

Richmond
Valley
Council



AGENDA

Ordinary Council Meeting

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

Date: Tuesday, 19 November 2024

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 22 OCTOBER 2024

RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting held on 22 October 2024.

REPORT

Refer attached Minutes.

ATTACHMENT(S)

- 1. Unconfirmed Minutes 22 October 2024 (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 16 OCTOBER - 11 NOVEMBER 2024****RECOMMENDATION**

That Council receives and notes the Mayoral Attendance Report for the period 16 October – 11 November 2024.

October

- 19th Gwen Gray Book Launch
- 19th Toohey's Old Boys Sportsmen's Night Evans Head
- 20th Richmond Valley Council, Rous County Council – Where Waters Meet: Coraki River Day
- 20th South View Farm Festival visit
- 21st Stop Iron Gates group - meeting with constituents
- 21st Northern Rivers Community Leaders Forum
- 21st Kevin Hogan MP meeting
- 22nd Tourism Futures Workshop
- 22nd Richmond Valley Council Ordinary meeting
- 25th Flavour Fest, Casino Drill Hall Precinct
- 26th Richmond Valley Councillor Induction Day
- 26th Casino Race Club – Richmond Valley Cup
- 26th Coraki Art Prize Gala night
- 27th Rappville Working Dog Trials
- 29th Citizenship Ceremony
- 30th Rous County Council meeting
- 31st BOM Presentation Seasonal Outlook
- 31st Civic Reception for the Governor-General of Australia, Her Excellency the Honourable Sam Mostyn AC

November

- 1st Official Opening of refurbished St Joseph's Primary School, Woodburn
- 1st Certificate of Service presentation to former staff member Mr Gary Ellem for 45 years of service by Member for Clarence Richie Williamson.
- 1st Certificate of Service presentation to Mr Geoff O'Rourke – 57 years at the Evans Head Fishermens Co-operative.
- 1st Lions Club Convention evening
- 2nd Rappville Melbourne Cup Family Day and Calcutta
- 5th Local Government NSW online forum
- 6th Richmond Valley Councillor Information Session
- 8th Northern Rivers Joint Organisation meeting at Murwillumbah
- 11th Remembrance Day Service at Casino Drill Hall

ATTACHMENT(S)

Nil

12 DELEGATES' REPORTS**12.1 DELEGATES' REPORT NOVEMBER 2024 - ROUS COUNTY COUNCIL****RECOMMENDATION**

That Council receives and notes the Delegates' Report – Rous County Council for November 2024.

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 30 October 2024.

ATTACHMENT(S)

- 1. Rous County Council Meeting Summary 30 October 2024**



Rous County Council Meeting 30 October 2024

Summary of main items of business

General matters

- **Chairperson and Deputy Chairperson elected**

Cr Robert Mustow was elected as Chairperson and Cr Sharon Cadwallader as Deputy Chairperson for the first two years of the term – both served in the same positions last term.

- **Reconciliation Action Plan (RAP) Advisory Group Councillor Members elected**

Cr Sarah Ndiaye was elected as the Chair of the Reconciliation Action Plan Advisory Group, and Cr Elia Hauge as the alternative Chair – both will hold the positions for the duration of the current term of Council.

- **Audit, Risk and Improvement Committee Councillor Members elected**

Cr Elia Hauge was appointed as the primary non-voting member for the Audit Risk and Improvement Committee, and Cr Sarah Ndiaye as the alternative non-voting member – both will hold the positions for the duration of the current term of Council.

- **Local Government NSW Annual Conference**

The Deputy Chairperson and General Manager will attend the 2024 LGNSW Annual Conference at the Tamworth Regional Entertainment and Conference Centre in November 2024.

Council resolved the Deputy Chairperson to be the Council's voting delegate at the Conference.

Financial matters

- **2023/24 Financial Reports presented**

The 2023/2024 (year ended 30 June 2024) financial statements were presented after having been received by the Audit, Risk and Improvement Committee on 14 October 2024.

Public advertising commenced from 30 October 2024 for a minimum of seven days, and public presentation of the final reports will occur at an extraordinary meeting of Council on 27 November 2024.

Council remains in a sound financial position with cash and investments at satisfactory levels to ensure that all current liabilities can be met when they fall due.

For and overview of Key financial indicators refer to Table 1:

**Table 1: Key Financial Indicators**

	2023/24 (\$000's)	2022/23 (\$000's)	2021/22 (\$000's)
Operating Results			
Operating Result (Deficit) before Capital Amounts	(5,250)	(971)	(2,268)
Operating Result Adjusted for Capital Revenue	(148)	4,205	3,363
Performance Measures			
Unrestricted Current Ratio (Benchmark: > 1.5x)	3.62:1	4.02:1	4.26:1
Debt Service Cover Ratio (Benchmark: > 2x)	0.95:1	1.71:1	1.65:1
Building & Infrastructure Renewals Ratio (Benchmark: > 100%)	68.60%	97.05%	61.95%
Performance Measure (including Capital Revenue)			
Debt Service Ratio (Benchmark: > 2x)	1.98:1	2.71:1	2.73:1
Cash on Hand	34,210	37,772	40,554
Plus: Receivables	4,188	4,326	2,994
Less: Payables	(4,075)	(3,598)	(2,907)
Sub Total	34,323	38,500	40,641
Indebtedness	21,530	25,355	28,960
Restrictions			
External	6,039	4,755	5,428
Internal	25,443	30,288	32,421
Total	31,482	35,043	37,849
Equity			
Accumulated Surplus	252,319	252,467	248,262
IPPE Revaluation Reserve	358,720	330,325	273,921
Total Equity (including Revaluations)	611,039	582,792	522,183

- **Quarterly budget review statement**

The Quarterly Budget Review Statement, as at 30 September 2024, was presented and Council authorised a range of variations (Table 1).

Revenue has increased by \$4.8M, operating expenditure has increased by \$6.1M, capital expenditure has decreased by \$5.9M and loan drawdowns have decreased by \$5M, resulting in an overall change of \$0.4M to be transferred from reserves.



(QBR2) Table 1: Summary of Proposed Changes Whole Organisation – September 2024

BUDGET ITEMS	Original Budget 2024/25	2023/24 Carryovers	September	Ref	Projected Year End Result 2024/25
			30-Sep-24 Quarter		
Operating Income					
Bulk	31,058,300	0	391,000	BW1, BW2, BW3, BW4, BW5	31,449,300
Retail	3,966,700	0	(170,800)	RW1, RW2	3,795,900
Flood	1,910,300	0	3,845,800	FM1, FM2, FM3, FM4, FM5, FM6, FM7, FM8, FM9, FM 10, FM11	5,756,100
Weeds	1,632,500	0	804,800	WB1, WB2	2,437,300
Property	162,600	0	(35,700)	P1, P2	126,900
Fleet	123,500	0	0		123,500
TOTAL OPERATING INCOME	38,853,900	0	4,835,100		43,689,000
Operating Expenses					
Bulk	28,211,300	1,923,100	2,580,000	BW3, BW4, BW6, BW7, BW8, BW9, BW10, BW11, BW12, BW13, BW14	32,714,400
Retail	3,959,000	0	13,500	RW3	3,972,500
Flood	2,461,600	278,300	2,634,900	FM7, FM8, FM9, FM10	5,374,800
Weeds	1,794,400	0	968,400	WB1, WB2, WB3, WB4, WB5, WB6	2,762,800
Property	333,400	0	(52,100)	P1, P2	281,300
Fleet	225,300	0	(56,700)	F1	168,600
TOTAL OPERATING EXPENSES	36,985,000	2,201,400	6,088,000		45,274,400
OPERATING RESULT	1,868,900	(2,201,400)	(1,252,900)		(1,585,400)
Exclude Depreciation	8,756,500	0	0		8,756,500
Cash Result	10,625,400	(2,201,400)	(1,252,900)		7,171,000
Less: Capital Expense	38,305,600	6,484,600	(5,891,800)	BW9, BW10, BW11, BW12, BW15, BW16, BW17, BW18, BW19, BW20, BW21, P3, F1 BW22	38,898,400
Add: Loan Funds	30,000,000	0	(5,000,000)		25,000,000
Less: Loan Repayments	4,256,900	0	0		4,256,900
Add: From/Less: (To) Reserve	1,937,100	8,686,000	361,100		10,984,200
Estimated Cash Movement	0	0	0		0

Policy

- **Revised Related Party Disclosure Policy adopted**

From 1 July 2016, the Australian Accounting Standards Board (AASB) determined that AASB 124 related party disclosures would apply to government entities, inclusive of local governments.

Following a review of Council's current policy it was resolved to revoke the Related Party Disclosure Policy, dated 17 August 2022, and adopt a revised Related Party Disclosure Policy with only minor revisions.

- **Revised Investments Policy adopted**

The Investments Policy is subject to an annual review and was last reviewed in December 2023. A review of the policy was completed and no substantial changes were proposed.



Council resolved to revoke the Investments Policy dated 13 December 2023 and adopt a revised Investments Policy with minor changes.

Information reports

Council received and noted a number of information reports. Key items include:

- Investments – September 2024
- Tenders awarded by the General Manager under delegation

- **Investments – as at September 2024**

BANK ACCOUNT SUMMARY	TOTAL
Cheque Account Balance	\$260,953
Weel Account Balance – Cuscal Ltd (Pre-paid Corporate Cards)	\$40,399
TOTAL	\$301,352

INVESTMENT SUMMARY	TOTAL
Business Online Saver Account Balance	\$6,539,709
Term Deposits with Institutions not supporting the Fossil Fuel Industry <i>The assessment of Ethical Financial Institutions is undertaken using www.marketforces.org.au which is an affiliate project of the Friends of the Earth Australia (Refer: Graph D4 - Attachment D).</i>	\$1,500,000 4.61% of current holdings
Other Term Deposits	\$24,500,000
Total Funds Invested <i>Excluding Cheque Account and Weel Balance</i>	\$32,539,709



OTHER INVESTMENT INFORMATION	TOTAL
Interest Earned <i>Interest earned compared to the original budget is \$395,487 above the pro-rata budget. (Refer: Attachment A).</i>	\$134,447
Weighted Average Return <i>This represents an increase of 10 basis points compared from the August 2024 result (4.37%) and is 5 basis point above Council's benchmark (the average 90-day BBSW rate of 4.43%) (Refer: Graph D2 - Attachment D).</i>	4.47%
RBA Cash Rate	4.42%
The 90-day average bank bill swap rate (BBSW)	4.43%

- **Tenders awarded by the General Manager under Delegation**

Council received and noted the information provided relating to tenders accepted and contracts awarded by the General Manager under delegation during the period 1 July 2024 to 30 September 2024.

Tenders / Contracts awarded under delegation by the General Manager for the period:

Tender/Contract	Start Date	Initial Value (Incl GST)	Contractors Name	Category
¹ Nightcap Water Treatment Plant Residual waste disposal	1/7/2024	\$ 286,232.10	Richmond Waste	Maintenance
¹ Cloud Based Payroll System	1/4/2024	\$ 344,602.50	Frontier Software	ICT
Richmond River Ecosystem Health - Catchment-wide Risk-based Planning for on ground works	16/9/2024	\$ 385,000.00	Griffith University	Goods & Services

¹ Delayed record entry into Contracts Register.

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 2024 STATE OF THE RICHMOND VALLEY REPORT

General Manager: Vaughan Macdonald

EXECUTIVE SUMMARY

Councils throughout NSW are required to prepare a “State of the City/Shire” report at the commencement of each new Council term, to report on progress in delivering the community’s long-term goals and priorities and to set the scene for the next review of the Community Strategic Plan (CSP).

The draft 2024 State of the Richmond Valley Report has been prepared and is now presented for Council’s consideration and endorsement. The report highlights key achievements since the current CSP was adopted in June 2023 and also provides a snapshot of the Valley, at the start of the new Council term, addressing current challenges, as well as opportunities. The report will help to inform Council’s next Big Conversation with the community on future directions for the Richmond Valley. A further report on the consultation program will be presented to the December ordinary meeting.

RECOMMENDATION

That Council:

1. Notes the progress achieved during the 2021-24 council term in delivering the Community Strategic Plan objectives and supporting continued flood recovery;
2. Endorses the 2024 State of the Richmond Valley Report for public release; and
3. Notes that a further report on Council’s 2024-25 consultation program for the Community Strategic Plan review will be presented to the December Ordinary Meeting.

DELIVERY PROGRAM LINKS

Objective 2: Establish the Richmond Valley as a regional growth centre

2A Plan for long-term sustainable growth

2A3 Deliver the Community Strategic Plan

BUDGET IMPLICATIONS

A key objective of the Community Strategic Plan is to advocate for additional funding and support for our community. During the past term of office, Council has secured a total of \$148.9m in government funding for community infrastructure, upgraded facilities, programs and services.

REPORT

Integrated Planning and Reporting (IP&R) is the main strategic planning, resourcing and delivery framework for local government in NSW. The framework became mandatory in 2009 and since then, councils have relied on IP&R to guide conversations with their community about long-term goals and priorities, identify and allocate the required resources to deliver these priorities, and report on the results achieved so far.



The Community Strategic Plan

The main plan in the framework is the Community Strategic Plan, or CSP. The CSP is prepared on behalf of the community by Council and reviewed after each local government election. The Plan outlines the community's vision for the future and addresses the quadruple bottom line themes of social, environmental, financial and civic leadership. The current CSP - Richmond Valley 2040 - was adopted in June 2023 following a 12-month delay due to the flood. The Plan is structured under four main themes - Strengthening our role in the region; Creating great places to live; Protecting our unique environment and Delivering for our community - with a total of 12 objectives. Many partners are involved in delivering the CSP's objectives, including Federal and State Government agencies, local councils and county councils, private investors and community organisations.

State of the Valley Report

At the start of each new council term, the in-coming council must review the CSP, in consultation with the community. This process starts with presentation of the State of the Valley report at the second ordinary council meeting after the election. The report is a new requirement for councils in NSW, replacing the former End of Term report. It revisits the four themes of the CSP and outlines the progress achieved in implementing the 12 objectives over the past year. The State of the Valley report also provides a snapshot of our community, at the start of the new council term. It looks at some of the strategic challenges the Richmond Valley is facing, such as housing shortages, climate change and social disadvantage, as well as considering local priorities, such as jobs, growth and essential infrastructure. The report will help to guide the next round of community consultation for the review of the CSP and development of the in-coming Council's Delivery Program for the 2024-28 term.

The draft State of the Valley Report has been prepared in accordance with the guidelines, and circulated to Councillors for review. Should Council decide to endorse the Report, it will be released to the public, as the first step in the CSP consultation program.

Progress on delivering the CSP

Although the 2021-24 council term was one of the shortest on record for NSW, it was also one of the most challenging for the Richmond Valley. Despite the impacts of the catastrophic floods of 2022, Council and other CSP delivery partners have made significant progress in achieving the Plan's objectives and priorities.

The State of the Valley report highlights the following achievements:

- Successful delivery of Council's signature projects, including the Casino-Bentley section of the Northern Rivers Rail Trail, the \$15m upgrade of the Casino Showground and Racecourse facility and the \$15.8m restoration of the Naughtons Gap landslip.
- Total government funding of \$148.9m secured by Council since 2022, including more than \$82m in grants to fix flood-damaged roads and bridges. \$38.4m worth of repair and restoration work has already been completed, with the remaining roadworks progressing over the next three years.
- More than \$150m in new development approved for the Richmond Valley since 2022, including \$56.4m in commercial and industrial investment that will create more local jobs.
- Completion of key strategic plans for the future, including the Richmond Valley Water for Life strategy, with plans to invest up to \$200m in essential water supply and sewerage infrastructure over the next 25 years, and finalisation of the Mid Richmond Place/Adaptation plans to guide future community projects, economic directions and improved resilience for Evans Head, Woodburn, Broadwater/Riley's Hill and Coraki
- Steady progress in reducing Council's carbon footprint, through community greening and solar installation projects.

CONSULTATION

The 2024 State of the Valley Report marks the commencement of Council's review of its IP&R documents, required after each local government election. It will help to inform the next round of Our Big Conversation, which will be conducted between December 2024 and March 2025, to discuss the community's aspirations and priorities for the future of the Richmond Valley.

CONCLUSION

The State of the Richmond Valley Report is a new requirement for Council, following recent amendments to the Integrated Planning and Reporting Guidelines. It provides a snapshot of the community at the start of the new Council term and outlines progress in delivering the Community Strategic Plan. The draft report is now presented for Council's consideration.

ATTACHMENT(S)

Nil

14.2 ANNUAL REPORT 2023/2024

General Manager: 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 2023/2024 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 2023/2024 year saw the completion of the first year of the 2023-2025 Delivery Program, and the second year of the Rebuilding the Richmond Valley 2022-2025 Recovery Plan, with substantial progress being achieved in all areas.

The Annual Report details achievements, progress, statistics and financial performance over the previous financial year. Highlights of signature projects included:

- Casino Showground and Racecourse upgrade
- Northern Rivers Rail Trail – Casino to Bentley section
- Woodburn Oval Sports Field restoration
- Casino Memorial Olympic Pool upgrade, and
- Nammoona Cell 6 construction.

A Snapshot of our achievements for 2023/2024***Strengthening our role in region***

- Plans to activate the Richmond Valley Regional Job Precinct moved a step closer with Regional NSW placing the draft master plan on public display during February/March 2024. This plan aims to create up to 1900 new jobs, by providing a clear planning framework for industrial growth in Casino, in three dedicated precincts, ensuring greater certainty for new manufacturing, agribusiness, and food processing industries to invest in the Richmond Valley. Council endorsed the draft masterplan in June, and it is currently awaiting approval from the Minister for Planning.
- Work also progressed on flood recovery works throughout the Valley, including Stage One of the Halstead Drive restoration project in Casino. This road was extensively damaged in the 2022 flood. The first stage of the works consisted of clearing up the concrete from the riverbanks and restoring access. Stage Two includes a survey, geotechnical assessment and engineering design plans. Stage Three (currently unfunded) will see construction of the new Halstead Drive concrete accessway. This project will again allow our community safe access to the river.
- Works were completed to replace the Jacky Bulbin Bridge on Bungawalbin-Whiporie Road. The bridge was extensively damaged by flooding and was load limited to five tonnes. The bridge is a vital link for the Bungawalbin community, ensuring continued access when closures of the Summerland Way or Casino-Coraki Road occur.
- Construction of a new culvert system at Dairy Flat was commence in the latter part of the year, this improves road access between Coraki and Woodburn during times of flooding. This stretch of road historically has been the first point to flood and last point to reside due to the low-lying nature of the road. The new culvert system has increased the height of the low-lying stretch of the road to minimise the impact of minor flooding and reduce road closures.

Creating Great Places to Live

- This year our community celebrated The Festival of the Waters event for the Richmond Valley. The event was headlined by Popular Aussie artists including Brooke McClymont and Adam Eckersley and Tex Perkins. Funded under the NSW Government's Reconnecting Regional NSW – Community Events Program, the event was a celebration of the resilience and passion of our Mid Richmond communities. In January more than four thousand people gathered at the two-day events in Coraki and Woodburn. Starting at Coraki with Splashfest, around 1200 people gathered at Windsor Park for a day filled with live entertainment, children's activities, food and companionship. Celebrations continued with around 3000 people braving the heat in Woodburn's main street the day after with an array of attractions, including a jet pack water show, roving pirate performances and a circus workshop, sand sculpting, drumming performances and workshops, as well as market stalls, food vans and a show 'n' shine.
- Upgrade works on the Woodburn Coraki Road have also been completed. Council received \$10 million from the NSW Government over three years for upgrades to this critical transport link for the Richmond Valley. Works from this funding have been completed with a further \$25 million in upgrades planned over the next few years.

Protecting our unique environment

- Council invited participation in the Community Greening Program Survey, as part of its commitment to plant at least 15,000 new community shade trees over the next two decades. This program acknowledges the significance of trees in enhancing the beauty of streets and parks, offering shade during summer and safeguarding the environment. The survey responses will help Council to determine the future direction of the Community Greening Program including decisions on tree planting, maintenance and opportunities for community involvement.

- Council installed a 99kW solar system on our Casino Administration building in a move towards greater environmental sustainability along with significant savings in electricity costs.
- A new landfill cell at the Nammoona Resource Recovery Facility has been completed. The new landfill cell will provide capacity for more than 10 years of residual waste from the Richmond Valley. In recent years, Council has transported more than 10,000 tonnes of red bin material to Queensland for disposal each year. Disposing of the material locally will remove the transport costs and reduce Council's carbon footprint. The money saved will be used to provide more education services to the community to help increase recycling.

Delivering for our community

- Council has developed the Richmond Valley Disability Inclusion Action Plan which focusses on improved community infrastructure and services so people with disability have improved access to participate fully in community life.
- Successful advocacy from Council also saw the Casino Courthouse reopened on 9 May, following two years of repair and restoration works for damage sustained in the 2022 flood. Council wrote to the NSW Government and the Member of Clarence, Richie Williamson, seeking assistance to expedite the repair work and allow the facility to reopen. It was pleasing to see this advocacy delivered results for the community, with the \$2.4 million repair and restoration project completed and Court House reopened.

A copy of the 2023/2024 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 2024.

