27 March 2023 | 13 October 2023 |
| Comment: This funding will allow Council to construct the extension of a multi-purpose, flood and storm resilient clubhouse building and new grandstand to accommodate the public and user groups. | | | | | | | |
| Betterment of Woodburn Pony and Tennis Clubhouse | Regional NSW (State) | Community Asset Program | \$ 840,000 | \$ 840,000 | \$ - | 27 March 2023 | 13 October 2023 |
| Comment: This funding will allow Council to construct a new multi-purpose, flood resilient clubhouse building for both the Pony Club and Tennis Club of Woodburn. | | | | | | | |
| Betterment of Casino Footbridge | Regional NSW (State) | Community Asset Program | \$ 3,505,767 | \$ 3,505,767 | \$ - | 27 March 2023 | 13 October 2023 |
| Comment: This funding will allow Council to construct a suspension bridge as a shared cycle and pedestrian pathway from the CBD to South Casino residential and recreational spaces. | | | | | | | |

Grants that have been received

| Project Name | Funding Body | Funding Name | Project Value | Grant Funding | Council Funding | Application Submitted | Date Received | Total Received |
|--|---|---|---------------|---------------|-----------------|-----------------------|-------------------------------|----------------|
| A Sporting Chance | National Recovery and Resilience Agency (Federal) | Black Summer Bushfire Recovery Grants Program | \$ 506,000 | \$ 476,000 | \$ 30,000 | 6 October 2021 | \$ 285,600 12 October 2023 | \$ 428,400 |
| Comment: | | | | | | | | |
| Thearles Canal culvert upgrade to improve drainage | National Emergency Management Agency (Federal) | Northern Rivers Resilience Initiative Phase 1 | \$ 1,478,414 | \$ 1,478,414 | \$ - | N/A | \$ 30,000 19 October 2023 | \$ 30,000 |
| Comment: Milestone 1 payment | | | | | | | | |

| Project Name | Funding Body | Funding Name | Project Value | Grant Funding | Council Funding | Application Submitted | Date Received | Total Received |
|--|--|---|---------------|---------------|-----------------|-------------------------|-------------------------------|----------------|
| Richmond Valley RJP Flood Impact Assessment | Department of Regional NSW (State) | Richmond Valley RJP Flood Study | \$ 122,405 | \$ 87,405 | \$ 35,000 | N/A | \$ 31,458 19 October 2023 | \$ 87,405 |
| Comment: Completion of Stages 4 & 5. | | | | | | | | |
| Public Library Subsidy 2023/2024 | State Library NSW (State) | Public Library Subsidy | \$ 134,775 | \$ 134,775 | \$ - | N/A - Annual Allocation | \$ 134,775 23 October 2023 | \$ 134,775 |
| Comment: Per Capita Subsidy of \$67,462 and subsidy adjustment of \$67,312 received. | | | | | | | | |
| Dairy Flat Road Improvement | National Emergency Management Agency (Federal) | Northern Rivers Resilience Initiative Phase 1 | \$ 4,160,679 | \$ 4,160,679 | \$ - | N/A | \$ 211,202 23 October 2023 | \$ 211,202 |
| Comment: Milestone 1 payment | | | | | | | | |
| Regional Roads Block Grant 2023/2024 | Transport for NSW (State) | Regional Roads Block Grant | \$ 1,072,000 | \$ 1,072,000 | \$ - | N/A - Annual Allocation | \$ 536,000 25 October 2023 | \$ 536,000 |
| Comment: Funding received for 50% of allocation. The remaining 50% will be received in January 2024. | | | | | | | | |
| NSW Storms and Floods March 2021 Essential Public Asset Reconstruction Works Jackybulbin Bridge | Transport for NSW (State) | Disaster Recovery Funding Arrangements (DRFA) | \$ 1,250,300 | \$ 1,250,300 | \$ - | N/A | \$ 970,751 25 October 2023 | \$ 988,581 |
| Comment: Progress payment for works completed on Jackybulbin Bridge | | | | | | | | |
| NSW Storms and Floods March 2021 Essential Public Asset Reconstruction Works | Transport for NSW (State) | Disaster Recovery Funding Arrangements (DRFA) | \$ 5,800,000 | \$ 5,800,000 | \$ - | N/A | \$ 474,552 25 October 2023 | \$ 2,023,723 |
| Comment: Progress payment for Queen Elizabeth Drive culverts. | | | | | | | | |
| Lollback Bridge | Transport for NSW (State) | Fixing Country Bridges Round 2 | \$ 583,902 | \$ 583,902 | \$ - | 23 November 2021 | \$ 116,780 25 October 2023 | \$ 350,341 |
| Comment: Next 20% of funding received per Milestone Agreement | | | | | | | | |