CONSULTATION

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

CONCLUSION

The Richmond Valley Council 2023/2024 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

14.3 COUNCILLOR CONDUCT AND MEETING PRACTICES - PROPOSED REFORMS**General Manager: Vaughan Macdonald****EXECUTIVE SUMMARY**

The Office of Local Government (OLG) is currently consulting on proposed wide-sweeping changes to the way that council meetings are conducted in NSW and Councillor misconduct is addressed. These proposals include conferring extra powers on the Mayor to expel fellow Councillors from meetings and withhold their fees, additional powers to expel and fine members of the public for disorderly conduct, a state-wide ban on closed council briefing sessions and a new 'Privileges Committee' where current and former Mayors would sit in judgement on their peers for misbehaviour.

The proposals, circulated in OLG's *Councillor Conduct and Meeting Practices* discussion paper, have met with a strong reaction from the local government sector. Although many councils agree with the discussion paper's observation that the current Councillor conduct framework is not working effectively, they do not accept its assertions that local council meeting practices are undemocratic and lacking in dignity. There are concerns that many of the OLG's proposed solutions will be ineffective, unworkable and expensive, and it is expected that the majority of councils in NSW will make a submission to the consultation process. OLG has recently extended the deadline for submissions to 29 November 2024. The discussion paper was circulated to Richmond Valley Councillors for review and feedback last month and the proposals were further considered at a Councillor workshop. Based on the feedback received, a draft submission has been prepared for Council's consideration.

RECOMMENDATION

That Council endorses the draft response to the *Councillor Conduct and Meeting Practices discussion paper* for submission to the Office of Local Government public consultation.

DELIVERY PROGRAM LINKS

Objective 10: Lead and advocate for our community

10C Lead with integrity

10C1 Provide representative and accountable community governance

BUDGET IMPLICATIONS

The proposed reforms aim to reduce the cost of addressing Councillor Code of Conduct complaints by replacing the current use of Conduct Reviewers with either direct referral to OLG, or referral to a Privileges Committee, consisting of former and current Mayors, to be funded by those appearing before the Committee, or their councils, depending on the outcome. No details of proposed costs are provided. While other Councils in NSW currently spend at least \$100,000 per year reviewing Code of Conduct complaints, Richmond Valley Council has recorded no code of conduct complaints against its councillors over the past eight years, resulting in no expenditure.

REPORT

On 5 September 2024, the Office of Local Government (OLG) released Council Circular 24-17 *Councillor conduct and meeting practices – a discussion paper*. The circular outlines the current review of the Councillor Conduct Framework being undertaken by the OLG. An accompanying discussion paper provided more details and sought feedback from the local government sector.

The main themes encompassed within the discussion paper are:

- Proposed changes to the code of conduct and oath of office
- Changes to the definitions and assessment of councillor misbehaviour
- A new dispute resolution and penalty framework; and
- Proposed changes to the way that council meetings are conducted.

Assuming that the system is broken

The proposed reforms in the OLG discussion paper are based on the assumption that the current system is broken. In opening comments entitled 'Returning local democracy to councils' the discussion paper makes the following assertions: *"Unfortunately, the existing councillor conduct framework is not delivering on the need for transparency or the necessary degree of respect in the community for the role that councillors have. Closed council briefing sessions are being used to make decisions away from the public view. Council debates on issues are too often personal slanging matches, rather than forums for robust but respectful discussions on what is best for the community"*.

Councils in regional NSW have questioned this assumption, at recent local government forums. This is not the lived experience of Richmond Valley Council and many others. It was noted that many councillors in regional NSW have earned the respect of their communities through long periods of service to local government, involvement in community organisations and strong advocacy for local needs and priorities. This is not reflected in the views presented in the discussion paper. Although the paper is quick to point out that there have been some 4,289 Code of Conduct complaints across the sector over the past three years, it fails to mention that, on average, 40% of councils, including Richmond Valley Council, record no Code of Conduct complaints against Councillors annually. In fact, RVC has had no Councillor Code of Conduct complaints for the past eight years.

Similarly, Council does not accept the premise that Council debates have become "personal slanging matches" that lack dignity. Many councils in regional NSW, including Richmond Valley Council, conduct their meetings efficiently and respectfully, reflecting the values and expectations of their communities. There is concern that the OLG reforms are focussing excessively on the poor behaviour in a minority of councils to the detriment of the majority who are simply getting on with the job of serving their community.

Changing the Code of Conduct for Councillors

In a major shift from existing requirements, the discussion paper proposes that Councillors and Council staff should operate under separate codes of conduct in the future. Staff would continue to be subject to the existing Model Code, whereas Councillors would have a new, simplified code, with complaints addressed either by OLG (in the case of conflicts of interest) or referred to a new 'Privileges Committee' consisting of existing and former Mayors (for misbehaviour complaints). OLG would have the power to issue Penalty Improvement Notices (PINS) for minor conflict of interest breaches or use the existing sanctions in the Local Government Act, such as suspension or disqualification for serious matters. The privileges committee would have the power to censure or issue a warning to a councillor, impose a loss of sitting fees or refer more serious matters to an appropriate tribunal or body. The discussion paper proposes that the Privileges Committee should be paid for by either individual councillors or their councils, depending on the outcome of the complaints before it. However, it provides no detail as to how the committee will be resourced, nor the anticipated cost of its operations. Councils have raised concerns that if the current level of conduct complaints continues, the committee would be overwhelmed with the workload.

Changing the way that meetings are conducted

One of the most controversial proposals in the OLG discussion paper involves a proposed ban on Councils conducting closed to the public briefing sessions, on the assumption that "decisions are being made in secret". Councils strongly refuted this assumption at a recent local government

forum, pointing out that the majority of councils, including Richmond Valley Council, currently use confidential Councillor information sessions to ensure Councillors are well prepared and supported to make informed decisions about matters that will come before the open council meeting.

Traditionally, all levels of government have recognised the need to create a 'safe space' where elected representatives, particularly those who are new to government, can ask questions, seek information and discuss strategic direction, before bringing these matters into the public forum. The NSW Government achieves this via the Cabinet process where elected leaders, including the Minister for Local Government, regularly meet behind close doors to discuss policy matters. The agenda for these meetings, the briefing notes that Ministers receive, and the minutes of the proceedings are not released to the public.

Councils at the forum argued that local government was the most accessible form of government to the community, with opportunities for residents to speak directly with their elected representatives, participate in council meetings and consultation sessions and receive information on Council activities. They argued that briefing sessions had a role to play within the broader context of local government operations and shouldn't be singled out for target reforms.

Another proposed council meeting reform that has raised concerns within the sector is a plan to give greater powers to the Mayor to expel Councillors from meetings for poor behaviour and to withhold their Councillor fees until they apologise. Some councils were concerned that these powers could be misused for political purposes, while others felt that it would impede positive working relationships between Mayors and Councillors.

Further proposals in the discussion paper, under the heading of 'restoring dignity to council meetings' would require Councillors to stand up at meetings when the Mayor enters the chambers and to also stand when they address the meeting. Councils have questioned the merit of attempting to impose a centralised view of what constitutes 'dignified behaviour' across 1300 elected representatives from different backgrounds, cultures and local communities, arguing that dignity within council meetings comes from mutual respect and putting the community first, rather than imposed politesse.

Councils have also expressed concern that the discussion paper takes a piecemeal view of meaningful reform, proposing a handful of disjointed changes, rather than advocating for a more comprehensive review of statutory instruments, such as the Model Code of Meeting Practice in consultation with the sector.

CONSULTATION

In considering a response to the proposed reforms, the OLG discussion paper was circulated to Richmond Valley Councillors for review and feedback, last month and the proposals were further considered at a Councillor workshop. Based on the feedback received, a draft submission has been prepared and circulated to Councillors.

CONCLUSION

The Office of Local Government's current reform proposals on Councillor conduct and meeting practices have met with a strong reaction from the local government sector, with many councils currently preparing submissions to the public consultation. It is recommended that Richmond Valley Council also responds to the consultation and a draft submission has been prepared for Councillors' consideration.

ATTACHMENT(S)

- 1. Councillor conduct and meeting practices - discussion paper, September 2024 (under separate cover)**

15 COMMUNITY SERVICE DELIVERY

15.1 RURAL RESIDENTIAL REZONING - 395 REARDONS LANE SWAN BAY - POST EXHIBITION REPORT

Director: Angela Jones

Responsible Officer: Tony McAteer

EXECUTIVE SUMMARY

Planning Proposal PP2022/0001 (NSW Planning Portal Case PP-2024-854) proposes to rezone part of 395 Reardons Lane, Swan Bay to enable those parts to be developed as a rural residential estate potentially for 43 lots plus a residue. A Gateway Determination was issued by the Department of Planning, Housing & Infrastructure on 21 June 2024 conditional upon amending the proposal to remove parts affected by high hazard in a Probable Maximum Flood (PMF), plus several minor updates to the Planning Proposal report.

Agency consultation identified no outstanding policy inconsistencies or objections which would prevent the LEP Amendment from proceeding.

The Planning Proposal and Gateway Determination were publicly exhibited from 18 September 2024 to 21 October 2024 with no submissions being received.

This report seeks Council's continued support to progress this Planning Proposal to completion.

RECOMMENDATION

That

1. Council receives and notes the post exhibition report on Planning Proposal PP2022/0001 (NSW Planning Portal Case PP-2024-854);
2. Council proceeds, pursuant to authorisations under Section 3.36(2) of the *Environmental Planning and Assessment Act*, to make a local environmental plan to give effect to Planning Proposal PP2022/0001; and
3. Local Plan-making authorisation from the Planning Secretary (dated 21 June 2024) be delegated to the General Manager to make *Richmond Valley Local Environmental Plan 2012 (Amendment No. 11)*.

DELIVERY PROGRAM LINKS

Objective 2: Establish the Richmond Valley as a regional growth centre

2D Provide more homes for our growing community

2D2 Provide a range of housing to suit all needs

BUDGET IMPLICATIONS

Nil. All infrastructure upgrades resulting from this development will be funded by the developer.

REPORT

Planning Proposal application (PP2022/0001) (NSW Planning Portal Case No PP-2024-854) seeks to rezone parts of Lots 832 & 833 DP847683, 395 Reardons Lane (corner of Darkes Lane), Swan Bay (see Figure 1) so those parts can be developed as Large Lot Residential (rural residential) with the potential to create 43 lots plus a residue lot.

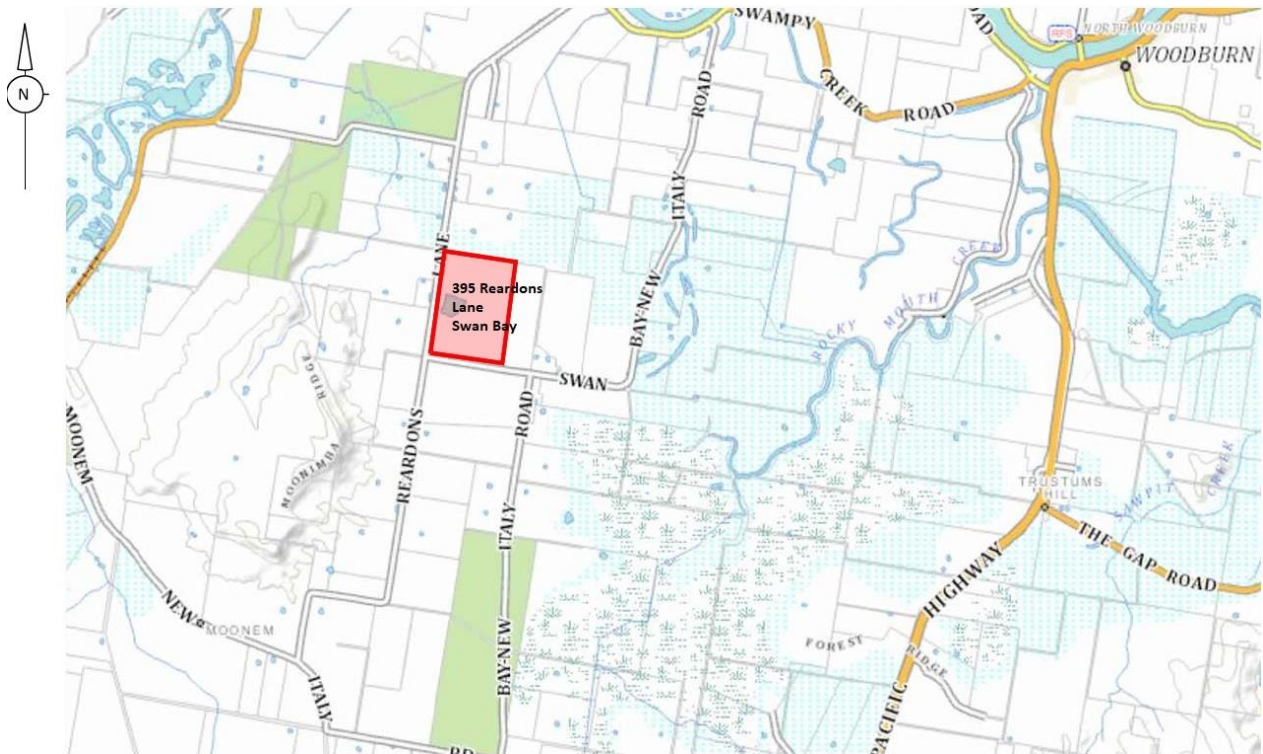


Figure 1 – Locality Plan identifying the subject land (outlined and shaded in red) at 395 Reardons Lane, Swan Bay



Figure 2 – Existing and proposed Land Zone, Lot Size, and Dwelling Opportunity map amendments

A report was presented to the 19 July 2022 Ordinary Meeting of Council (Minute No. 190722/8) where in-principle support towards the planning proposal was granted. Since then, the proposal

has been amended to remove Lot 831 from the proposal, reduce the area to be rezoned, and reduce the minimum lot size from 7,500m² to 7,000m².

The current Planning Proposal (NSW Planning Portal Case No. PP-2024-854) effectively seeks to amend the *Richmond Valley Local Environmental Plan 2012* by:

- Amending the Land Zone Map by rezoning 35.5ha area, of the 90.1ha property, from Zone RU1 Primary Production to Zone R5 Large Lot Residential,
- Amending the Lot Size Map by reducing the minimum lot size for subdivision, within the proposed Zone R5 area, from 40ha to 7,000m²; and
- Amending the Dwelling Opportunity Map by excluding the opportunity from applying within the proposed Zone R5 area (noting that all lots within Zone R5 have a dwelling opportunity by virtue of the zoning and not the Map, thus this map change isolates the mapped opportunity to the residual Zone RU1 area).

Figure 2 shows the existing and proposed Land Zone, Minimum Lot Size, and Dwelling Opportunity Map configurations.

Gateway Determination

The Department of Planning, Housing and Industry (DPHI) granted a conditional Gateway Determination on 21 June 2024. The Determination included delegation (authorisation) of Local Plan-making functions to Council (and the General Manager), pursuant to Section 3.36(2) of the *Environmental Planning and Assessment Act 1979*.

Conditions on the Gateway Determination required updates to be made to the Planning Proposal prior to it being publicly exhibited and agency consultation commencing. Those updates included:

- (a) remove those parts of the land affected by a high flood hazard (H5 and H6) in the Probable Maximum Flood (PMF) event,
- (b) delete all text discussing the North Coast Regional Plan 2036,
- (c) include an updated project timeline and consultation timeframe, and
- (d) remove the conceptual subdivision layout - Map Plan 4.

These updates were completed by the proponent and resubmitted via the NSW Planning Portal on 28 August 2024.

The Determination also conditioned:

- public exhibition for a minimum period of 20 working days,
- consultation with the following agencies, allowing for at least 30 working days to comment:
 - NSW Rural Fire Service (RFS),
 - Department of Primary Industries - Agriculture (DPI-Ag),
 - Transport for NSW,
 - NSW State Emergency Services, and
 - Local Aboriginal Land Council (LALC), and
- Completion by 21 December 2024, although this has been altered to 21 March 2025 via a Gateway Alteration dated 29 October 2024.

CONSULTATION

Agency Consultation

NSW Resources – (24 September 2024) – to resolve any inconsistencies with Section 9.1 Direction 8.1 Mining, Petroleum Production and Extractive Industries.

NSW Resources had no resource sterilisation issues to raise regarding the matter.

NSW Rural Fire Service (RFS) – (14 October 2024) – to resolve any inconsistencies with Section 9.1 Direction 4.3 Planning for Bushfire Protection.

The subject land is predominantly cleared and has a minimal bushfire threat.

The concept subdivision plan identifies revegetation of the riparian corridor that traverses the land.

Future residential development shall comply with Planning for Bushfire Protection guidelines.

Transport for NSW (TfNSW) – (15 October 2024)

Woodburn-Coraki Road (MR145) is a classified (Regional) road and all other roads within the site location are local roads. Council is the roads authority for these roads.

TfNSW has reviewed the information provided and has no specific requirements in addition to those outlined in DPHI's Local Environmental Plan Making Guideline – Attachment C.

NSW State Emergency Services (SES) – (22 October 2024) – to resolve any inconsistencies with Section 9.1 Direction 4.1 Flooding.

- Recommend careful consideration of the risks associated with placing more people in this high-risk floodplain.
- Recommend at a minimum, that any evacuation constraints and impacts of the development on the flood behaviour and neighbouring properties must be addressed before consent is granted.
- Note that in a PMF event, 28 lots (out of 43) are either completely or partially inundated with a flood depth exceeding 4 metres and classified as high hazard. We support the recommendation “to avoid significant filling or flow obstruction within these lots,” as “potential filling or proposed building structures could alter flood conditions during the PMF event”, and also support the Gateway Conditions to exclude all of these high flood risk areas from the rezoning plan and developable land, to minimise the risk to life and property.
- Recommend a comprehensive Flood Impact and Risk Assessment is undertaken to include:
 - consideration of flooding from any source, including coincident flooding from Richmond River mainstream flooding and overland tributary flooding,
 - flood risk at the site, access/egress routes (including any proposed internal roads and the broader road network),
 - impacts of the development on flood behaviour at the site, neighbouring and downstream properties (pre- and post-development conditions),
 - time to onset, duration of inundation, depth, velocity and hydraulic hazard of any flooding,
 - time to overtopping of the existing dam and flooding impacts if filling of the dam is proposed,
 - consideration of climate change impacts, in line with NSW Government guidelines.
- Recommend seeking advice from the NSW Reconstruction Authority regarding the feasibility of the proposed evacuation route (referred as “South-Bound 2”). We note that the RA will be reviewing the evacuation infrastructure across the Northern Rivers as outlined in the State Disaster Mitigation Plan (SDMP). Any evacuation route will need to ensure people do not get trapped by floodwaters at a different location while trying to escape, also considering that vehicles may become bogged down if the proposed route is via unsealed roads, as the unnamed road and Cypress Road appear to be.

- Recommend seeking advice from the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) regarding the impacts of the proposed development on flood behaviour, particularly in relation to the potential for fill within the flood extent to understand impacts onsite and offsite.

Comment-

DCCEEW was consulted as part of the Gateway Determination by DPHI. It supported the proposal (which at that stage still included all the PMF affected land). DCCEEW recommended higher building standards for those lots affected by the PMF, and consultation with SES on evacuation routes.

The Gateway Determination conditioned the removal of about 7ha of PMF high hazard (H5 & H6) category land from being rezoned to R5 Large Lot Residential. There remains about 6 to 8 lots in the estate where inundation in a PMF is still likely (peak depth <2 metres and low velocities), however, it should be noted that all lots (including those that were removed from the proposal) are above the 1 in 500 year plus climate change level (and the 2022 Flood peak). Figure 3 shows the extent of this amendment and those areas which are still affected by the PMF extent.

The Mid Richmond Flood Risk Management Plan requires all habitable floors to be located above the Flood Planning Level (FPL), being the 1 in 100yr ARI flood event level plus climate change plus a 500mm freeboard. All lots within the estate have natural ground levels above the FPL, however, additional building standards are to be applied to those lots affected by the PMF. This will be addressed at the DA stage.

There is no proposed filling within this estate as ground levels are already above the 1 in 500 year plus climate change levels. Notwithstanding, this estate is located at the flood fringe, with low velocities. As long as overland flow paths were not compromised, filling of these fringe areas would not displace or impede the flow of flood water so as to impact on adjoining properties.

A high-level qualitative flood impact and risk assessment was undertaken for the estate. There is no need to also do a comprehensive assessment as-

- *there is no filling proposed,*
- *the dam no longer exists or presents an issue for overtopping,*
- *an alternative egress point has been proposed onto Reardons Lane which is above the PMF, and*
- *climate change impacts have already been included in the flood mapping.*

The NSW Reconstruction Authority has engaged with Council regarding the Regional Evacuation and Infrastructure Assessment Project. This project is focused on regional routes and not local evacuation routes. Notwithstanding, shelter in place would be the most appropriate strategy for this estate, as the entire estate is located higher than regular flooding to above the 1 in 500 year plus climate change levels, with only several lots potentially impacted by a PMF. The estate is also located adjacent to extensively flood free land.

The northern end of Reardons Lane is regularly cut by flooding, as is Darke Lane and parts of Swan Bay New Italy Road, thus preventing anything but early evacuation along these roads. It is agreed that the alternative evacuation route "South-Bound 2" contains un-maintained roads and should be reconsidered at the DA stage. The suggested alternative evacuation route would be via Reardons Lane, Moonem New Italy Road to New Italy and then via the Pacific Motorway, however, this route would be cut in larger flood events making evacuating regionally impossible in the advanced stages of a PMF flood. Shelter in place would be the best option for future residents as they would be on high flood free land which may be isolated for up to several days.

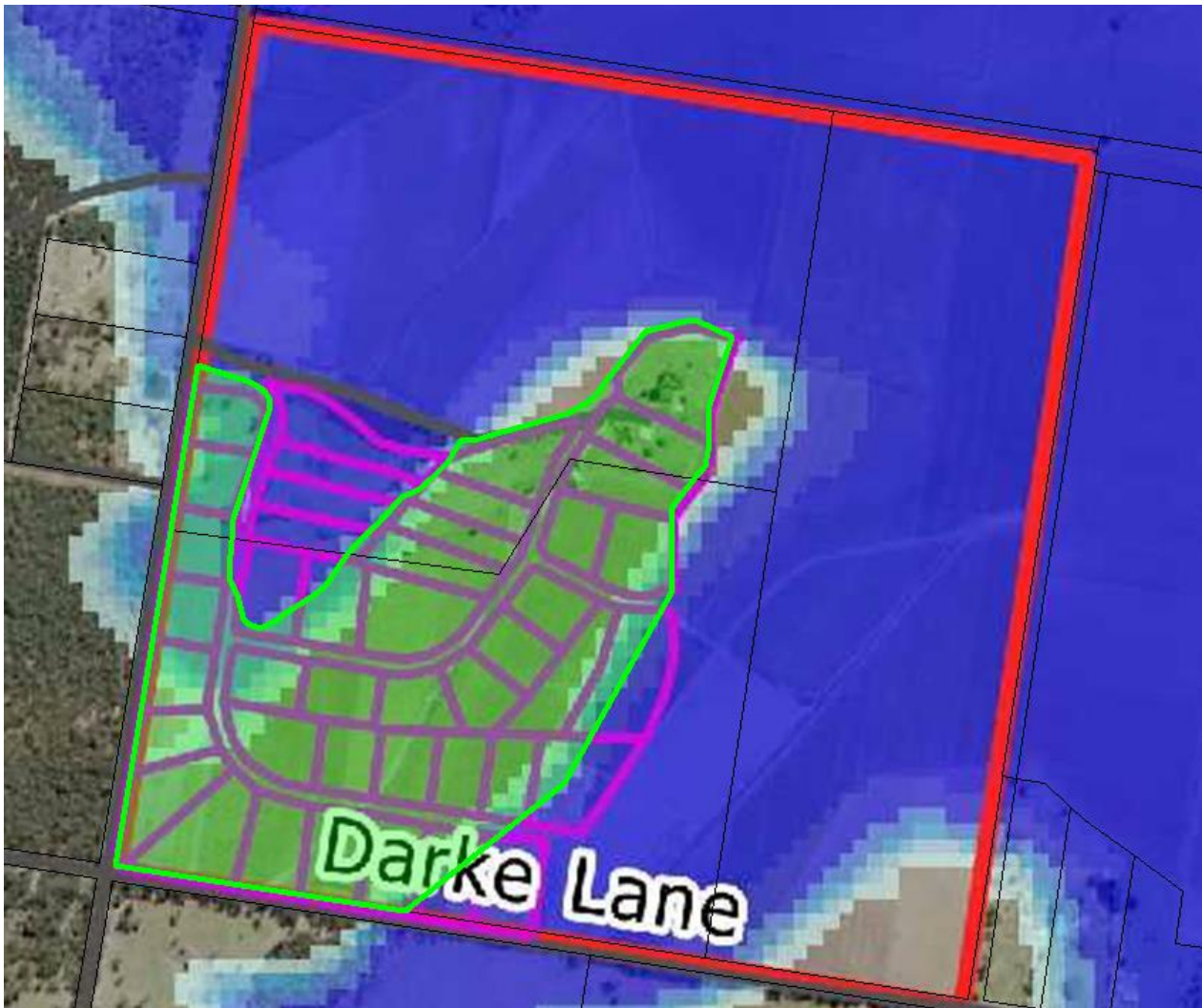


Figure 3 – PMF peak depth map (blue coloured areas) with the former subdivision layout (pink lines) and the current Zone R5 boundary (green area)

Department of Primary Industries – Agriculture (DPI-Ag) – (no response during recent consultation)

Comment-

Engagement was undertaken with DPI-Ag in 2019 & 2020 to resolve concerns around loss of significant farmland and land use conflict buffering to adjoining cropping land.

As a result of this engagement, the proposal was significantly reduced and buffers were proposed to address land use conflict. DPI-Ag confirmed its satisfaction with the proposal on 23 June 2020.

Department of Climate Change, Energy, the Environment and Water (DCCEEW) – (22 December 2023) – to resolve any inconsistencies with Section 9.1 Direction 4.1 Flooding.

the entire property has been modified and used for cane farming purposes, therefore offers no biodiversity concerns.

With respect to flood related matters, a significant portion of the adjoining land lies above the Probable Maximum Flood (PMF) level. RVC's floor level requirement for residential properties is a minimum of 0.5m above the 1% AEP flood level, which is achievable given all the proposed lots within the proposed R5 zone are above the 1% AEP flood level, noting some of the proposed lots may be subject to high flood hazards in the event of a PMF. Knowledge of such flood conditions will need to be considered for future dwelling design on each lot at the development application stage.

Whilst the land proposed to be zoned R5 is above the 1% AEP riverine flooding level, overland flooding may impact on slab-on-ground type construction on some lots. Overland flooding risk and impact is an important consideration at the development application stage.

Flood isolation in an extreme event may occur over several days in the Swan Bay area. For this reason, planning for a flood evacuation may be necessary with input from the State Emergency Services.

In view of the above comments, DCCEEW has no objection to the planning proposal from a flooding perspective, and provides the following recommendation:

1. Prior to issuing subdivision development consent:
 - a. Advice be sought from State Emergency Services on planning for flood evacuation.
 - b. Appropriate measures and building design restrictions be applied to lots that may be subject to PMF and overland flood impacts.

Comment-

Biodiversity – Noted.

Flooding – Agree with the comments from DCCEEW and its recommendations relating to building design restrictions to be applied to lots affected by the PMF at the DA stage.

Advice was sought from SES. While SES has raised concerns about the suitability of the southern alternative evacuation route, it would be best for residents to shelter in place as all but a few residents would be located higher than the PMF. Evacuation in a PMF would be futile given that all roads regionally would be cut. Encouraging residents to evacuate from high flood free ground would potentially put lives at risk, and needlessly burden evacuation centres with additional people.

Community Consultation

The Planning Proposal was publicly exhibited from 18 September 2024 to 21 October 2024 as per the Richmond Valley Council Community Participation Plan 2020. This involved-

- a written notice posted to adjoining property owners (a total of 13 property owners were notified).
- a notice was published on the Richmond Valley Council “On Exhibition” webpage with links to the NSW Planning Portal where the Planning Proposal was officially notified. This included downloadable copies of the Gateway Determination, the Planning Proposal and support documents.
- a public notice and printed copy of the Planning Proposal, Gateway, and support documents which were displayed at each of Council’s Customer Experience Centres at Casino and Evans Head.
- A post was made on Council’s Facebook page with links to the webpage.

There were no community submissions received.

CONCLUSION

Planning Proposal PP2022/0001 (NSW Planning Portal Case PP-2024-854) proposes to rezone part of 395 Reardons Lane, Swan Bay, to Zone R5 Large Lot Residential (about 35.5ha) with a minimum lot size of 7,000m².

The proposal was initially reported to Council on 19 July 2022 where in principle support was given (Resolution No. 190722/8) to progress the Planning Proposal to Gateway.

A conditional Gateway Determination was issued by the DPHI on 21 June 2024 which resulted in the Planning Proposal being amended to reduce its scale to eliminate high hazard PMF areas.

The amended Planning Proposal was publicly exhibited from 18 September 2024 to 21 October 2024, and referred to Government agencies for comment.

- No community submissions were received.
- Four (4) agency submissions were received (plus an addition two (2) submissions from previous engagement).
 - The RFS, T4NSW and NSW Resources had no concerns.
 - SES raised concerns regarding lots impacted by PMF, suitability of a southern evacuation route, and impacts from filling. These concerns have mainly been addressed by removing part of the estate affected by the high hazard PMF and a lack of proposed filling in the estate. Whilst a southern evacuation route has been identified, which would be open during more frequent flooding events, the safest option for residents would be to shelter in place on high flood free land.
 - DCCEEW was satisfied with the proposal (being above the 1 in 500 year flood level, but recommended applying high building standards for those lots still affected by PMF flooding. This will be further considered during the DA stage.

The Secretary's Local Plan-making functions (under s.3.36(2)) were delegated to Council, however, prior to assuming these functions Council must confirm the Planning Secretary's formal agreement to inconsistencies with Section 9.1 Ministerial Directions: 1.1 Implementation of Regional Plans; 3.2 Heritage Conservation; 4.1 Flooding; 4.3 Planning for Bushfire Protection; & 8.1 Mining, Petroleum Production and Extractive Industries. These inconsistencies have been addressed via agency consultation and there should be no reason for approval to be withheld.

Should Council support the recommendation, the next steps would be to:

- seek approval from the Planning Secretary for inconsistencies with Section 9.1 Directions,
- arrange for DPHI to draft *Richmond Valley Local Environmental Plan 2012 (Amendment No 11)*
- arrange for DPHI to check the proposed Local Environmental Plan map amendments,
- endorse *Richmond Valley Local Environmental Plan 2012 (Amendment No 11)* under delegated Local Plan-making functions, and
- arrange for *Richmond Valley Local Environmental Plan 2012 (Amendment No 11)* to be notified on the NSW Legislation Website.

ATTACHMENT(S)

Nil

16 PROJECTS & BUSINESS DEVELOPMENT

16.1 NAMING OF UNNAMED ROADS AND BRIDGES

Director: Ben Zeller

Responsible Officer: Brooke Thomas

EXECUTIVE SUMMARY

Council is a roads authority, under section 7 of the *Roads Act 1993*, and is responsible for formally naming public roads and bridges in accordance with the Act and Regulation.

In November 2022, Council publicly requested road names and bridge name suggestions for address and identification clarity within the Richmond Valley. On 19 September 2023, Council formally adopted proposed road and bridge names that received support or no feedback during public exhibition. The road and bridge names central to this report are the balance of unnamed roads and bridges presented following feedback received from further public consultation.

RECOMMENDATION

That Council formally adopts the following:

1. Road names:
 - a) Metcalf Road, Hogarth Range
 - b) Cardow Lane, Coraki
 - c) Jefferies Street, Coraki and
 - d) Morton Street, Coraki (continuation and rename of Richmond Terrace (North))
2. Bridge names:
 - a) Hansens Bridge
 - b) Monaghans Bridge
 - c) Whitesides Bridge
 - d) Trustums Bridge
 - e) One Tree Crossing (major culvert)
 - f) Nowlans Bridge
 - g) Olivers Bridge and
 - h) Watsons Bridge.

DELIVERY PROGRAM LINKS

Objective 6: Provide infrastructure that meets community needs

6C Provide a network of safe, well-constructed local roads, bridges, footpaths and cycleways

6C1 Deliver local infrastructure maintenance and renewal programs

BUDGET IMPLICATIONS

New signage will be installed with costings allocated from the road signage maintenance budget.

REPORT

Council is a roads authority, under section 7 of the *Roads Act 1993*, and is responsible for formally naming public roads and bridges in accordance with the Act and Regulation.

Council publicly requested naming suggestions for unnamed roads, and unnamed bridges within the Richmond Valley. The purpose of the naming is for identification, addressing purposes, emergency response and service delivery.

On 19 September 2023, Council formally adopted proposed road and bridge names that received support or no feedback during public exhibition. The road and bridge names central to this report are the balance of unnamed roads and bridges presented following feedback received from further public consultation.

The proposed road and bridge name history from the consultation is detailed below with location maps attached under separate cover.

Metcalf Road – Council received the name suggestion from an adjoining local resident, named in recognition of the late Roy Metcalf, a neighbouring property owner who passed away in 2023. Due to NSW Geographical Names Board (GNB) Policy and Guidelines, this name was unable to be adopted until at least 12 months following his death. There was no further feedback or submissions received following resident consultation and public exhibition.

Cardow Lane – Council has received several submissions from residents including Duck Lane, Lily Lane, and Cormorant Lane. Due to duplication issues and non-conformance with the GNB guidelines it was identified that Cardow Lane conformed with the policy and was the most suitable option. During additional public exhibition, no further feedback or submissions were received on the proposed name.

Jefferies & Morton Streets – This report includes the renaming of Richmond Terrace (North) and the continuation of the road name Morton Street. This naming was to resolve confusion on the existing duplicated road name and the unnamed section of proposed Morton Street. Additional investigation was undertaken to ensure clarity on the road name continuation at the current intersection. It is concluded that Morton Street name should continue from the intersection around to Dawson Street, renaming Richmond Terrace (North).

Whitesides Bridge, Nowlans Bridge, Olivers Bridge, Watsons Bridge, and One Tree Crossing – Council has consulted with residents where multiple submissions were received for these bridges. Following an assessment of proposed names and consultation, a second round of names were presented and underwent public exhibition. The proposed bridge names did not receive any further feedback or submissions.

Trustums Bridge – Trustums Bridge was suggested during the original request for road and bridge names. Additional investigation was undertaken to clarify the correct location of this bridge as it was identified incorrectly on the initially provided exhibited maps. During the second round of public exhibition an alternative name of 'Coxs Bridge' was presented. The origin of the name Cox is derived from an historical landowner. Council received one public submission in support of Trustums Bridge. It is suggested that Trustums Bridge is appropriate.

Monaghans Bridge and Hansens Bridge – Council received a bridge name suggestion of Hansens Bridge from Ross Hansen for the unnamed bridge asset. This is a commemorative name for Neil Hansen (Ross' Father) who owned the property which is located directly southeast of the bridge until he passed away in 2009. The property remains in the family owned by his son Ross and wife Sue.

The proposed name 'Hansens Bridge' was placed on public exhibition in August 2023, Council received an objection to the bridge name Hansens Bridge with an alternative suggestion of 'Monaghans Bridge'. The Haynes family own the property to the north of the bridge. Kim Haynes submitted a bridge name suggestion of Monaghan's Bridge after Reg Monaghan (Kim's Grandfather) who owned the property for 50 years. The creek under the bridge runs through the property.

This has resulted in this unnamed bridge having the potential of two names. Council has concluded that as both name suggestions are commemorative, and the suggestions were submitted by the surrounding landowners, Council's only option is to use property location and landmarks to resolve the most appropriate name for the bridge. During a site visit to resolve the query of the most appropriate name, it was identified that the creek runs under the bridge and continues through Monaghan's property, however, adjoins Hansen's property. Due to the watercourse landmark it is recommended that this bridge is named 'Monaghans Bridge'.

An additional unnamed bridge on the Gap Road further 650 metres east of Hansen's property has not received any name suggestions. This provides an alternative to use the suggested commemorative name as suggested by the Hansen family.

CONSULTATION

Council has undertaken public exhibition of the proposed road names and bridge names, in accordance with Section 162 of the *Roads Act 1993*. And Part 2 of the *Roads Regulation 2018*.

CONCLUSION

It is proposed that Council, as the road naming authority, follow the recommendations and processes outlines in this report and adopt the road names and bridge names.

ATTACHMENT(S)

- 1. Bridge naming and locations (under separate cover)**
- 2. Road naming and location details (under separate cover)**

16.2 CLOSURE OF UNNAMED LANEWAYS ADJOINING PATRICIA STREET, CASINO

Director: Ben Zeller

Responsible Officer: Brooke Thomas

EXECUTIVE SUMMARY

During investigations for the activation of land in Casino's Johnston Street Industrial Precinct, which is part of the Richmond Valley Regional Jobs Precinct, Council identified the need to pursue the due process of closure of unnecessary roads within the precinct.

Two laneways each adjoining Patricia Street (previously known as Arthur Street) were identified for closure. The laneways are currently used as drainage reserves and provide no current or future need as a public road. The closure will support the future planning and development of the Johnston Street Industrial Precinct as part of the Regional Jobs Precinct activation.

On 6 August 2024, Council resolved, in accordance with Section 38B of the *Roads Act 1993*, to undertake the relevant consultation required to close the laneways adjoining Patricia Street as operational land.

The consultation process is now complete and the proposal to close the laneways adjoining Patricia Street, Casino is presented for Council's consideration.

RECOMMENDATION

That:

1. In accordance with Section 38D of the *Roads Act 1993*, Council closes the public road being the two laneways adjoining Patricia Street Casino;
2. The General Manager be authorised to execute documentation to facilitate the road closure, and issue of title, including affixing the Council Seal as required;
3. The closed road land is vested in Richmond Valley Council and classified as operational land.

DELIVERY PROGRAM LINKS

6 - Provide infrastructure that meets community needs

6C - Provide a network of safe, well-constructed local roads, bridges, footpaths and cycleways

6C1 - Deliver local infrastructure maintenance and renewal programs

BUDGET IMPLICATIONS

Costs associated with the plan preparation and registration fees can be funded from the existing real estate reserve.

REPORT

The Richmond Valley Regional Job Precinct (RJP) was announced by the NSW Government in February 2021. The Precinct will facilitate growth of industry, agribusiness and manufacturing in Casino and the North Coast Region. The precinct study area covers an area of 510 hectares and is expected to yield approximately 335ha of employment land.

During investigations for the activation of land specific to the Johnston Street Industrial Precinct as identified in the RJP, Council acknowledged the need to pursue the due process to formalise the dedication of public roads and the closure of unnecessary roads within the precinct.

Two laneways adjoining Patricia Street, Casino have been used as drainage reserves and do not form part of the existing road network and do not serve the present or future needs as vehicular

access for public road. Council resolved in June 2024 to undertake the relevant consultation process required to close the laneways and, in accordance with Section 38B of the *Roads Act 1993*, undertook public exhibition, notification of relevant public authorities and resident consultation. During the public exhibition period, no objections were received from notifiable public authorities and no feedback was received from resident consultation. As this process is now complete, the proposal to close the laneways adjoining Patricia Street is now presented to Council for cop

Upon closure, the land will be vested in Council and classified as operational land.



Map 1 - The two laneways adjoining Patricia Street, Casino identified for closure.

CONSULTATION

Council undertook the relevant consultation public consultation in accordance with Section 38B of the *Roads Act 1993*. This included notifications to relevant public authorities. All authorities returned no objections to the proposed road closure.

NSW Department of Planning Housing & Infrastructure – Crown Lands, provided a response of no objection to the closure and proposed vesting upon closure.

During the public exhibition period, Council wrote to affected residents and advertised the proposed road closure in the local newspaper, Council website and social media. No feedback or submissions were received.

CONCLUSION

Given that there is no known public use or need for the proposed land as public road identified in the report, it is recommended that Council proceed with the proposed road closure and upon closure the closed road is vested in Council as operational land.

ATTACHMENT(S)

Nil

16.3 REARDONS LANE ROAD WIDENING AND LAND ACQUISITIONS

Director: Ben Zeller

Responsible Officer: Brooke Thomas

EXECUTIVE SUMMARY

The intersection at Reardons Lane on Woodburn Coraki Road requires road widening to allow a protected right-hand turning lane to the north of the intersection to be constructed for improved road safety. This has been identified as an area with increased risk due to additional traffic generated from the rural residential subdivisions off Reardons Lane.

Council is required to acquire land from two private landholders to enable the road widening and to construct the right-hand turning lane to allow for the increase in traffic volume.

The recently constructed left hand turning lane at this same intersection traverses over Part Lot 17 DP 1087247 and over closed crown road Lot 98 DP1218705. This was constructed as part of a Development Consent for the quarry expansion. The process to connect the legal road widening is unable to be completed by the landowner as they are not a roads authority as identified in the *Roads Act 1993*.

The landowner is unable to acquire the closed road, Council's only option is to compulsorily acquire the closed crown road from Crown Lands under the *Land Acquisition (Just Terms Compensation) Act 1991* to connect the road widening area to Reardons Lane.

This land acquisition process of the road widening and left-hand turning lane is required to be formally finalised as public road.

Existing public drainage infrastructure connects from Reardons Lane to Thearles Canal impacting the land required for public road. The process of formalising an easement over this land will provide Council the legal rights to use and access the drainage reserve for maintenance.

RECOMMENDATION

That Council:

1. Acquires Part Lot 52 DP1250587 and Part Lot 17 DP1087247 by agreement, or by compulsory process in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 by the authority contained in Section 177 of the Roads Act 1993. The land identified for public road.
2. Acquires Lot 98 DP1218705 by the compulsory acquisition process under the Land Acquisition (Just Terms Compensation) Act 1991 by the authority contained Section 177 of Roads Act 1993. The land identified for public road.
3. Acquires an interest in Part Lot 17 DP1087247 being 15 metres wide for a drainage easement by agreement, or compulsory process in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 by the authority contained in Section 186 of the Local Government Act 1993 (NSW).
4. Approves the making of an application to the Minister for Local Government for the issue of a Proposed Acquisition Notice under the Land Acquisition (Just Terms Compensation) Act 1991 with respect to the subject land.
5. Authorises the General Manager to: -
 - Negotiate the final boundaries of the land acquisition and easement in accordance with this report.
 - Negotiate the compensation of land acquisition under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 to achieve genuine agreement between all parties.
 - Sign the necessary documentation to implement this resolution, including affixing the Seal of Council as required.
6. Dedicates the acquired land as public road.