| Project Name | Funding Body | Funding Name | Project Value | Grant Funding | Council Funding | Application Submitted | Date Received | Total Received |
|---|---------------------------|---|---------------|---------------|-----------------|-----------------------|-------------------------------|----------------|
| Reynolds Road Bridge | Transport for NSW (State) | Fixing Country Bridges Round 2 | \$ 1,285,800 | \$ 1,285,800 | \$ - | 23 November 2021 | \$ 257,160 25 October 2023 | \$ 771,480 |
| Comment: Next 20% of funding received per Milestone Agreement | | | | | | | | |
| NSW Severe Weather and Flooding from 22 February onwards - AGRN 1012 EPAR Works | Transport for NSW (State) | Disaster Recovery Funding Arrangements (DRFA) | \$13,692,694 | \$13,692,694 | \$ - | N/A | \$ 367,285 25 October 2023 | \$ 367,285 |
| Comment: Progress payment for works completed at Pickapene Landslip | | | | | | | | |

Grant Applications Submitted

| Project Name | Funding Body | Funding Name | Project Value | Grant Funding | Council Funding | Application Submitted |
|---|--|-------------------------------------|---------------|---------------|-----------------|-----------------------|
| Richmond Valley Australia Day Celebrations | National Australia Day Council (Federal) | Australia Day 2024 Community Grants | \$ 16,500 | \$ 10,000 | \$ 6,500 | 9 October 2023 |
| Comment: If successful, this funding will be used to deliver activities and entertainment for the Richmond Valley on Australia Day. | | | | | | |

ATTACHMENT(S)

Nil

19.5 LETTER TO MINISTER FOR PLANNING & PUBLIC SPACES - WOODBURN VILLAGE: IMPACTS OF RESILIENT HOMES BUY-BACK SCHEME**Author: Vaughan Macdonald****RECOMMENDATION**

That Council notes the correspondence provided to the Minister for Planning and Public Spaces regarding Woodburn Village and the impacts of the Resilient Homes buy-back scheme.

SUMMARY OF CORRESPONDENCE

Council resolved the following at its October Ordinary meeting, in response to a Notice of Motion from Cr Hayes:

“That Council writes to the Minister for Planning and Public Spaces and the CEO of the NSW Reconstruction Authority expressing its concern for the potential impacts of large-scale housing buy backs on the future of Woodburn and seeking alternative solutions that support flood-affected residents of the village to remain connected with their community.”

A copy of the letter provided is attached. Council has not yet received a response from the Minister nor the Reconstruction Authority.

Council is also still awaiting a response to two letters issued to the Premier, following previous Council resolutions. The first letter, regarding local flood recovery priorities, was in response to a resolution of Council’s July Ordinary Meeting. The second letter, regarding a request for further rating relief for flood affected residents, was in response to a resolution of Council’s August Ordinary Meeting. Council continues to make representations seeking responses to these matters.