DELIVERY PROGRAM LINKS

6 - Provide infrastructure that meets community needs

6C - Provide a network of safe, well-constructed local roads, bridges, footpaths and cycleways

6C1 - Deliver local infrastructure maintenance and renewal programs

BUDGET IMPLICATIONS

Funding for the acquisitions and land interest are proposed to be funded from either the Section 7.12 development contributions or heavy haulage contributions due to the increased traffic being directly related to the land development including the quarry expansion. The road construction component of this project is currently unfunded whereby Council will be seeking future grant opportunities.

REPORT

The intersection at Reardon's Lane off Woodburn Coraki Road requires road widening to allow a protected right-hand turning lane to the north of the intersection. This is a requirement for safety due to an increase in traffic generated from the recent rural residential subdivision along Reardon's Lane.

Council has developed a suitable road design and is required to commence land acquisitions as part of pre-planning activities.

Council has commenced discussions with affected landholders and aims to achieve the land acquisition through genuine agreement. Council will be required to compulsorily acquire this land

through the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* should negotiations become unachievable.

Council previously approved a Development Application (DA2015/0069) submitted by the previous landowner of Lot 17 DP 1087247 for the quarry expansion. Part of Council's development consent to the application included a condition for the landowner to widen the road and construct a left-hand turning lane onto Reardons Lane to the south of the intersection on Woodburn Coraki Road.

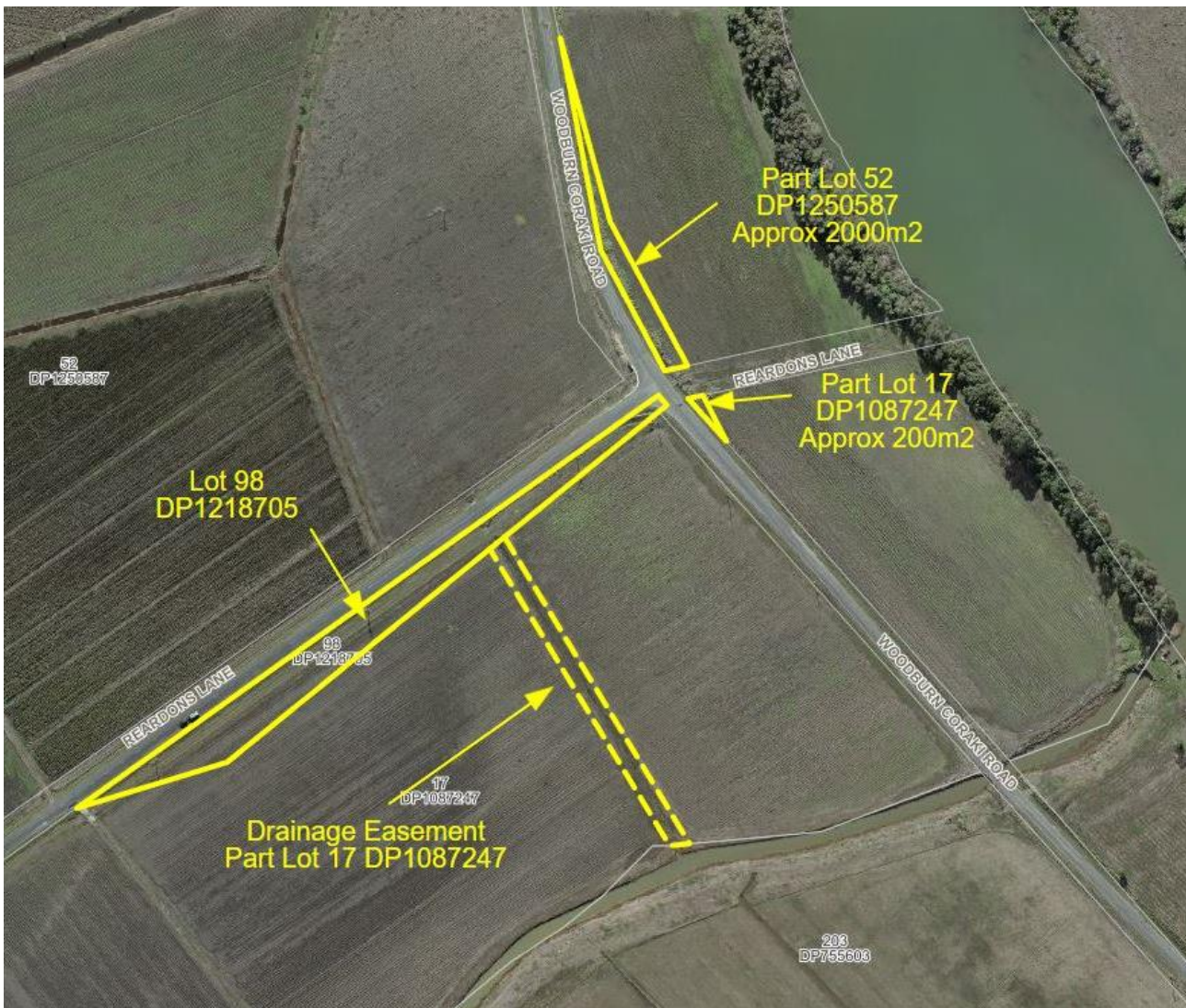
The constructed left-hand turn lane traverses over Part Lot 17 DP 1087247 and over closed crown road Lot 98 DP1218705 as shown on *Map 1*. The process of the road widening and left-hand turning lane is required to be formally finalised.

A plan of subdivision covering the road widening for the left-hand turn lane is due to be registered as required by DA2015/0069, funded by the previous landowner, dedicating Part Lot 17 DP1087247 as public road. The plan of subdivision is currently pending plan registration at the NSW Land Registry Services.

As the land identified as Lot 98 DP1218705 is owned by the State of NSW (Crown Land) and the landowner does not have any powers to acquire the closed road. Council's only option is to compulsorily acquire the closed crown road from Crown Lands under the *Land Acquisition (Just Terms Compensation) Act 1991* to connect the road widening area to Reardons Lane. As the acquisition of Lot 98 DP1218705 will create a large road reserve, it is proposed that part of this land may be used as a stockpile area for Council when road works and maintenance works are scheduled within the vicinity.

Lot 98 DP1218705 was former Council public road and severed land originally part of Portion 30 Parish of Bungawalbin, County of Richmond. This lot was created by a road realignment gazetted on 11 April 1968. The unnecessary road was vested in State of NSW (Crown Land). The land has been identified within the Native Title Consent Determination effective 2 December 2013, *Bandjalang People #2 v Attorney General of New South Wales*. Native title rights and interests do not exist in any area of land which has been dedicated as a public road or a main road in accordance with the statutory requirements for such dedication, even if the land is no longer so dedicated. The severed land being originally part of the Crown Grant of portion 30, granted in freehold would be considered a Previous Exclusive Possession Act (PEPA). Native Title rights does not exist in the area of former public road or land impacted by PEPA which extinguish native title.

A drainage easement of 15 metres wide has been identified as needing to be acquired from the landowner to formalise the legal access over drainage infrastructure in use over Part Lot 17 DP1087247 and Crown Land Lot 98 DP1218705 as shown on *Map 1*. The existing drain connects stormwater along Reardons Lane to Thearles Canal. An easement provides Council the legal rights to use and access the drainage reserve for maintenance. This right does not provide Council exclusive use or ownership of the land. An easement is not required over Crown land Lot 98 DP1218705 if the whole lot is acquired for public road.



Map 1 – Identifying Land for acquisition required for road widening and drainage easement.

CONSULTATION

Council is required to undertake due statutory process including relevant consultation in accordance with the terms of the *Land Acquisition (Just Terms Compensation) Act 1991*.

CONCLUSION

The land is required to formalise the road widening and turning lanes to upgrade the safety of Woodburn Coraki Road due to the increase in traffic from approved subdivisions and for the expansion of the quarry located along Reardons Lane. It is recommended that Council undertakes the process of acquiring the identified land as public road.

It is recommended that Council supports the acquisition of the easement to formalise the legal benefit of a public drainage reserve on private land.

ATTACHMENT(S)

Nil

16.4 COOPERS LAGOON ROAD WIDENING

Director: Ben Zeller

Responsible Officer: Brooke Thomas

EXECUTIVE SUMMARY

Council has identified that Casino Coraki Road near Coopers Lane at Tatham is required to be widened to allow for an improved alignment of the road due to significant safety concerns caused by the current substandard geometrics of the road at this location.

Historically, this stretch of road (approximately 1km in length) has been the site of numerous accidents with vehicles leaving the road and crashing into neighbouring paddocks.

Council has developed a suitable road realignment design and is currently seeking grant funding to enable Council to improve the geometrics of this road given the current safety concerns and large number of accidents that occur.

To enable Council to improve the alignment of the road, increase safety and reduce the number of accidents on this stretch of road, Council is required to acquire land as identified in *Map 1* from three private landowners.

Council has yet to commence discussions with affected landholders however aims to achieve the land acquisition through genuine agreement of all parties. Council will be required to compulsorily acquire this land through the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* should negotiations become unachievable.

RECOMMENDATION

That Council:

1. Acquires the private ownership land by agreement, or compulsory acquisition process under the *land acquisition (just terms compensation) act 1991* by the authority contained in the section 177 of the *roads act 1993*. This land being land identified as needed for public road in *map 1*. The land described as part lot 19 dp755630, part lot 10 dp718997 & part lot 2 dp 375566.
2. Approves the making of an application to the minister for local government for the issue of a proposed acquisition notice under the *land acquisition (just terms compensation) act 1991* with respect to the subject land.
3. Authorises the general manager to:
 - Negotiate the final boundaries of the land acquisitions in accordance with this report;
 - Negotiate the compensation of land acquisition under the provisions of the *land acquisition (just terms compensation) act 1991* to achieve genuine agreement between all parties.
 - Sign the necessary documentation to implement this resolution, including affixing the seal of council as required.
4. Dedicates the acquired land as public road.

DELIVERY PROGRAM LINKS

6 - Provide infrastructure that meets community needs

6C - Provide a network of safe, well-constructed local roads, bridges, footpaths and cycleways

6C1 - Deliver local infrastructure maintenance and renewal programs

BUDGET IMPLICATIONS

Due to the safety implications of this project, Council is actively seeking grant funding from the Safer Roads and Infrastructure Program. This is an identified grant opportunity which focuses on regional road safety. Preliminary estimates for this project are valued at \$3.3 million with Council being required to contribute \$660,000. It is anticipated that Council will fund the part contribution from the Heavy Haulage revenue obtained for improvement of this regional road.

REPORT

Council has identified that Casino Coraki Road near Coopers Lane at Tatham is required to be widened to allow for an improved alignment of the road due to significant safety concerns caused by the current substandard geometrics of the road at this location.

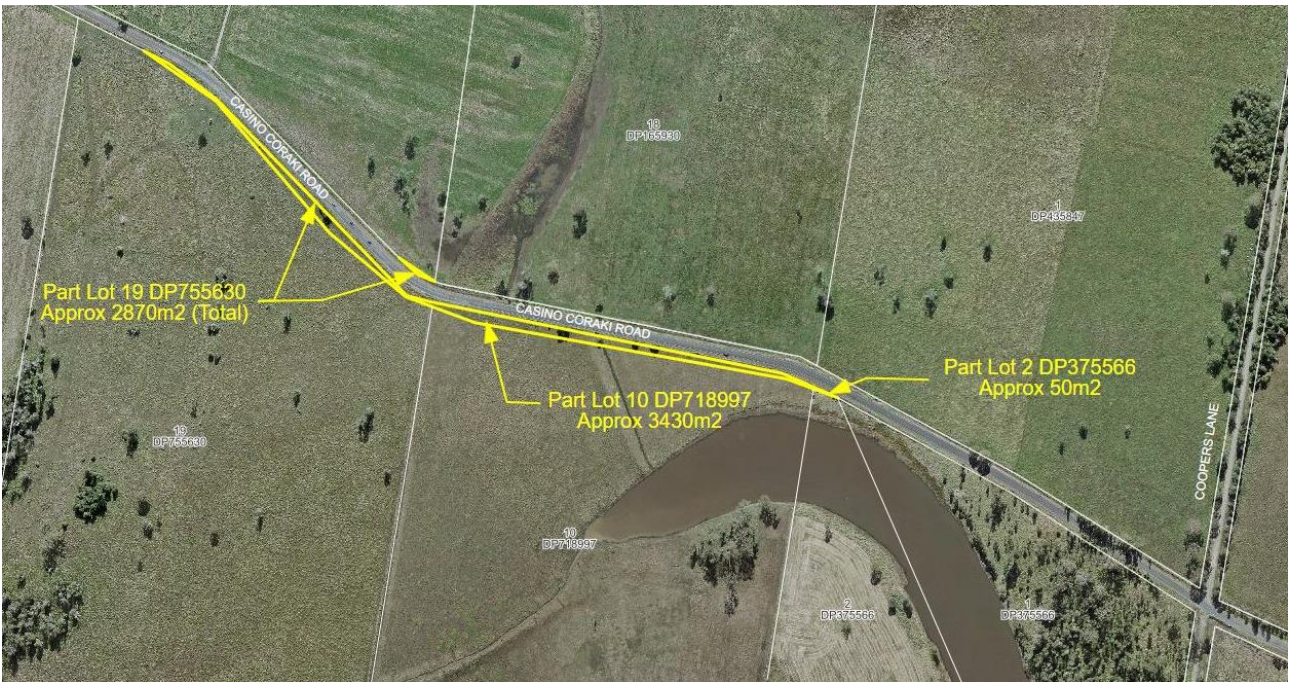
Historically, this stretch of road (approximately 1km in length) has been the site of numerous accidents with vehicles leaving the road and crashing into neighbouring paddocks.

Council has developed a suitable road realignment design and is seeking grant funding to enable Council to improve the geometrics of this road by way of realignment, therefore increasing safety for the community and reducing the large number of accidents that occur on this stretch of road.

Several land acquisitions identified in *Map 1* from three private landowners will be required to enable Council to construct the road widening and road realignment identified in *Map 1*. This land identified as being required for public road:

- Part Lot 19 DP755630 (approximately 2870m²),
- Part Lot 10 DP718997 (approximately 3430m²),
- Part Lot 2 DP375566 (approximately 50m²).

Council has yet to commence discussions with affected landholders however aims to achieve the land acquisition through genuine agreement of all parties. Council will be required to compulsorily acquire this land through the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* should negotiations become unachievable.



Map 1 – identifying land for acquisition for road widening of Casino Coraki Road at Tatham

CONSULTATION

Council will begin to negotiate with affected private property landowners in attempts to reach a private agreement on the land acquisition.

Council is required to undertake consultation in accordance with the terms of the *Land Acquisition (Just Terms Compensation) Act 1991*.

CONCLUSION

The land to be acquired is required to realign the existing road and upgrade the safety of Casino Coraki Road near Coopers Lane at Tatham due to a high number of accidents along this section of road. It is recommended that Council undertakes the process of acquiring the identified land as public road.

ATTACHMENT(S)

Nil

17 ORGANISATIONAL SERVICES

17.1 DRAFT FINANCIAL STATEMENTS 2023/2024

Director: Ryan Gaiter

Responsible Officer: Hayley Martin

EXECUTIVE SUMMARY

Council adopted the audited financial statements for 2023/2024 at its Ordinary Meeting, on 22 October 2024, 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, HLB Mann Judd GCNC will be provide a presentation on the auditor's reports in relation to the 2023/2024 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 2024 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's operating result from continuing operations for 2023/2024 was a surplus of \$26.955 million, compared to a budgeted surplus of \$12.175 million. Council recorded a deficit before capital grants and contributions of \$14.446 million for 2023/2024, compared to the original budgeted deficit of \$1.628 million.

Council's overall financial position remains strong with net assets of \$1.163 billion, including cash and cash equivalents of \$82.296 million. Council has met the benchmark in five out of nine of its key performance measure ratios.

RECOMMENDATION

That Council presents the financial statements of Richmond Valley Council for the financial year ended 30 June 2024 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

As outlined in this report.

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 22 October 2024 that the financial statements would be presented at the meeting to be held on 19 November 2024.

Council's operating result from continuing operations for 2023/2024 was a surplus of \$26.955 million, compared to a budgeted surplus of \$12.175 million. Council received \$13.329 million in

operating grants and contributions during 2023/2024 and \$41.401 million in capital grants and contributions during 2023/2024.

Council's operating result before capital grants and contributions was a deficit of \$14.446 million, compared to the original budgeted deficit of \$1.628 million. This is reflective of the challenges facing the economy as a whole with escalating cost of materials and labour and is heavily influenced by natural disaster recovery and the availability of operating grants.

Council's financial position is sound with net assets of \$1.163 billion, including cash and cash equivalents of \$82.296 million. Available working capital is sufficient to manage Council's day-to-day operations and provide a safeguard against unforeseen and unbudgeted expenditures after taking into account the level of internally restricted reserves. The balance of these reserves has remained stable in recent years even through the pandemic, disaster recovery and the completion of consecutive large capital works programs and is sufficient to fund future budgeted works.

Over the past 10 years council's operations have increased substantially, with operating expenditure increasing from \$46m in 2014/2015 to \$83m in 2023/2024, operating income (excluding capital grants) from \$44m to \$68mil and capital works program from \$17m to \$60m in 2023/2024. That's an investment in our community going from \$63m to \$143m per annum. Whilst council has only achieved two operating surpluses (excluding capital grants) over the past 10 years, the majority of council's key performance indicators still remain above the industry benchmark.

The summarised financial results for the year ended 30 June 2024 are as follows:

Income Statement	Actual 2024 \$'000	Actual 2023 \$'000
Total Income from Continuing Operations	109,782	125,401
Total Expenses from Continuing Operations	82,827	81,144
Operating Result from Continuing Operations	26,955	44,257
Net Operating Result before grants and contributions provided for capital purposes	(14,446)	2,954

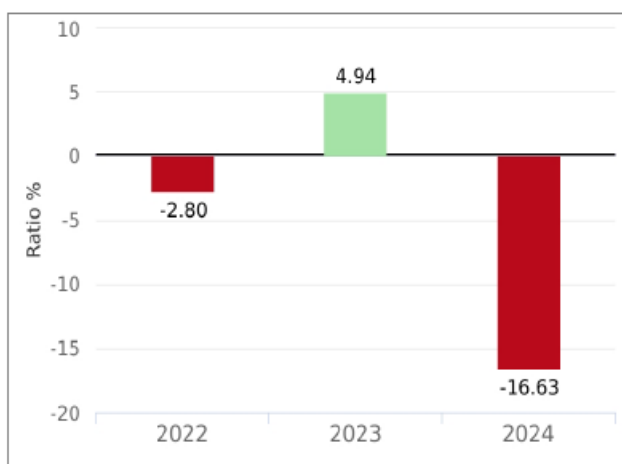
Statement of Financial Position	Actual 2024 \$'000	Actual 2023 \$'000
Total Current Assets	89,846	100,704
Total Non-Current Assets	1,125,927	941,505
Total Assets	1,215,773	1,042,209
Total Current Liabilities	30,836	33,306
Total Non-Current Liabilities	21,020	20,345
Total Liabilities	51,856	53,651
Net Assets	1,163,917	988,558
Equity		
Accumulated Surplus	460,852	433,897
Revaluation Reserves	703,065	554,481
Total Equity	1,163,917	988,378

Statement of Cash Flows	Actual 2024 \$'000	Actual 2023 \$'000
Cash Flows from Operating Activities - receipts	104,628	124,974

Statement of Cash Flows	Actual 2024 \$'000	Actual 2023 \$'000
Cash Flows from Operating Activities - payments	(55,140)	(61,902)
Net Cash provided (or used in) Operating Activities	49,488	63,072
Cash Flows from Investing Activities - receipts	836	269
Cash Flows from Investing Activities - payments	(66,859)	(53,606)
Net Cash provided (or used in) Investing Activities	(66,023)	(53,338)
Cash Flows from Financing Activities - receipts	2,600	0
Cash Flows from Financing Activities - payments	((3,962)	(3,809)
Net Cash provided (or used in) Financing Activities	(1,362)	(3,809)
Net Increase/(Decrease) in Cash & Cash Equivalents	(17,897)	5,925
Cash and Cash Equivalents - beginning of year	55,497	49,572
Cash and Cash Equivalents - end of year	37,600	55,497
Plus: Investments on Hand - end of year	44,696	35,088
Total Cash, Cash Equivalents and Investments	82,296	90,585

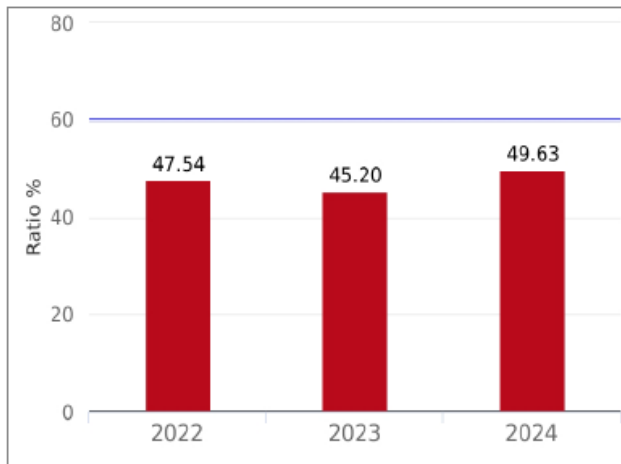
Council's key performance measures remain satisfactory, with the majority of these being above the industry benchmark. These are summarised below:

Operating performance ratio



Benchmark: — > 0.00%

Own source operating revenue ratio

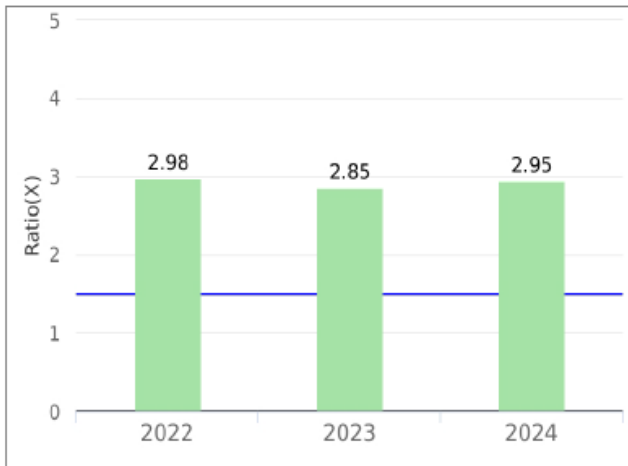


Benchmark: — > 60.00%

Council's operating performance ratio on a consolidated basis was -16.63% for 2023/2024. Council's operating income, in particular operating grants and contributions, decreased from 2022/2023 with the actual amounts of grants received dependent upon decisions made by the State and Federal Governments after the original budget is adopted and heavily impacted by natural disaster funding. The industry benchmark for this ratio is > 0.00% and achieving this will remain as a key focus moving forward.

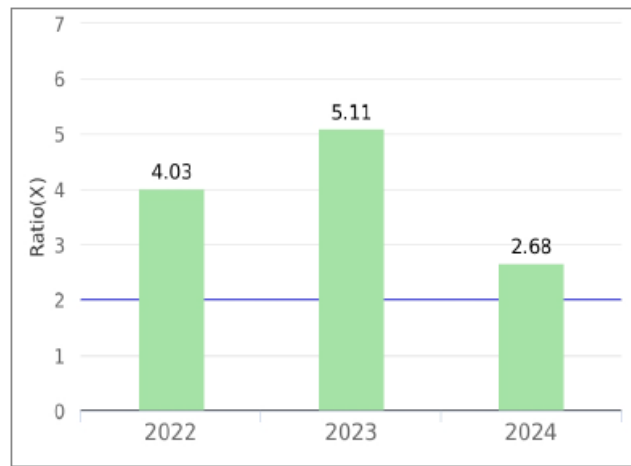
Council's own source operating revenue ratio has remained relatively consistent at 49.63%. This ratio is heavily impacted by grant funding which have been quite high over the past few years. The industry benchmark is > 60.00%.

Unrestricted current ratio



Benchmark: — > 1.50x

Debt service cover ratio

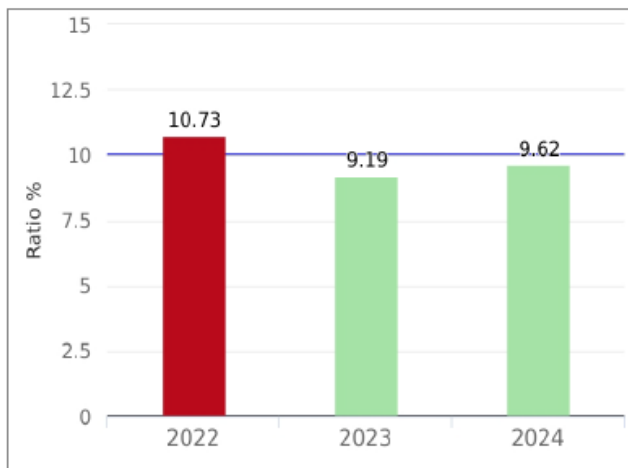


Benchmark: — > 2.00x

Council’s unrestricted current ratio has remained consistent with previous years at 2.95, meaning Council now has \$2.95 in unrestricted current assets for every \$1 of current liabilities. This ratio is well above the benchmark of > 1.50x.

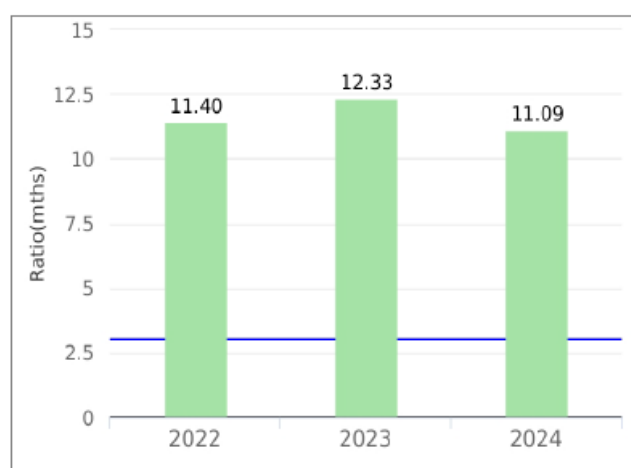
The debt service cover ratio was 2.68 for 2023/2024. This ratio measures the availability of operating cash to service debt including interest, principal and lease payments. This ratio is above the benchmark of > 2.00x.

Rates and annual charges outstanding percentage



Benchmark: — < 10.00%

Cash expense cover ratio

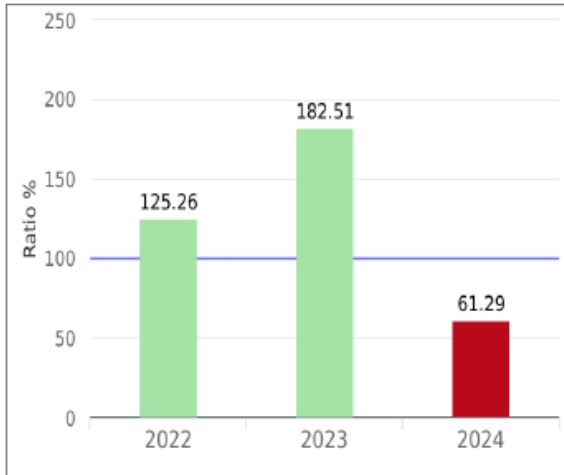


Benchmark: — > 3.00months

Council’s rates and annual charges outstanding percentage remains comparable to the previous year at 9.62% on a consolidated basis. This ratio 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 remained relatively stable at 3.97%, from 3.21% in 2022/2023. Given the number of challenges with cost-of-living pressures facing households over 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.

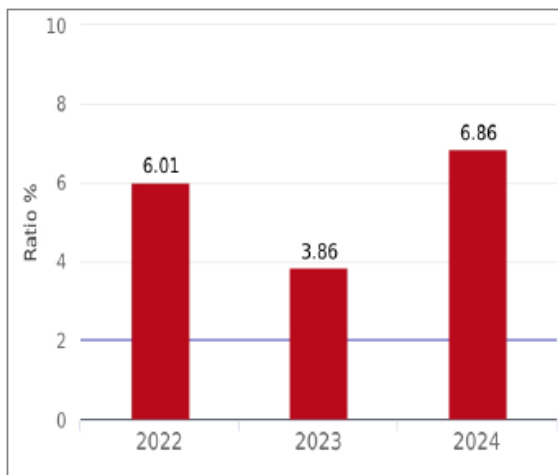
The cash expense cover ratio remains comparable to previous years at 11.09 months for 2023/2024. This ratio indicates the number of months Council can continue paying for its immediate expenses without additional cash inflow and is well above the benchmark of > 3 months.

Building and infrastructure renewals



Benchmark: — > 100.00%

Infrastructure backlog ratio

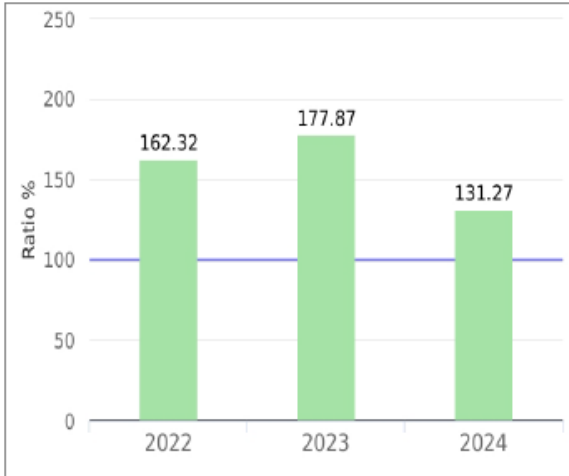


Benchmark: — < 2.00%

Council’s buildings and infrastructure renewals ratio has declined to 61.29%. This ratio was largely impacted this year by additional impairment being raised on council’s infrastructure assets due to the finalisation of asset inspections and essential public asset restoration applications. The industry benchmark is $\geq 100.00\%$.

Council’s infrastructure backlog ratio was 6.86% for 2023/2024. This is again impacted by the revised amount of impairment on infrastructure assets due to disaster restoration works and will continue to be impacted by any future natural disasters. The industry benchmark is $< 2.00\%$.

Asset maintenance ratio



Benchmark: — > 100.00%

Council’s asset maintenance ratio was 131.27% for 2023/2024. This is above the benchmark of $> 100.00\%$, which indicates that Council is investing sufficient funds to stop its infrastructure backlog growing.

The schedule of restricted assets (reserves) held by Council as at 30 June 2024 is as follows:

Restricted Asset	30 June 2024 \$'000	30 June 2023 \$'000
External Restrictions		
Bonds and Deposits	535	536
Developer Contributions - General Fund	3,478	3,690
Developer Contributions - Water Fund	3,203	2,852
Developer Contributions - Sewerage Fund	6,480	5,739
Specific Purpose Unexpended Grants	13,642	6,390
Specific Purpose Unexpended Loans – General Fund	1,052	0
Water Supplies	6,056	5,534
Sewerage Services	6,141	8,919
Domestic Waste Management	4,912	7,137
Stormwater Management	1,330	1,096
Other	2,957	2,728
Total External Restrictions	49,786	53,492
Internal Restrictions		
Employee Leave Entitlements	1,631	1,481
Richmond Upper Clarence Regional Library	44	139
Other Waste Management	4,382	6,266
Insurance Reserve	1,848	2,455
Plant Replacement	2,388	4,199
Real Estate and Infrastructure	4,288	3,038
Petersons Quarry	1,449	2,503
Woodview Quarry	1,693	2,440
Quarry Rehabilitation	634	515
Road Rehabilitation Reserve	2,649	2,272
Northern Rivers Livestock Exchange	-	160
Rural Road Safety Program	121	91
Unexpended Special Rates Variations	833	865
Financial Assistance Grant Advance Payment	5,767	6,397
TfNSW State Roads Maintenance Contract	6	6
Public Cemeteries Perpetual Maintenance Reserve	114	186
Carry Over Works	3,780	3,035
Event Funding	43	75
Northern Rivers Rail Trail Maintenance	640	655
Total Internal Restrictions	32,310	36,778
Total Restrictions	82,096	90,270
Total Cash, Cash Equivalents and Investments	82,296	90,585
Unrestricted Cash, Cash Equivalents and Investments	200	315

CONSULTATION

Council is currently advertising the financial statements for the year ended 30 June 2024 to the public and is inviting submissions in writing, with submissions closing at 4:00pm, Tuesday 26 November 2024. Any submissions will be reported to the December 2024 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

Overall Council is in a sound financial position. 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 2024, 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 26 November 2024. If any submissions are received, these will be reported to the December 2024 Ordinary Meeting.

ATTACHMENT(S)

- 1. Annual Financial Statements for the year ended 30 June 2024 (under separate cover)**

17.2 FINANCIAL ANALYSIS REPORT - OCTOBER 2024**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 2024 is shown below:

Bank Accounts	Term Deposits	Floating Rate Notes	Fixed Rate Bonds	TCorp IM Funds	Total
\$15,797,105	\$34,000,000	\$6,750,390	\$4,500,000	\$16,859,464	\$77,906,959

The weighted average rate of return on Council's cash and investments at 31 October 2024 was 2.33% which was above the Bloomberg AusBond Bank Bill Index for October of 0.37%, 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 2024.

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 2024, Council has earned \$797,268 in interest and \$413,197 in fair value gains from funds held in TCorp, for a total investment income of \$1,210,465. This equates to 51.56% of the annual budget for interest and investment income of \$2,347,506.

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 cash rate remained at 4.35% per annum as the RBA did not hold a meeting in October.

Rate of Return

The weighted average rate of return on cash and investments in October was 2.33%, a decrease in 356 basis points from the previous month. The rate of return is 195 points above the Bloomberg AusBond Bank Bill Index of 0.37% which is Council's benchmark.

Council's NSW Treasury Corporation IM Funds returned net losses of \$96,991 during the month of October. The Medium-Term Growth Fund (MTGF) returned a loss of \$82,401 and the Long-Term Growth Fund (LTGF) returned a loss of \$14,590.

During October there were large movements in financial markets, driven by changes in the outlook for the US and Chinese economies. Australia's inflation met the RBA's target of 2-3% for the first time since 2021, however the RBA is not confident that it will consistently remain within the target band and as such do not intend to cut rates any time soon.

The MTGF has a recommended investment timeframe of five 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 \$77,906,959 at 31 October 2024. This was made up of Council's Business Online Saver Account (\$13,157,000), Macquarie Cash Management Account (\$2,007,877), Term Deposits (\$34,000,000), Floating Rate Notes (\$6,750,390), Bonds (\$4,500,000), NSW Treasury Corporation Investments (\$16,859,464) and other bank accounts (\$632,228).

Council's investment portfolio had maturity dates ranging from same day up to 1,742 days. Term deposits, floating rate notes and bonds of \$45,250,390 represented 58.08% of the total portfolio as at 31 October 2024.

Council made the following new investments during October 2024:

Banking Institution	Investment Type	Environmentally Sustainable Investment	Amount Invested	Investment Term	Interest Rate
National Australia Bank	Term Deposit	N	\$3,000,000	4 months	5.00%
Bank of Queensland	Term Deposit	Y	\$2,000,000	6 months	5.05%
Judo Bank	Term Deposit	Y	\$2,000,000	6 months	5.05%
National Australia Bank	Term Deposit	N	\$2,000,000	4 months	5.00%
Total			\$9,000,000		

Council had the following investment maturities during the month of October 2024:

Banking Institution	Investment Type	Environmentally Sustainable Investment	Amount Invested	Interest Earned
Judo Bank	Term Deposit	Y	\$1,000,000	\$12,981
National Australia Bank	Term Deposit	N	\$2,000,000	\$42,756
National Australia Bank	Term Deposit	N	\$2,000,000	\$25,710
Total			\$5,000,000	\$81,447

Council had \$16,859,464 in longer term investments being the MTGF and LTGF held with NSW Treasury Corporation as at 31 October 2024. The investment values and fair value returns are shown below:

Investment Holding	Fair Value 31 October 24	Fair Value Gain/(Loss) at 31 October 24	Fair Value Gain/(Loss) YTD	Fair Value Gain/(Loss) Life of Investment
Medium Term Growth Fund	\$13,300,362	(\$82,401)	\$272,909	\$2,295,333
Long Term Growth Fund	\$3,559,102	(\$14,590)	\$140,288	\$559,102
Total	\$16,859,464	(\$96,991)	\$413,197	\$2,854,435

Environmentally Sustainable Investments (ESI's)

Council's cash and investments portfolio of \$77,906,959 at 31 October 2024 includes \$42,109,464 or 54.1% 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 2024, Council's investments have been made in accordance with the Act, the Regulations and Council's Investment Policy.

As at 31 October 2024 Council's cash and investments totalled \$77,906,959 with \$15,797,105 of this being funds held in bank accounts. The weighted average rate of return was 2.33% and total investment revenue equals 51.56% of budgeted revenue for the year to 31 October 2024.

ATTACHMENT(S)

- RVC Investment Pack - October 2024 (under separate cover)**

17.3 QUARTERLY BUDGET REVIEW STATEMENT FOR THE QUARTER ENDED 30 SEPTEMBER 2024

Director: Ryan Gaiter

Responsible Officer: Zakari Witt

EXECUTIVE SUMMARY

The budget review report for the quarter ended 30 September 2024 has been prepared to provide Council and the community with information regarding Council's financial performance and proposed amendments to the 2024/2025 budget.

Council's projected operating result including capital grants and contributions for 2024/2025 has increased by \$4.17 million, excluding previously approved adjustments, to a surplus of \$42.4 million. The net operating deficit before capital grants and contributions has increased \$6.13 million, to a deficit of \$9.05 million. Largely impacting this result was a revised budget for depreciation expense and net loss from the disposal of assets, following the actual results for the 2023/2024 financial year.

Income from continuing operations has increased \$7.66 million, to \$82.76 million and expenses from continuing operations have increased \$13.79 million, to \$91.81 million. Significant adjustments include \$7 million for the grant funded Casino Industries Activation Project along with the increases in depreciation and net loss from the disposal of assets. Milestone funding for this project has also meant that Council's actual revenue received is tracking at 47.1% of the projected year-end result which is 14.9% higher than at this time last year and expenditure from continuing operations is on track with 25.4% of the projected year-end result expended as at 30 September 2024.

Council's capital works program has been reviewed, resulting in a projected program for 2024/2025 of \$85.97mil, increasing the programmed works by \$12.02 million after previously approved adjustments. Significant adjustments to the capital works program are largely focused on prioritising essential public asset reconstruction works following the February 2022 flood, funded by Transport for NSW, totalling \$12.1 million. The delivery of this program will be heavily reliant on the availability of contractors and materials as well as favourable weather conditions. Current expenditure for the capital program is at 16.4% of the projected year-end result however is expected to increase over the coming months and will be 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 \$272,799 as of 30 September 2024.

A detailed Quarterly Budget Review Statement for the first quarter of 2024/2025 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 9-14.

RECOMMENDATION

That council:

1. Receives the quarterly budget review statement as at 30 september 2024; 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 2024/2025 financial year has resulted in Council's operating result including capital gains and contributions improving to a projected surplus of \$42.4 million. The net operating result before capital grants and contributions has decreased \$6.13 million, to a deficit of \$9.05 million. The decrease in the net operating result before capital grants and contributions is attributed to the increase in expenses from continuing operations detailed below.

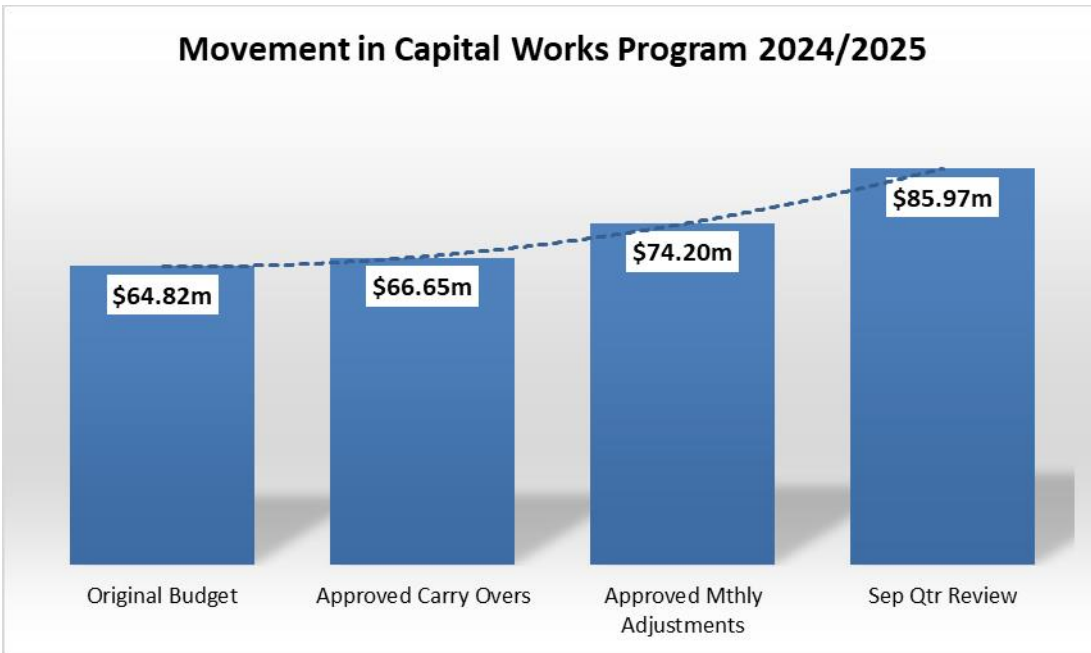
Council's estimated budget result (unrestricted cash result) has remained unchanged from the 2024/2025 original budget at \$272,799. In overall cash terms, there is an increase in the estimated funding from reserves of \$3.63 million with an estimated total transfer from reserves of \$19.88 million for the 2024/2025 financial year. This is predominately due to an increase in the capital works with unexpended grant funding at 30 June 2024 being transferred out towards the delivery of the projects in 2024/2025.