ATTACHMENT(S)

- 1. Minister Planning & Public Spaces - Woodburn Village: Impacts of Resilient Homes Buy-back Scheme**



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

6 November 2023

The Hon. Paul Scully MP
Minister for Planning and Public Spaces
GPO Box 5341
SYDNEY NSW 2001
Via: online portal

Dear Minister Scully

Woodburn Village: Impacts of Resilient Homes buy-back scheme

Richmond Valley Council resolved at its 17 October 2023 Council Meeting to write to you, as well as the CEO of the NSW Reconstruction Authority, expressing its concern for the potential impacts of large-scale housing buy backs on the future of Woodburn and seeking alternative solutions that support flood-affected residents of the village to remain connected with their community.

As you know from your recent visits to our region, the village of Woodburn was severely impacted in the catastrophic flooding of 2022. Many will recall the distressing media images of residents huddled in the middle of the Woodburn bridge, waiting for rescue. Since that time Richmond Valley Council has been working closely with the community and Government representatives to support Woodburn's long-term recovery. This work has occurred against the backdrop of the formation of the Northern Rivers Reconstruction Corporation and its subsequent integration with the NSW Reconstruction Authority, and the implementation of the Resilient Homes program.

Although Council was concerned with the initial roll-out of the Resilient Homes program, I am pleased that we are now working in a positive partnership with the Reconstruction Authority to address the long-term concerns of this community. Specifically, Richmond Valley Council was able to finalise arrangements last week for a partnership with the Reconstruction Authority to develop a pilot project, combining Place Planning and Adaptation Planning principles for our four Mid Richmond communities of Woodburn, Broadwater, Coraki and Evans Head. This is an exciting opportunity to develop appropriate long-term solutions for these communities and Council would like to acknowledge the Reconstruction Authority's support and proactive approach in this matter.

As our Council's October resolution notes, flood-affected communities such as Woodburn are deeply concerned for their future and the long-term connections to place and family that have been established over many generations in this village and surrounding areas. The residents of Woodburn are keen to explore all possible

Love where we live and work



alternatives in terms of addressing the on-going flood risks to their community and providing for long-term sustainability.

In this regard, we would welcome continued conversations with the Reconstruction Authority as to how best any future Resilient Homes funding may be applied in communities such as Woodburn, to support community cohesion and continued connection to place. While it is acknowledged that housing buy backs may be the most appropriate solution in some high-risk situations, flood-affected communities are eager to explore as many risk-mitigation options as possible to provide a range of adaptation choices. Council looks forward to exploring these matters further with the Woodburn community through the combined Place Planning/Adaptation Planning pilot in partnership with the Authority.

Thank you for the opportunity to raise these issues with you on behalf of our community. I would like to extend a personal invitation to you to visit the Richmond Valley again, at a suitable time, to view our progress on flood recovery and the pilot project, and further discuss our community's needs and priorities.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'R Mustow', with a long horizontal flourish extending to the right.

Cr Robert Mustow
Mayor

19.6 CODE OF CONDUCT COMPLAINT STATISTICS**Director:** Ryan Gaiter**Responsible Officer:** Kate Ailder-Conn**RECOMMENDATION**

That Council receives and notes the Code of Conduct Complaint Statistics for the period 1 September 2022 to 31 August 2023.

REPORT

Councils in NSW are required to report on Code of Conduct complaint statistics, within three months of the end of September each year.

The requirements are outlined in Clause 11.1 and 11.2 of the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*, with the report being forwarded to the Office of Local Government.

Council has received one Code of Conduct complaint during this period. This complaint was investigated and there was found to be no breach.

A copy of the complaint statistics report for the period 1 September 2022 to 31 August 2023 is included on the following pages.