Income from continuing operations is proposed to increase by \$7.66 million to \$82.76mil. Largely contributing to the increase was \$7 million for the grant funded Casino Industries Activation Project along with an increase of \$300,668 in Roads to Recovery grant funding for 2024/2025 in line with allocated funding from the Australian Government. Milestone grant funding has resulted in Council's actual revenue tracking at 47.1% of the projected year-end result which is 14.9% higher than at this time last year.

Expenses from continuing operations have increased by 13.79 million, to \$91.81 million. Council has undertaken a review of the budgeted depreciation expense for 2024/2025 following the completion of the financial statements for the end of the 2023/2024 financial year, resulting in a proposed increase of \$3.9mil for the 2024/2025 budget. Largely contributing towards this increase is the accelerated depreciation of the Casino Sewage Treatment Plant in line with the expected timeframe for replacement, along with increases as a result of the comprehensive revaluation undertaken on Council's roads, bridges and footpaths asset classes as at 30 June 2024, which resulted in an increase asset value of \$161 million. In addition, Council has included a budget for the net loss on disposal of assets based on a review of actuals which has averaged \$2.2mil over the past 5 years. Whilst this figure is difficult to estimate, the intention is to ensure Council's budget is a more accurate reflection of the projected year-end result. Other significant adjustments include an increase of \$7 million for the Casino Industries Activation Project. Council expenditure from continuing operations is on track with 25.4% of the projected year-end result expended as at 30 September 2024.

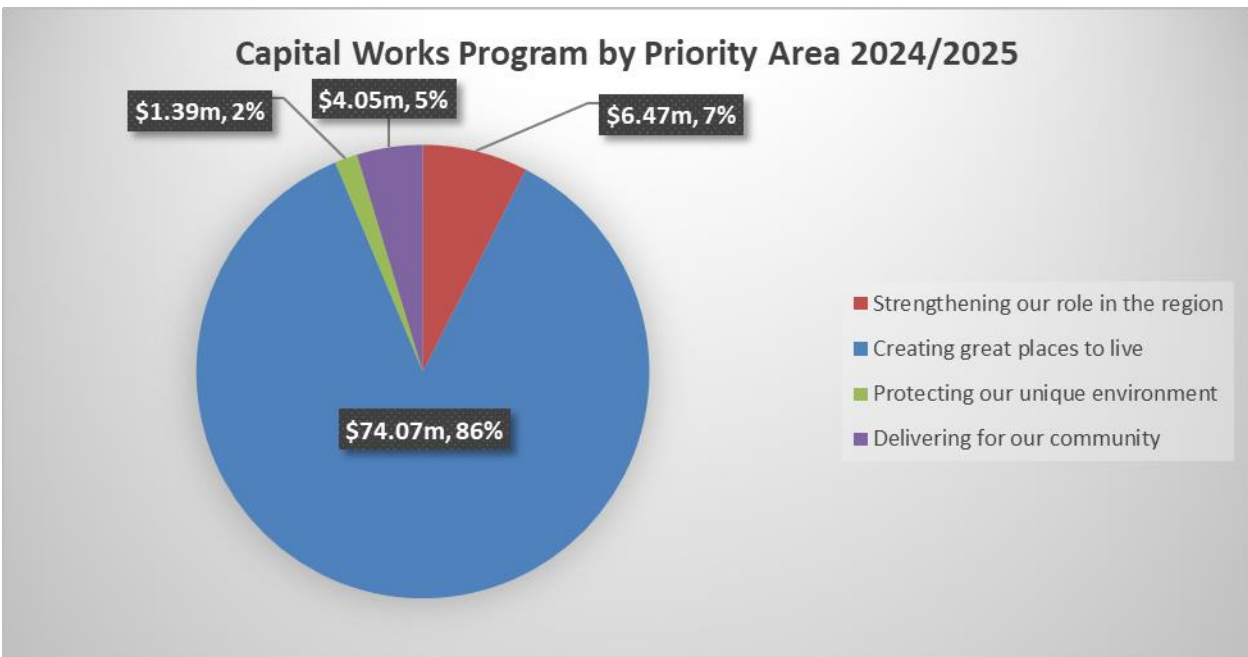
Council's capital works program has been reviewed, resulting in a projected program for 2024/2025 of \$85.97mil, increasing the programmed works by \$12.02 million from previously adopted adjustments. Significant adjustments to the capital works program are largely focused on prioritising essential public asset reconstruction works following the February 2022 flood, funded by Transport for NSW, which is expected to increase further as project scheduling is finalised. All recommended changes for continuing operations and capital are disclosed by priority area on page 4 to 8 of Council's Quarterly Budget Review Statement and detailed explanations are provided on pages 9-14.

The following graph tracks the movement in the capital works program for 2024/2025 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 ambitious capital works program and the importance of constantly reviewing the program to make sure it is deliverable. The delivery of these works will be heavily reliant on the availability of contractors and materials as well as favourable weather conditions. Currently expenditure for the capital program is at 16.4% of the programs revised budget however this is expected to increase significantly over the second quarter, weather permitting.

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



This graph illustrates that the majority of Council’s capital works program falls under the departments that encompass the priority area of creating great places to live in particular building and maintaining roads, sports grounds, parks and facilities, water supplies and sewerage services.

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 2024	Revised Budget 2024/2025	Recommended Changes for Council Resolution	Projected Year End Result 2024/2025
Income from Continuing Operations	75,101,469	7,655,879	82,757,348
Expenses from Continuing Operations	78,023,017	13,788,712	91,811,729
Net Operating Result before Capital Grants and Contributions	(2,921,548)	(6,132,833)	(9,054,381)
Add: Capital Grants & Contributions	41,150,660	10,306,306	51,456,966
Net Operating Result including Capital Grants and Contributions	38,229,112	4,173,473	42,402,585
Add: Non-Cash Expenses	20,419,197	6,176,637	26,595,834
Add: Non-Operating Funds Employed	3,462,812	(2,209,546)	1,253,266
Less: Capital Expenditure	74,197,305	11,767,885	85,965,190
Less: Loan Repayments	3,891,584	0	3,891,584
Estimated Funding Result – Surplus/(Deficit)	(15,977,767)	(3,627,321)	(19,605,088)
Restricted Funds – Increase/(Decrease)	(16,250,566)	(3,627,321)	(19,877,887)
Unrestricted Funds – Increase/(Decrease)	272,799	0	272,799

Pages 9 to 14 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

- Council has received funding under the Bushfire Local Economic Recovery Fund for the Casino Industries Activation project encompassing the construction of a roundabout on the Bruxner Highway adjacent to the proposed new industrial development increasing operating income and expenditure by \$7.01mil and capital income and expenditure by \$2.47mil totalling a proposed grant funded program of works of \$9.48mil.

Creating great places to live

- Council has been successful in receiving funding under the Community Asset Program from Regional NSW towards the Colley Park netball clubhouse increasing capital grant income by \$831K and capital expenditure by \$1.39mil
- Council has been successful in receiving funding under the Community Asset Program from Regional NSW towards the Casino Rugby League clubhouse increasing capital grant income and capital expenditure by \$1.61mil
- Approvals have been received from Transport for NSW under the Essential Public Asset Reconstruction program in response to the February 2022 flood resulting in an increase of \$12.01mil to Council's capital program in line with scheduled works.
- Proposed to increase the engineering support and asset management capital expenditure budget by \$500K in line with recommendations from the Casino Depot Masterplan for essential infrastructure works.

Protecting our unique environment

- It is proposed to increase the waste management capital expenditure budget by \$202,541 largely due to an adjustment to bring forward the purchase of an essential item of plant originally scheduled for replacement in the 2025/2026 year.

Delivering for our community

- It is proposed to increase the fleet management capital expenditure budget by \$176,481 for the renewal and replacement of plant at the Coraki fabrication workshop.

CONCLUSION

At the end of the first quarter, Council's operating result including capital grants and contributions is a projected surplus of \$42.40mil, with a projected deficit before capital grants and contributions of \$9.05mil. Council's capital works budget has increased to \$85.97mil 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 \$272,799 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 2024 (under separate cover)**

17.4 ARTS NORTHERN RIVERS REPRESENTATIVE

Director: Ryan Gaiter

Responsible Officer: Kate Ailder-Conn

EXECUTIVE SUMMARY

Richmond Valley Council has a range of committees that contribute to its operations, activities and functions. Council also has delegate commitments to external organisations. Following the recent local government election, Council seeks to determine a representative on the Arts Northern Rivers Board, together with one alternate representative.

RECOMMENDATION

That Council:

1. Appoints a Councillor representative to the Arts Northern Rivers Board for the term of Council, together with one alternate.
2. Notifies Arts Northern Rivers of the appointment.

DELIVERY PROGRAM LINKS

Objective 10: Lead and advocate for our community

10C Lead with integrity

10C1 Provide representative and accountable community governance

BUDGET IMPLICATIONS

Detailed in the report.

REPORT

Arts Northern Rivers (ANR) is an incorporated association that includes representatives of local councils on its Board. The six member councils are: Richmond Valley, Tweed, Lismore, Byron, Kyogle and Clarence Valley Councils.

The organisation aims to:

- Foster and promote the culture of the region;
- Foster and encourage Indigenous arts and cultural programs and practices;
- Promote the arts, and achievement in the arts, to enhance social and economic community development; and
- Encourage an increase in the level of cultural tourism.

Member councils make an annual contribution to Arts Northern Rivers to support its work and the organisation also receives grant funding from the state government. Council's contribution for the 2024/2025 financial year is \$16,539.28 (GST inclusive).

Membership entitles Council to have a voting interest, together with enjoying the full support of ANR's services across the region. From participation on council committees to the delivery of innovative projects, ANR aims to enhance the delivery of arts projects for all contributing councils. ANR offers expertise in cultural planning, policy development and facilitation of community consultation.

The ANR constitution enables each contributing council to decide how it will select its representative (either by direct appointment or calling expressions of interest) and whether it wishes to appoint a Councillor, staff member, or member of the local arts community as its

representative. An Alternate must also be appointed. Appointments should be made for the term of local government.

In the previous council term, Council chose a Councillor as its representative, with a member of staff serving as the Alternate. Four board meetings are held each calendar year, with the next meeting scheduled for 29 November 2024. Meetings are conducted in Lismore, with the option of online attendance.

CONSULTATION

Nil

CONCLUSION

Following the recent local government election, Council seeks to determine a representative on the Arts Northern Rivers Board, together with one alternate representative.

ATTACHMENT(S)

Nil

18 GENERAL BUSINESS

Nil

19 MATTERS FOR INFORMATION

RECOMMENDATION

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

19.1 BROADWATER DRAINAGE INFORMATION

Director: Ben Zeller

Responsible Officer: Kim Anderson

RECOMMENDATION

That Council receives and notes the Broadwater Drainage Information report.

REPORT

The residents of Broadwater have reached out to various Government entities including Transport for NSW, Rous County Council (Rous), and Richmond Valley Council (Council) regarding the drainage systems in place in Broadwater. Specifically, the community has raised questions around the maintenance and cleaning of drains, the impact of development and the request for improved stormwater inundation and flood management solutions within the village.

The Broadwater village is located on a flood plain which has a long history of flooding impacted by the Richmond River and Wilson River being at the lower end of the Richmond River catchment.

The Broadwater terrain is relatively flat with a low-lying catchment. Council has minimal stormwater network infrastructure within the Broadwater village with most of the rainfall navigating through open drains along public roads or via private drains until discharging into the Richmond River.

Rous flood infrastructure such as levees, flood channels and floodgates, which was installed from the 1960s to the late 1980s, aimed to protect settlements and activate areas for agriculture, reducing flood impacts and enabling flood water to recede more rapidly. The flat topology of the land at the village is at the mercy of the height of the river often resulting in stormwater overflow taking longer for water to recede.

The current stormwater drainage system often experiences heavy intensity rain events creating an overflow and impacts on residents. The community seeks priority for improved flood and stormwater management following the impact of the 2022 flood event, and subsequent rain events.

Council stormwater, drainage infrastructure and flood studies

Council's Community Strategic Plan Richmond Valley 2040, and the Delivery Program have identified a priority to upgrade stormwater systems within the Mid-Richmond and Casino. The Casino stormwater study including modelling and mitigation options was finalised in November 2023. This study identified increased rain frequency, quantity, urban surface density and development as reasons that areas of Casino continue to experience localised flooding from minor events. Council is seeking funding opportunities for mitigation solutions as Council does not have adequate funds to build new drainage solutions.

Planning and investigation are being undertaken to expand this stormwater study to include the Mid-Richmond communities. The aim is to include modelling and assessment for short heavy rain periods and providing mitigation options to relieve localised flooding resulting from overwhelmed stormwater drains during heavy rain.

Council currently has minimal stormwater network infrastructure within the Broadwater village with most of the rainfall navigating in open drains along public roads or via private drains until

discharging into the Richmond River. Four main outlet discharge locations along the Richmond River are connected to floodgates managed by Rous.

Rattle Gully forms a large part of the drainage catchment network for the north-eastern part of the village located on privately owned land. Council has no authority for maintaining or cleaning the natural formed drain on private land.

An open roadside drain along Broadwater Evans Head Road connects a large 1,500mm diameter concrete pipe which collects the water from the southern hill along Simmons Street and Cook Street as well as the new development discharging into the Richmond River. From studies undertaken the new development has not increased stormwater outflow from the site.

For larger flood events, The Richmond Valley Flood Study 2023 was adopted by Council on 19 September 2023 and will assist with managing the community's risk from flooding. Council is currently undertaking a floodplain risk management plan to identify future flood mitigation works and reduce the risk to the community and Council infrastructure.

Following the February 2022 flood event, Council undertook activities to clean roadside drains and blocked culverts as part of emergency works and immediate reconstructive works. Council has \$269,664 approved for essential public asset restoration works within Broadwater which predominately includes small areas of heavy patching of failed pavement and the regrading of the unsealed sections of Cook Street and River Street. No additional funding has been received for drain cleaning as part of the additional works. The approved reconstruction works are programmed as part of the Natural Disaster delivery program with the whole program due for completion by December 2027.

The current 2024/2025 Capital Works Program includes:

- Replacement of kerb & gutter which identified a failed stormwater infrastructure within Little Pitt Street. This stormwater asset will be replaced as part of this construction project.
- Additional stormwater improvements are being scoped with the construction of a footpath in Pitt Street Broadwater including a roadside concrete dish drain in Little Pitt Street and a grassed open swale drain in Essex Street to transfer water more effectively to existing drainage pits.

Council undertakes a cyclic revaluation of asset classes in which the Stormwater asset class is due for revaluation in 2024/2025 period. This process includes the visual assessment of the condition of assets. Part of the assessment will involve a camera network assessment with condition scoring using Artificial Intelligence (AI) technology. This program is being expanded from practices already undertaken in our Sewer network. This will enable Council to have a more accurate assessment of Council's Stormwater asset classes which were previously assessed using age and material evaluation. The aim is to provide improved business decisions on funding expenditure for maintenance and renewals of existing infrastructure.

The National Emergency Management Agency has engaged CSIRO to undertake a \$11.4 million project initiative to understand flood risk factors in the Northern Rivers and identify flood mitigation options. It is expected this study will provide options on a larger scale for flooding affecting the Broadwater community including inter-agency solutions.

Council has identified the priority on the delivery of the Richmond Valley LGA Flood Risk Management Plan and incorporated its findings and recommendations into planning controls, and flood mitigation activities around the towns including Broadwater.

Rous flood mitigation infrastructure

Rous is the authority responsible for the construction and replacement of flood mitigation infrastructure. This includes undertaking routine maintenance of floodgates, various dedicated drainage canals and undertaking related natural resource management activities. Rous has provided the following information specific to the drainage issues within the village of Broadwater.

Rous is responsible for the floodgates as shown on Map 1 below at the following sites:

- Three 1200mm floodgates on Rattle Gully to the north of the village.

- One 1500mm floodgate on the riverside of the intersection of McDonald St and Baraang Dr.
- One 450mm floodgate on the riverside opposite 66 Baraang Drive.
- Four 1500mm floodgates on Monti's Gully to the south of the village.

The floodgates are fitted with an automatic tidal float mechanism which open and close automatically depending on water levels upstream and downstream within the Richmond River.

Drainage through these floodgates is controlled by downstream water levels. Once downstream water levels drop, floodgates will open and release water, such that the floodgates only open when the river levels are low.

The floodgates cannot be opened to expediate drainage during or after rain events, so if Broadwater receives a heavy and intense dump of sudden rain which coincides with the river level being high (from tides or floodwater), that drainage water will remain until the river level drops. There is no other option, as this is how the flood gates operate so that water cannot get away if the river is higher than the discharge point.

Rous is not responsible for any other drainage infrastructure in Broadwater including the floodgate outlet drains, gully canals and drains leading to the floodgates. Council is responsible for roadside drainage and publicly owned stormwater infrastructure. The balance is privately owned and is the responsibility of the relevant property owner for maintenance activities.

All floodgates that Rous is responsible for are regularly assessed and their condition recorded. Floodgates are also frequently inspected to ensure they are free of debris and operating properly. Where needed floodgates will be refurbished or replaced as priorities allow under Rous' capital works program.



Map 1: Location of Rous floodgates within Broadwater.

Residential development

Council approved a development application DA2019/0166 at 7 Broadwater Quarry Road, Broadwater for a subdivision to create 69 Lots (68 x residential lots and 1 x primary production residue lot) including site filling, construction of roads and associated infrastructure. This is the staged residential development within Broadwater surrounding George Street, Pitt Street and Broadwater Evans Head Road.

- Stages 1-3 have been completed in full, creating 38 residential lots and a residual lot, civil construction works include installation of stormwater infrastructure as per approved plans.

- Stage 4A for the creation of a single lot has been completed.
- Stage 4 early works for civil construction has commenced located along Essex Street section.
- Stage 5 future works, possibly 12-18 months prior to commencement.

The stormwater pit and pipe infrastructure design for the development met the required 20% AEP storm event (1 in 5 year – considered the ‘minor storm’), with the development catering for the 1% AEP storm event (1 in 100 year – considered the ‘major storm’) via overland flow paths.

The previous legal point of discharge for the entire property prior to its development was discharged to Broadwater Evans Head Road where it met an existing pipe under the roadway and outflowed to an existing open drain along Broadwater Evans Head Road to the Richmond River.

The new development works result in most of the stormwater runoff going to this same legal point of discharge. A section of the development is to discharge to a new location further east along Broadwater Evans Head Road. This new discharge location required an additional pipe to be installed under the road at the Broadwater Evans Head Road intersection with Essex Street bypassing the open drain and outflowing direct to the existing 1500mm diameter stormwater pipe that discharges direct to Richmond River.

The developer has undertaken works in-kind to improve the existing condition of the drainage along the table drain downstream of the development (along the south-west verge of Broadwater Evans Head Road) following surveys confirming the increase in standing water levels being as elevated as 600mm through the unmaintained drain. The drain was experiencing poor drainage and blockages due to significant reed vegetation and silt which was excavated by the developer. These works will only relieve stormwater issues in minor storm events for an isolated area over a limited period due to ongoing maintenance requirements.

The development has not created any additional land draining to the existing open drain along Broadwater Evans Head Road. The development has created additional impervious areas which increase runoff, however development on future lots will provide water detention for onsite water re-use as an offset to the impervious surface catchment. A suitably qualified professional completed the stormwater management plan as part of the development assessment confirming that there will be no increase in outflow from the site.

The stormwater network in the Broadwater subdivision has indirect outflow to the river, connecting to downstream stormwater infrastructure outflowing to Richmond River via Rous floodgate infrastructure. Any elevated levels in the river may result in an overflow event in the network until the river subsides in height.

Other Considerations:

Developer contribution funding

Developer contributions are a levy applied on developers to fund local community infrastructure and services. This infrastructure typically includes facilities such as parks, community facilities, roads, and drainage. Council’s Section 7.12 Development Contribution Plan was adopted by Council on 25 June 2024 (see link: [SD_FINAL_EDIT_RVC_Section_7.12_Contributions_Plan](#)) which seeks to ensure an equitable and sustainable funding source for a broad range of infrastructure across the whole LGA. The Plan includes a Schedule of Works including ongoing and new Capital Works Projects for the next 10 years which are considered to best meet the community’s expectations and needs.

The contribution plan is a whole Richmond Valley Local Government Area (LGA) plan, such that the current development that is occurring within Broadwater will support facilities throughout the whole LGA. This methodology is applied to ensure each village is provided new or improved facilities irrespective of limited to no development, and that generally residents and community utilise facilities throughout the whole LGA.

Stormwater rating levy

Council applies a Stormwater Management Services charge to eligible privately owned land as part of annual rating collection. This funding is collected specifically to provide new stormwater management services such as managing the quantity and quality of stormwater runoff, minimising stormwater impacts on aquatic ecosystems, and minimising flooding impacts. The services charge is fixed at a maximum of \$25 per property, under Cl.125AA of the Local Government (General) Regulation 2021.

The income revenue from stormwater levy is \$208,764 (2024/2025 rating period), with \$8,900 received from the Broadwater rated properties. Expenditure of the stormwater levy is managed like the Section 7.12 Development Contribution Plan such that projects are allocated on community expectations and needs across the LGA.

CONCLUSION

The current stormwater drainage system in Broadwater often experiences heavy intensity rain events creating an overflow and impacting on residents. Council recognises that the community seeks priority for improved flood and stormwater management following the impact of the 2022 flood event, and subsequent rain events. It is currently expanding the stormwater study to the Mid-Richmond communities to identify potential mitigation options for heavy rainfall events. Preliminary works have commenced in the engagement of this study which includes obtaining levels and heights of existing infrastructure to provide accurate evaluation of the stormwater model. The focus areas include Broadwater, Woodburn, and Evans Head. Previous stormwater models already exist for Casino and Coraki.

Council is also improving the framework for managing existing assets for accurate condition and defined service scoring enabling priority-based decisions on a risk framework.

The Richmond Valley Flood study and outcomes from the CSIRO flood study will support improved flood mitigation and risk management.

All future findings and study outcomes including mitigation solutions and their estimated costs will be reported to a future Council meeting.

ATTACHMENT(S)

Nil

19.2 OUTCOME OF NEGOTIATIONS OF TENDER VP400913 - COUNTRY LANE ROAD RECONSTRUCTION

Director: Ben Zeller

Responsible Officer: Daniel Rowlands

Recommendation

That Council receives the report on the Outcome of Negotiations of Tender VP400913 – Country Lane Road Reconstruction and notes the engagement of Hannigan Civil Pty Ltd for \$885,870 (ex GST).

REPORT

At Council's Ordinary Meeting held on 21 May 2024, it was resolved:

"That Council:

- 1. Council declines all tenders for Tender VP400913 – Country Lane Road Reconstruction, due to all tenders being more than Council's available budget.*
- 2. The General Manager be authorised to negotiate and finalise the terms and conditions of any contract or agreement, in line with the content of this report and the available budget and affixing the seal of Council where necessary.*
- 3. Council continues to seek further funding to deliver this project.*
- 4. Notes the outcomes of the negotiations to be reported to Council for information at a future meeting."*

Richmond Valley Council called for tenders in April 2024 from suitably qualified and experienced companies for the reconstruction of Country Lane Casino, with ten submissions received. The works included the reconstruction and sealing of this unsealed road, including installation of appropriate drainage structures to address access and drainage issues for both residential and industrial heavy vehicle users.

All ten submissions were more than Council's available budget to complete the works. Council subsequently resolved to decline all tenders and authorised the General Manager to negotiate directly with suitable contractors. It was hoped that further government funding to deliver this project may be obtained.

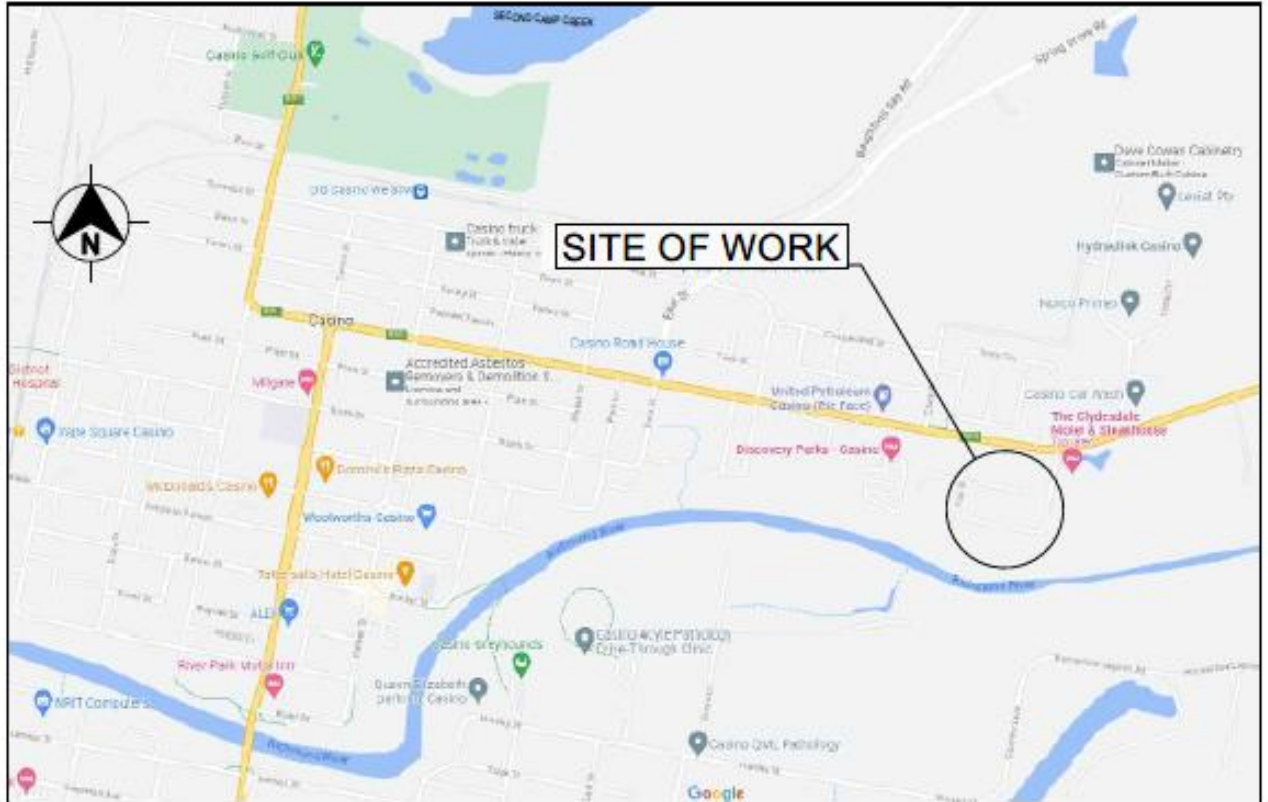
The project had an original budget of \$750,000 which was jointly provided via a successful grant application under the NSW Government's Fixing Local Roads Program of \$562,500 with Council contributing a further \$187,500. After the market was tested with the tender process and the budget found to be inadequate, Council successfully negotiated with Transport for NSW to have the savings from another Fixing Local Roads Program project (Coraki – Ellangowan Road) transferred to fund the remainder of the Country Lane project.

Council has since entered negotiations with Hannigan Civil Pty Ltd to deliver the scope of works, albeit with some design changes required with utilities infrastructure that has increased the tendered price. Hannigan Civil Pty Ltd had the highest total score for both price and non-price criteria in the original tender.

The recent negotiations have resulted in a deliverable project valued at \$885,870 excluding GST. As noted, the remaining costs of \$135,870 for this project are being funded from the Coraki - Ellangowan Road underspends. Hannigan Civil Pty Ltd commenced site establishment in September 2024 with an estimated completion date of December 2024, weather permitting.



Image: Construction works underway for Country Lane Road reconstruction



LOCALITY PLAN

Map Data ©2023 Google

CONCLUSION

Council resolved to decline all tenders for the works to reconstruct Country Lane Casino, as all submissions were above the available budget. Since then, further funding has been sought to ensure that the works can be completed. Direct negotiations have taken place with Hannigan Civil Pty Ltd which achieved the highest total score for both price and non-price criteria in the original tender and a contract has been executed to complete the construction works. This will achieve the best outcome for Council, from both a financial and delivery perspective.

ATTACHMENT(S)

Nil

19.3 AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES - 17 OCTOBER 2024

Director: Ryan Gaiter

Responsible Officer: Latoya Cooper

RECOMMENDATION

That Council receives and notes the Minutes of the Audit, Risk and Improvement Committee meeting held on 17 October 2024.

ATTACHMENT(S)

- 1. Audit, Risk and Improvement Committee Meeting Minutes, 17 October 2024**

Richmond
Valley
Council



MINUTES

Audit, Risk & Improvement Committee Meeting

17 October 2024

AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING MINUTES

17 OCTOBER 2024

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AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING MINUTES

17 OCTOBER 2024

**MINUTES OF RICHMOND VALLEY COUNCIL
AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBERS, 10 GRAHAM PLACE, CASINO
ON THURSDAY, 17 OCTOBER 2024 AT 4PM**

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

IN ATTENDANCE: Vaughan Macdonald (General Manager), Ryan Gaiter (Director Organisational Services), Ben Zeller (Director Projects & Business Development), Jenna Hazelwood (Chief of Staff), Hayley Martin (Manager Finance), Latoya Cooper (Executive Assistant), Ben Rogers (HLB GCNC), Adam Bradfield (HLB GCNC) Quentin Wong (Audit Office NSW)

1 WELCOME

2 APOLOGIES

Angela Jones (Director Community Service Delivery)

3 DECLARATION OF INTERESTS

4 CONFIRMATION OF MINUTES

4.1 MINUTES OF THE AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING HELD ON 28 AUGUST 2024

RECOMMENDATION

1. That the Minutes of the Audit, Risk & Improvement Committee Meeting, held on 28 August 2024, be taken as read and confirmed as a true record of proceedings.

Unanimously resolved

5 MATTERS FOR CONSIDERATION**5.1 2023/2024 FINANCIAL STATEMENTS AND AUDITOR'S REPORTS****EXECUTIVE SUMMARY**

Council's financial statements for the year ended 30 June 2024 have been prepared and subjected to external audit by the Audit Office of New South Wales. A copy of the draft financial statements 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, HLB Mann Judd GCNC (formerly 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 2024. The report to be presented to the Audit, Risk and Improvement Committee is the Engagement Closing Report.

RECOMMENDATION

That the Committee receives and notes the Engagement Closing Report and Draft Financial Statements for the year ended 30 June 2024, thanking the external auditors and Councils Management Team for the preparedness and presentation of the Financial Statements.

Unanimously resolved

6 GENERAL BUSINESS**6.1 UPDATE ON THE ACTIONS OF THE PREVIOUS MEETING****RECOMMENDATION**

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

Unanimously resolved

The Meeting closed at 4:55pm.

.....
CHAIRPERSON

19.4 GRANT APPLICATION INFORMATION REPORT - OCTOBER 2024

Director: Ryan Gaiter

Responsible Officer: Rylee Vidler

RECOMMENDATION

That Council receives and notes the Grant Application Information Report for the month of October 2024.

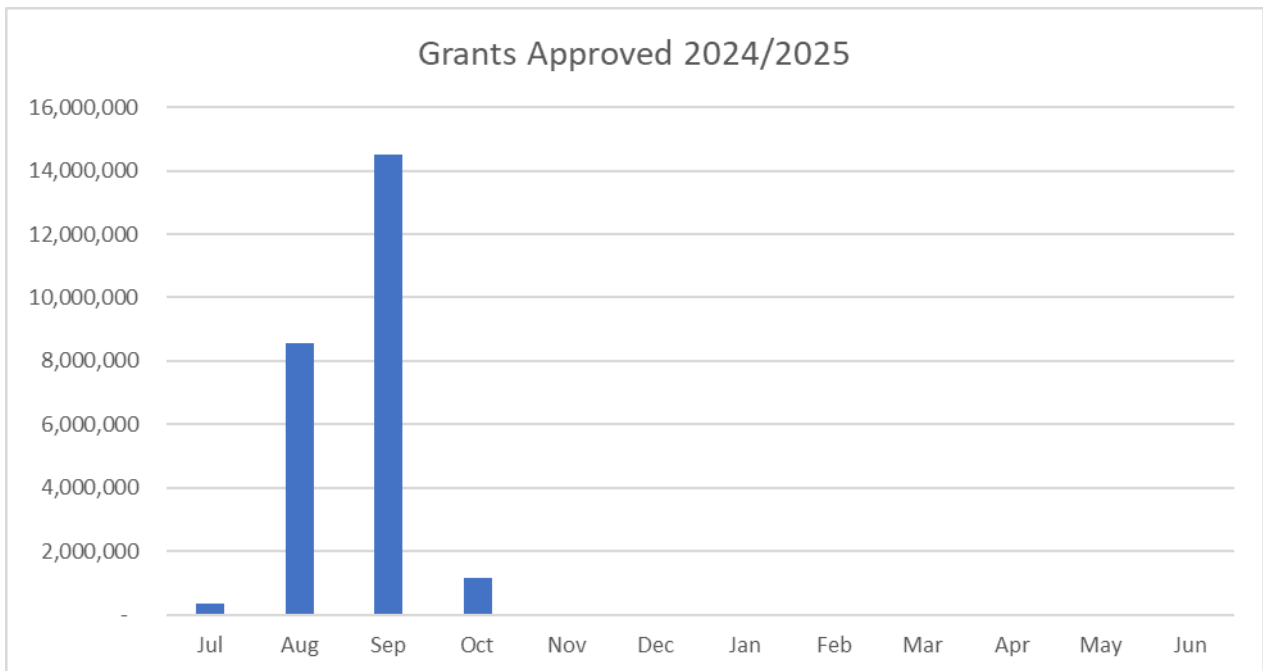
REPORT

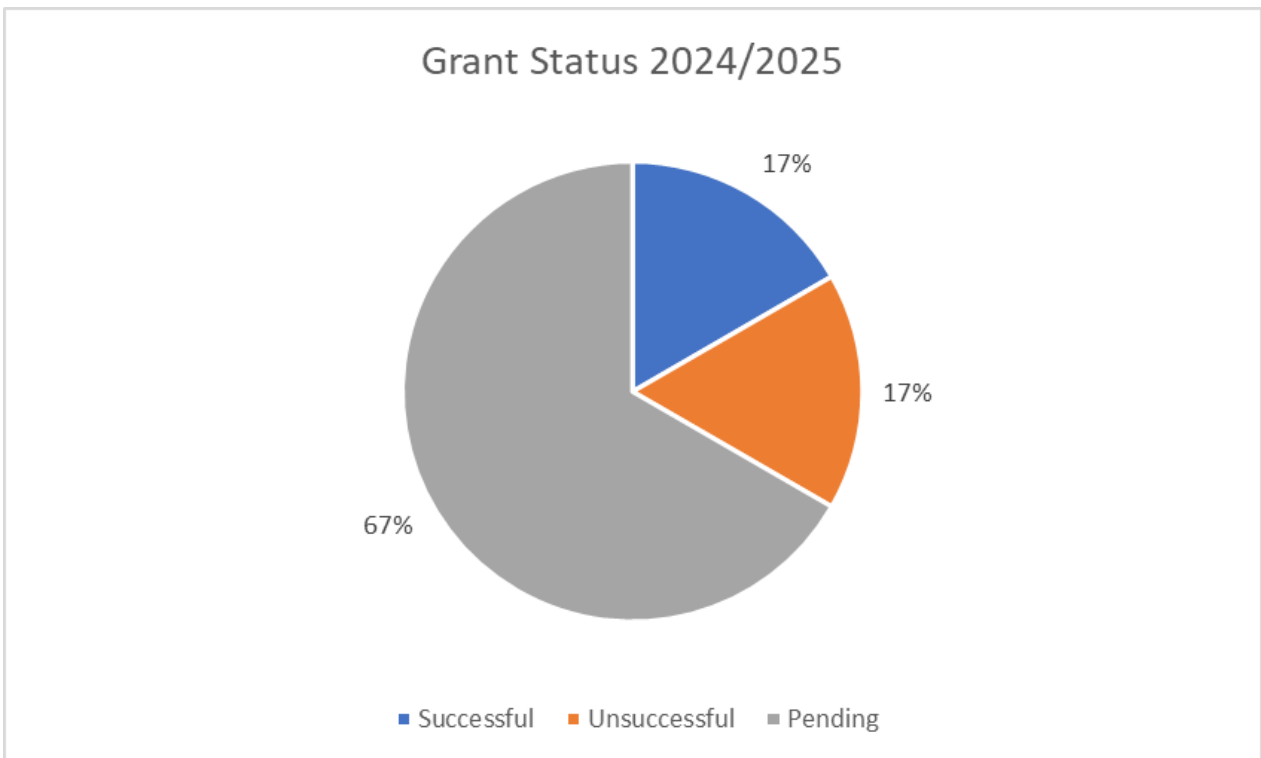
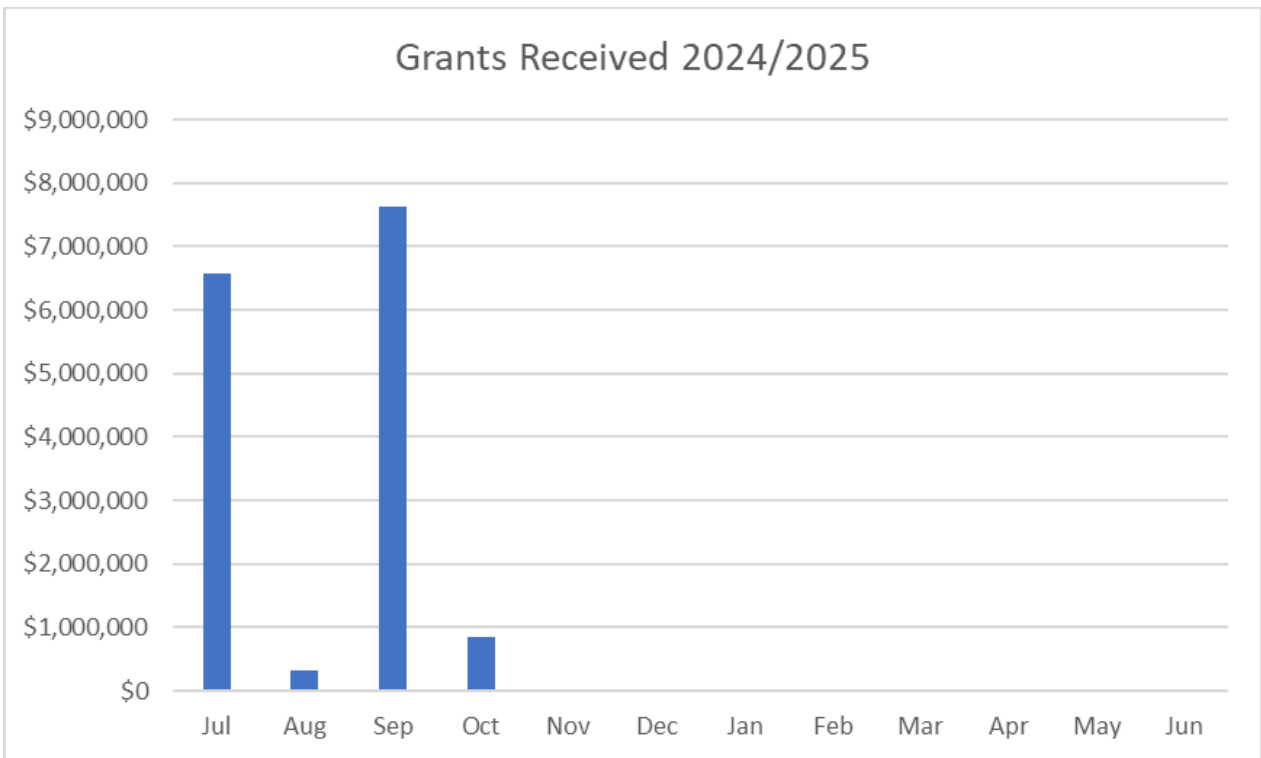
This report provides information on grant applications that have been approved, grants that have been received, grant applications that were unsuccessful and grant applications that were submitted for the month of October 2024.

During the reporting period, there were three grants approved and two submissions made. Council was notified of one current year grant application that was unsuccessful.

Council received funding for three grants totalling \$841,448.

A summary of grants approved and received, as well as the status of applications for the current financial year to 31 October 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)	\$ 49,745,614	\$49,745,614	\$ -	N/A	October - Various
<p>Comment: Council has been approved for the following new EPAR projects: North Casino Major Roads, Bridge Repairs 4, Hogarth Range Road and Manifold Road. Note: This is a cumulative total for all EPAR projects approved, previously reported \$48,918,942. There are currently 88 EPAR submissions approved and 2 remain outstanding.</p>							
Richmond River riparian/ riverbank stabilisation and restoration projects.	Department of Primary Industries and Regional Development - Administered through Rous County Council (State)	Northern Rivers Watershed Initiative	\$ 300,000	\$ 300,000	\$ -	N/A	15 October 2024
<p>Comment: This funding will allow Council to complete riparian restoration and catchment revegetation work at Windsor Park, Coraki, Jabiru Wetlands, Casino and around the Casino Raw Water Pump Station.</p>							
Cyber Security Project	Civic Risk Mutual (Other)	Risk Enhance Funding	\$ 68,992	\$ 21,983	\$ 47,009	10 September 2024	17 October 2024
<p>Comment: This funding will allow Council to engage ThreatDefence platform to collect security data and provide insights into Council's cyber security profile.</p>							

Grants that have been received

Project Name	Funding Body	Funding Name	Project Value	Grant Funding	Council Funding	Application Submitted	Date Received	Total Received
Planning Portal API	Department of Planning and Environment (State)	NSW Planning Portal API Grant Program	\$ 80,000	\$ 80,000	\$ -	17 April 2023	\$ 80,000 1 October 2024	\$ 80,000
Comment: Payment received in full for completed project.								
Broadwater Bridge*	Department of Infrastructure, Transport, Regional Development, Communications and the Arts (Federal)	Local Roads and Community Infrastructure Program (LRCIP)	\$ 1,580,313	\$ 1,580,313	\$ -	N/A	\$ 632,126 23 October 2024	\$ 632,126
Comment: Payment of 40% of grant funding to commence scheduled works. *This project may be changed to include more projects if funding allows.								
Willox Bridge MR145 Redhill Section	Transport for NSW (State)	Fixing Country Bridges Round 1 2020	\$ 1,330,023	\$ 1,050,151	\$ 279,872	2 October 2020	\$ 129,322 30 October 2024	\$ 1,050,151
Comment: Final payment for completion of works.								