Model Code of Conduct Complaints Statistics Richmond Valley Council

Number of Complaints

| | | | |
|---|---|---|---|
| 1 | a | The total number of complaints received in the period about councillors and the General Manager (GM) under the code of conduct | 1 |
| | b | The total number of complaints finalised in the period about councillors and the GM under the code of conduct | 1 |

Overview of Complaints and Cost

| | | | |
|---|---|--|-------|
| 2 | a | The number of complaints finalised at the outset by alternative means by the GM or Mayor | 0 |
| | b | The number of complaints referred to the Office of Local Government (OLG) under a special complaints management arrangement | 0 |
| | c | The number of code of conduct complaints referred to a conduct reviewer | 0 |
| | d | The number of code of conduct complaints finalised at preliminary assessment by conduct reviewer | 0 |
| | e | The number of code of conduct complaints referred back to GM or Mayor for resolution after preliminary assessment by conduct reviewer | 0 |
| | f | The number of finalised code of conduct complaints investigated by a conduct reviewer | 0 |
| | g | The number of finalised complaints investigated where there was found to be no breach | 1 |
| | h | The number of finalised complaints investigated where there was found to be a breach | 0 |
| | i | The number of complaints referred by the GM or Mayor to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police | 0 |
| | j | The number of complaints being investigated that are not yet finalised | 0 |
| | k | The total cost of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs | 2,569 |

Preliminary Assessment Statistics

3 The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions:

- a To take no action (clause 6.13(a) of the 2020 Procedures) 0
- b To resolve the complaint by alternative and appropriate strategies (clause 6.13(b) of the 2020 Procedures) 0
- c To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies (clause 6.13(c) of the 2020 Procedures) 0
- d To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police (clause 6.13(d) of the 2020 Procedures) 0
- e To investigate the matter (clause 6.13(e) of the 2020 Procedures) 0

Investigation Statistics

4 The number of investigated complaints resulting in a determination that there was **no breach**, in which the following recommendations were made:

- a That the council revise its policies or procedures 0
- b That a person or persons undertake training or other education (clause 7.40 of the 2020 Procedures) 0

5 The number of investigated complaints resulting in a determination that there **was a breach** in which the following recommendations were made:

- a That the council revise any of its policies or procedures (clause 7.39 of the 2020 Procedures) 0
- b In the case of a breach by the GM, that action be taken under the GM’s contract for the breach (clause 7.37(a) of the 2020 Procedures) 0
- c In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 (clause 7.37(b) of the 2020 Procedures) 0
- d In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 and that the matter be referred to OLG for further action (clause 7.37(c) of the 2020 Procedures) 0

6 Matter referred or resolved after commencement of an investigation (clause 7.20 of the 2020 Procedures) 0

Categories of misconduct

| | | |
|---|---|---|
| 7 | The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct: | |
| a | General conduct (Part 3) | 0 |
| b | Non-pecuniary conflict of interest (Part 5) | 0 |
| c | Personal benefit (Part 6) | 0 |
| d | Relationship between council officials (Part 7) | 0 |
| e | Access to information and resources (Part 8) | 0 |

Outcome of determinations

| | | |
|---|--|---|
| 8 | The number of investigated complaints resulting in a determination that there was a breach in which the council failed to adopt the conduct reviewers recommendation | 0 |
| 9 | The number of investigated complaints resulting in a determination that there was a breach in which the council's decision was overturned following a review by OLG | 0 |

ATTACHMENT(S)

Nil

19.7 AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES

Director: Ryan Gaiter

RECOMMENDATION

That Council receives and notes the Minutes of the Audit, Risk and Improvement Committee held on 12 October 2023.

ATTACHMENT(S)

- 1. Minutes of the Audit Risk and Improvement Committee Meeting held on 12 October 2023**

Richmond
Valley
Council



MINUTES

Audit, Risk & Improvement Committee Meeting

12 October 2023

AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING MINUTES**12 OCTOBER 2023**

ORDER OF BUSINESS

| | | |
|----------|--|----------|
| 1 | WELCOME | 3 |
| 2 | APOLOGIES | 3 |
| 3 | DECLARATION OF INTERESTS | 3 |
| 4 | CONFIRMATION OF MINUTES | 3 |
| 4.1 | Minutes of the Audit, Risk & Improvement Committee Meeting held on 31 August 2023..... | 3 |
| 5 | MATTERS FOR CONSIDERATION | 3 |
| 5.1 | Update on the Actions of the Previous Meeting..... | 3 |
| 5.2 | 2022/2023 Financial Statements and Auditor's Reports | 4 |

AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING MINUTES

12 OCTOBER 2023

**MINUTES OF RICHMOND VALLEY COUNCIL
AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBERS, 10 GRAHAM PLACE, CASINO
ON THURSDAY, 12 OCTOBER 2023 AT 4PM**

PRESENT: Chairperson Ron Gillard, Member Jesse Jo, Member Emma Fountain

IN ATTENDANCE: Ryan Gaiter (Director Organisational Services), Jenna Hazelwood (Chief of Staff), Angela Jones (Director Community Service Delivery), Hayley Martin (Principal Accountant), Latoya Cooper (Executive Assistant), Adam Bradfield (Thomas Noble Russell), Ben Rogers (Thomas Noble Russell), Quentin Wong (Audit Office NSW)

1 WELCOME

2 APOLOGIES

Vaughan Macdonald (General Manager), Ben Zeller (Director Projects & Business Development)

3 DECLARATION OF INTERESTS

Nil.

4 CONFIRMATION OF MINUTES

4.1 MINUTES OF THE AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING HELD ON 31 AUGUST 2023

COMMITTEE RESOLUTION IA121023/1

Moved: Member Emma Fountain

Seconded: Member Jesse Jo

That the Minutes of the Audit, Risk & Improvement Committee Meeting, held on 31 August 2023, be taken as read and confirmed as a true record of proceedings.

CARRIED

5 MATTERS FOR CONSIDERATION

5.1 UPDATE ON THE ACTIONS OF THE PREVIOUS MEETING

COMMITTEE RESOLUTION IA121023/2

Moved: Member Jesse Jo

Seconded: Member Emma Fountain

That the Committee notes the update on the actions of the previous meeting document.

CARRIED

5.2 2022/2023 FINANCIAL STATEMENTS AND AUDITOR'S REPORTS**EXECUTIVE SUMMARY**

Council's financial statements for the year ended 30 June 2023 have been prepared and subjected to external audit by the Audit Office of New South Wales. A copy of the draft financial statements and the draft Auditor's Reports have been provided separately to the Audit, Risk and Improvement Committee for their information.

Council's external auditor, the Audit Office of New South Wales and their representative firm, Thomas, Noble and Russell advised they will be attending the Audit, Risk and Improvement Committee Meeting as well as the November Ordinary Meeting of Council to present the Auditor's Reports for the financial year ending 30 June 2023. The reports to be presented to the Audit, Risk and Improvement Committee include the Draft Report on the Conduct of the Audit and the Draft Engagement Closing Report.

COMMITTEE RESOLUTION IA121023/3

Moved: Member Emma Fountain

Seconded: Member Jesse Jo

That Council receives and notes:

1. The Auditor's Engagement Closing Report for the year ended 30 June 2023 and
2. The Draft Financial Statements year ended 30 June 2023.

NOTES:

1. The draft *Conduct of the Audit Report* was unable to be provided to the Committee in advance of the Representation Letters being signed by Council.
2. Continuous improvement – Council to consider a set of financial statements proformas that could be reviewed by the ARIC prior to drafts being referred to audit.
3. Minor grammar changes on pages 12, 13, 29, 60, 65 and 81, with clarification of commentary regarding *Material Budget Variations* on page 30.
4. A query was submitted on whether Councils participation in Civic Risk Mutual Ltd should be recognised in the *Balance Sheet*.

CARRIED

The Meeting closed at 4:45 pm.

.....
CHAIRPERSON

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 Industrial Land Development Update

This matter relates to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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 Open Panel Source Tender - Supply & Delivery of Concrete Pipes - REGPRO222324

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

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

22.3 Open Panel Source Tender - Supply and Delivery of passenger, truck and earth moving tyres - REGPRO342324

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).

23 RESOLUTIONS OF CLOSED COUNCIL