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 2025 Community Events Grant Program	\$ 16,600	\$ 10,000	\$ 6,600	11 October 2024
Comment: If successful, this funding will be used to deliver activities and entertainment for the Richmond Valley on Australia Day.						
Mobile Library Replacement	State Library of NSW (State)	Public Library Infrastructure Grant	\$ 1,032,000	\$ 500,000	\$ 532,000	28 November 2024
Comment: If successful, this funding will be used to replace the existing Mobile Library Truck.						

Unsuccessful Grant Applications

Project Name	Funding Body	Funding Name	Project Value	Grant Funding	Council Funding	Application Submitted	Advised Unsuccessful
Casino Country Music Muster	Department of Infrastructure, Transport, Regional Development, Communications and the Arts (Federal)	Revive Live: Supporting Australian Live Music	\$ 60,000	\$ 50,000	\$ 10,000	23 August 2024	21 October 2024

Comment: The program had a large volume of submissions that outscored Council's application.

ATTACHMENT(S)

Nil

19.5 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 OCTOBER 2024 - 31 OCTOBER 2024

Director: Angela Jones

Responsible Officer: Andy Edwards

Recommendation

That Council receives and notes the Development Application report for the period 1 October to 31 October 2024.

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 2024 to 31 October 2024 was fourteen (14) with a total value of \$1,769,472.00.

One (1) Development Application was withdrawn being DA2024/0141 – 126 -128 Bridge Street, Coraki due to contaminated land issues and not being able to meet the requirements.

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

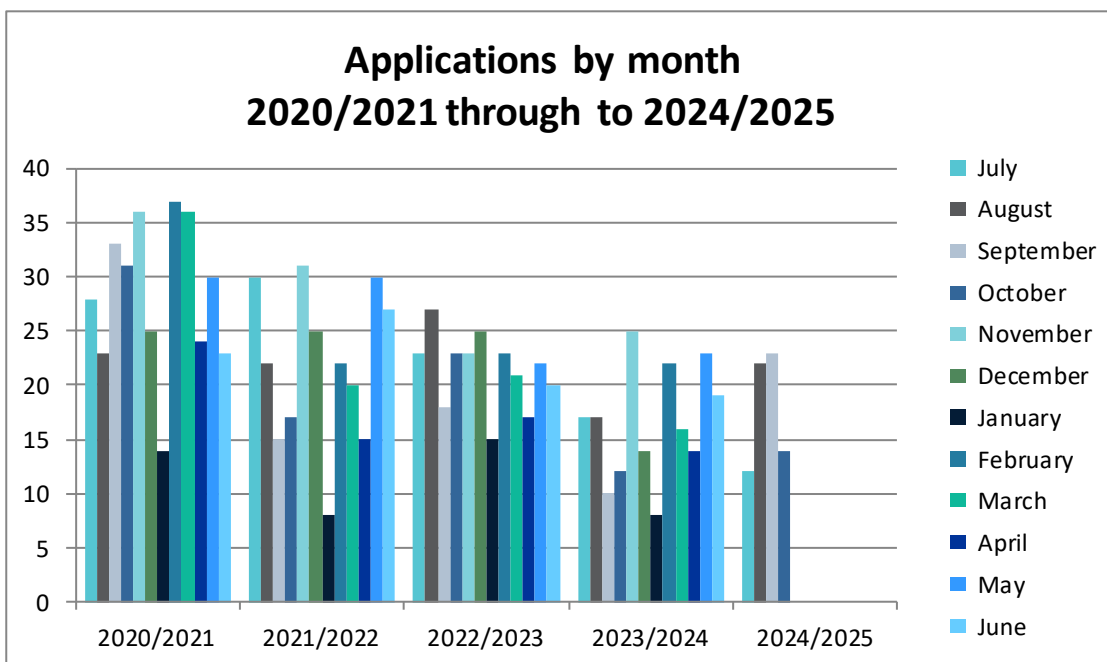


Figure 1: Monthly number of development applications and CDC’s processed by Council over five financial years.

Figure 2 provides the annual value of Development Consents including CDCs issued by Council and private certifiers over five financial years. Figure 3 provides a detailed review of the value for the reporting month of October 2024.

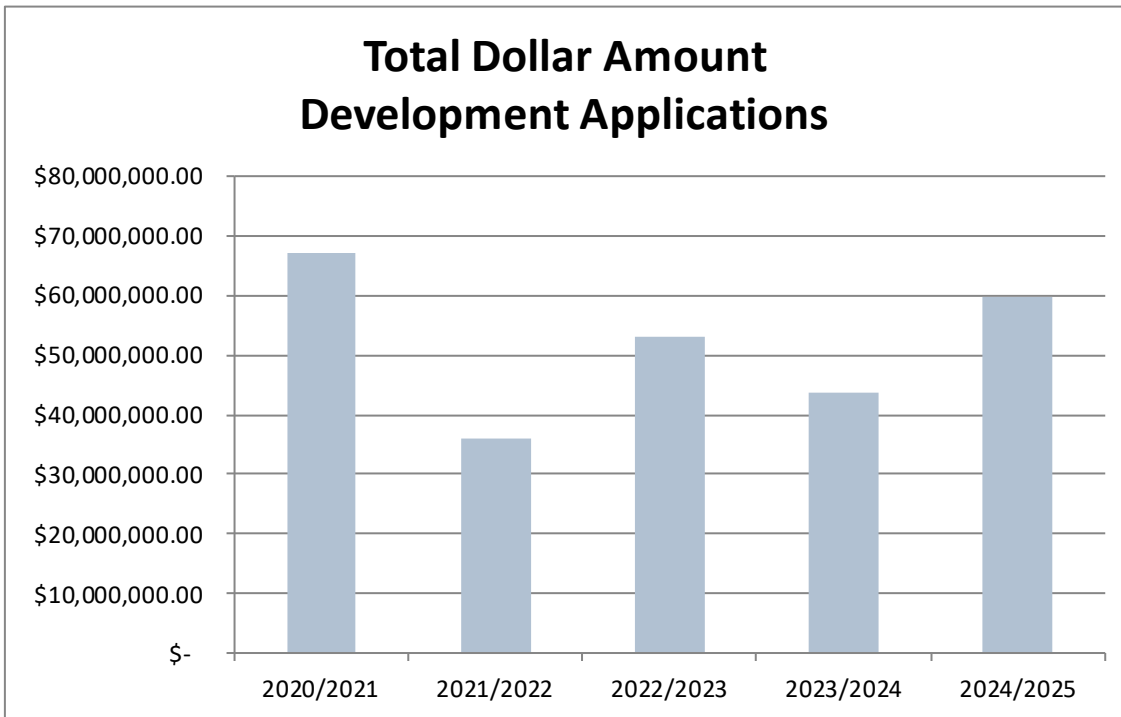


Figure 2: Annual value of development

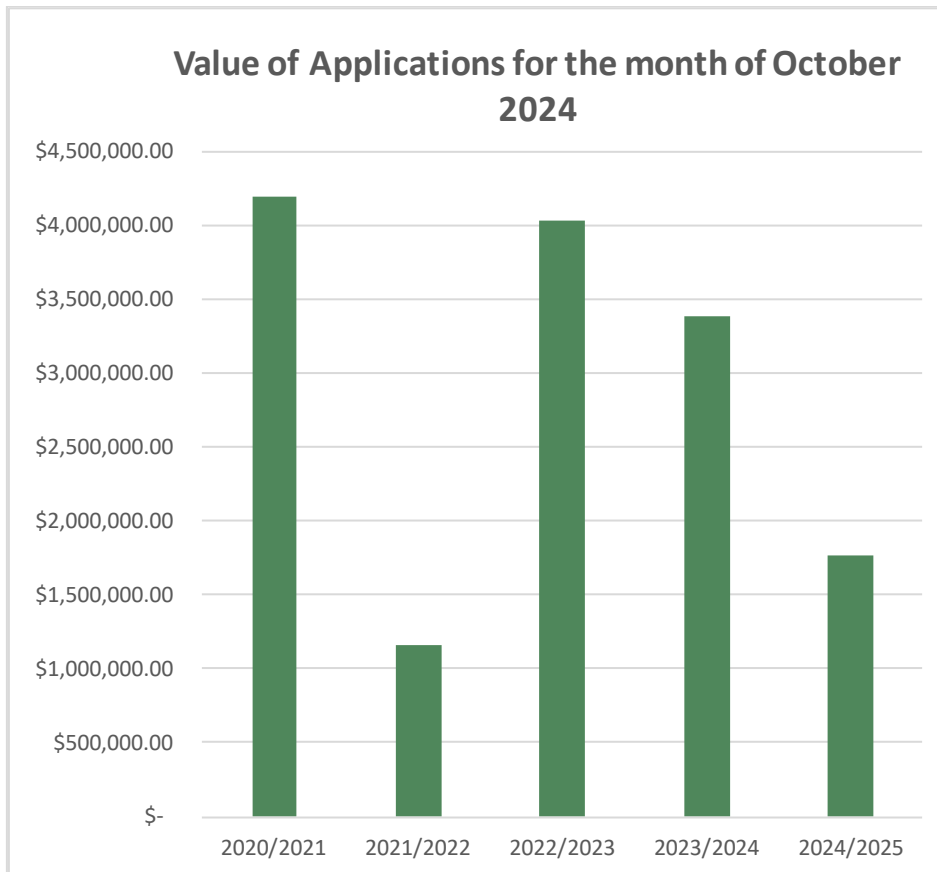


Figure 3: Value of development for the month of October 2024

Number of Development Applications

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

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

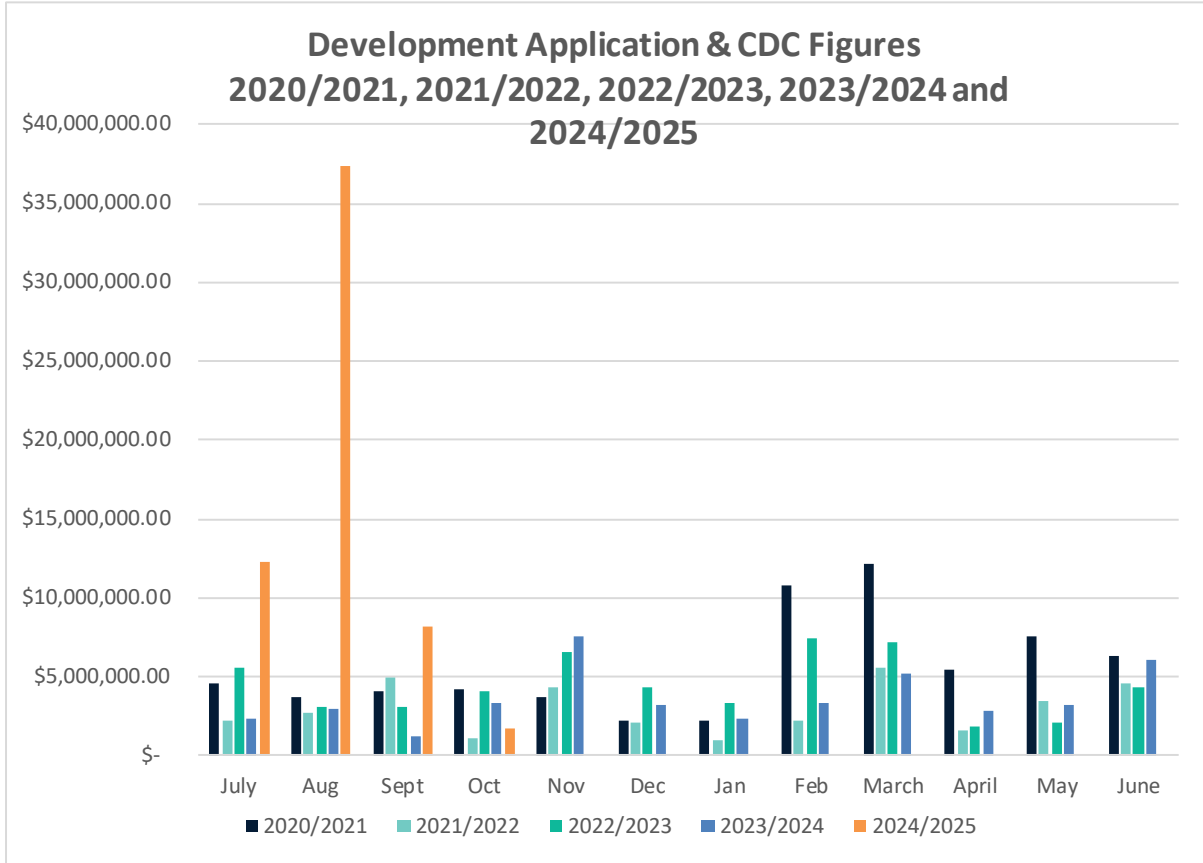


Figure 4: Value of development applications per month over five financial years.

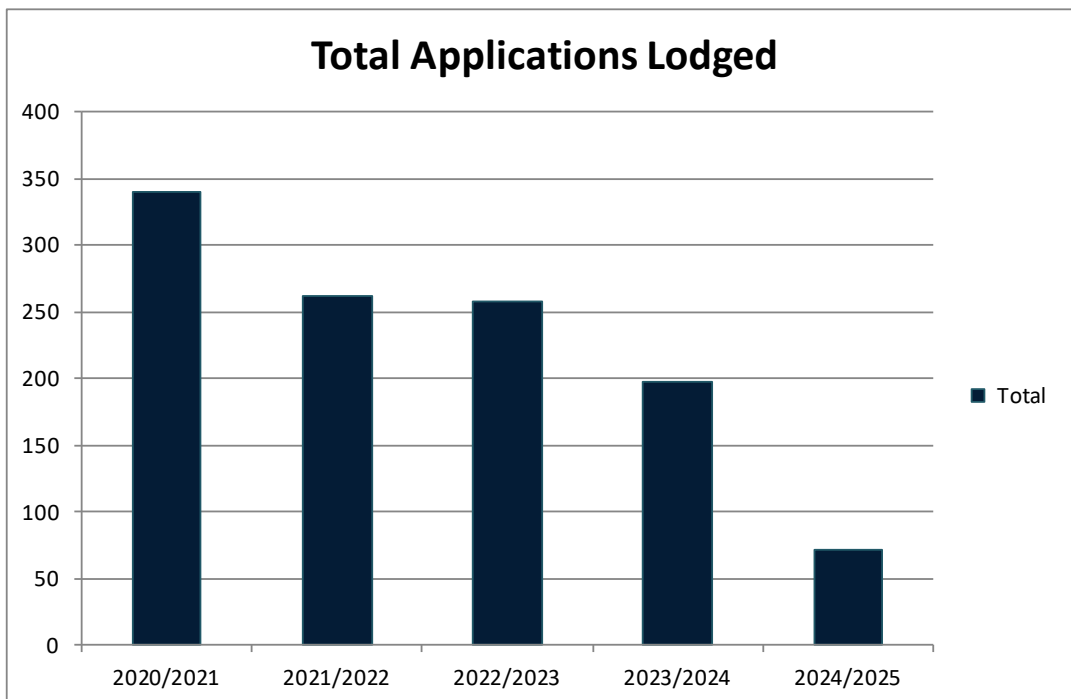


Figure 5: Number of Development Applications & CDCs per annum over five financial years

Activity for the month of October 2024

General Approvals (excluding Subdivisions, Section 4.55)	11
Section 4.55 amendments to original consent	2
Operational Consent	-
Subdivision	-
Refused	-
Rejected	-
Complying Development (Council Approved)	-
Complying Development (Private Certifier Approved)	1
Amended Complying Development (Private Certifier Approved)	-
TOTAL NUMBER OF DEVELOPMENT APPLICATIONS DETERMINED	14
Withdrawn	1
Average assessment days for applications determined in October 2024 (Planning & Building Combined)	33
No. of Integrated development applications determined in October 2024	1
No. of Designated development applications determined in October 2024	0

ATTACHMENT(S)

Nil

Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 October 2024 to 31 October 2024								
Application ID	Applicant	Owners	Location	Development	Date Received (In Portal)	Date Accepted (In Portal)	Determination Date	Estimated Cost
DA2025/0030	D L Johnston	A Rogelja & D L Johnston	650 Bungawalbin Whiporie Road, Bungawalbin	Proposed use of completed Flood Mitigation Works (as built 74m x 65m x 6.2m high earth mound) as flood refuge and use of completed Environmental Protection Works	9/08/2024	19/08/2024	17/10/2024	\$56,000.00
DA2025/0035	N Bailey	M A & R N Bailey	148 Bailey Road, Myrtle Creek	Partial demolition of the existing dwelling and an extension to the remaining dwelling.	19/08/2024	30/08/2024	4/10/2024	\$286,615.00
MA2025/0006	R J A Farrell	K A Robertson & R J A H Farrell	38 High Street, Casino	S4.55(1A) Modification - Removal of Condition 2 and instate Condition 43 - to construct back deck originally intended on plans	19/08/2024	30/08/2024	3/10/2024	\$0.00
DA2025/0039	D B Moore	Mondoro Pty Ltd	1125 Sextonville Road, Dobies Bight	Erection of an open front shed 40m x 12m	27/08/2024	6/09/2024	2/10/2024	\$147,065.00
DA2025/0042	The Shed Company	K A & N M Allen	14 Cascade Drive, Casino	Construction of semi enclosed shed	30/08/2024	9/09/2024	15/10/2024	\$19,000.00
DA2025/0043	Northern Rivers Pools	D R & L T Hamill	46 Currajong Street, Evans Head	Installation of an in ground fibreglass swimming pool, its associated equipment & fencing	30/08/2024	6/09/2024	29/10/2024	\$70,000.00
DA2025/0046	E E Sheridan	E E & L M Sheridan	343 Kings Lane, Tatham	Construction of new single-storey dwelling	6/09/2024	9/09/2024	18/10/2024	\$256,550.00
DA2025/0047	Scott Davis & Associates	K J & G E Williams	30 Jersey Drive, North Casino	Proposed alterations & additions to existing dwelling - including new recreational swimpond & wetland filtration area and landscaping	6/09/2024	12/09/2024	18/10/2024	\$730,400.00

Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 October 2024 to 31 October 2024								
Application ID	Applicant	Owners	Location	Development	Date Received (In Portal)	Date Accepted (In Portal)	Determination Date	Estimated Cost
DA2025/0048	S D Henderson	R J Rolland & K J Green	3-5 Wharf Street, Casino	Construction of 48sqm rear deck to existing residence	7/09/2024	11/09/2024	7/10/2024	\$28,600.00
MA2025/0007	R J Hayes	R J Hayes	2 Seamist Lane, Evans Head	S4.55(1A) - Modification - Add powder room and small window to approved fourth bedroom addition	8/09/2024	12/09/2024	17/10/2024	\$0.00
DA2025/0050	Artisan Pools Pty Ltd	D R & Mrs N J Jones	2 Horrie Drive, North Casino	Installation of an in-ground fibreglass swimming pool, associated equipment, fencing and retaining walls	9/09/2024	19/09/2024	24/10/2024	\$57,630.00
DA2025/0052	The Trustee for Terania Consulting Unit Trust	J W & F J Rose	15 Fairy Hill School Road, Fairy Hill	Construction of a shed with amenities and earthworks	10/09/2024	19/09/2024	15/10/2024	\$55,000.00
DA2025/0053	B A Neilson	D N & B A Neilson	23 Casuarina Drive, Swan Bay	Steel frame storage shed with earthen floor	11/09/2024	16/09/2024	4/10/2024	\$9,000.00

Summary of Privately Certified Applications determined under the Environmental Planning and Assessment Act for the period 1 October 2024 to 31 October 2024								
Application ID	Applicant	Owners	Location	Development	Date Submitted to Council for Registration	Date Accepted	Determination Date	Estimated Cost
CDC2025/0010	Techton Building Services	K F Loughlin	15 Johnston Street, Casino	Construction of a swimming pool	3/10/2024	15/10/2024	1/10/2024	\$53,612.00

Summary of Development Applications Withdrawn under the Environmental Planning and Assessment Act for the period 1 October 2024 to 31 October 2024								
Application ID	Applicant	Owners	Location	Development	Date Received (In Portal)	Date Accepted (In Portal)	Withdrawn Date	Estimated Cost
DA2024/0141	Ferleigh Drafting & Council Services	G S & B M Wade	126-128 Bridge Street, Coraki	Detached steel framed shed on existing slab	3/04/2024	15/04/2024	15/10/2024	\$11,400.00

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 Tender VP429806 - Construct Woodburn Memorial Hall Carpark & Footpaths

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

22.2 Inspection Report - Fire and Rescue NSW

(g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

These matters are considered to be confidential under Section 10A(2) - (g) 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 advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

23 RESOLUTIONS OF CLOSED COUNCIL