

Richmond
Valley
Council



AGENDA

Ordinary Council Meeting

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

Date: Tuesday, 17 December 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 19 NOVEMBER 2024

RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting held on 19 November 2024.

REPORT

Refer attached Minutes.

ATTACHMENT(S)

- 1. Unconfirmed Minutes 19 November 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 12 NOVEMBER - 10 DECEMBER 2024****Author: Robert Mustow****RECOMMENDATION**

That Council receives and notes the Mayoral Attendance Report for the period 12 November – 10 December 2024.

November

- 13th Casino Christian School Year 12 Graduation
- 14th Meeting with Minister Jackson Parliament House Sydney
- 14th Meeting with Minister Scully Parliament House Sydney
- 14th PIA NSW Awards Ceremony Sydney
- 15th Country Mayors meeting Sydney
- 15th Evans River K-12 Year 12 Formal
- 16th Art on Bundjalung Evans Head
- 16th St Mary's Catholic College Year 12 Formal
- 19th Richmond Valley Council Ordinary meeting
- 21st Richmond Valley Council - Movember breakfast
- 21st Northern Rivers Bush Fire Management Committee Meeting
- 23rd Cassino Gallery Art Exhibition Opening "Clarence Gets Creative"
- 25th Northern Rivers Insurance Study Presentation
- 26th Woodburn Chamber Christmas Party
- 27th Rous County Council Workshop
- 29th Rappville Sportsground Upgrade opening
- 30th Casino and District Historical Society Inc Christmas luncheon

December

- 1st Woodburn/Evans Head & District Orchid & Foliage Society Inc. Christmas luncheon
- 2nd Richie Williamson MP Christmas function
- 3rd Promotion of Richmond Valley Christmas Street Party Casino CBD
- 3rd Richmond Valley Councillor Information Session
- 4th Rous County Council Ordinary meeting
- 5th Richmond Valley Christmas Street Party Casino
- 6th Naughtons Gap Road Official opening
- 9th Northern Rivers Community Leaders Forum
- 10th Coraki Christmas Tree Light up

ATTACHMENT(S)**Nil**

12 DELEGATES' REPORTS

Nil

13 MATTERS DETERMINED WITHOUT DEBATE

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

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

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

That items identified be determined without debate.

14 GENERAL MANAGER

14.1 COMMUNITY STRATEGIC PLAN ENGAGEMENT STRATEGY

Author: Vaughan Macdonald

EXECUTIVE SUMMARY

The *Local Government Act 1993* requires each newly-elected Council to review its Community Strategic Plan and develop a new Delivery Program for its term of office. This involves extensive consultation with the community and a draft Engagement Strategy has been prepared to help guide this process. The strategy aims to ensure that as many people as possible have the opportunity to contribute to the development and refinement of these plans through a range of engagement activities.

RECOMMENDATION

That Council endorses the Draft Community Strategic Plan Engagement Strategy and publishes a copy of the document on its website.

DELIVERY PROGRAM LINKS

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

2A Plan for long-term sustainable growth

2A1 Undertake long-term planning for the Valley's future

BUDGET IMPLICATIONS

The Engagement Program will be funded through existing budget allocations.

REPORT

Council is about to commence community engagement for the review of the Community Strategic Plan (CSP) and development of its new Delivery Program for 2025-29, in accordance with the requirements of the *Local Government Act 1993*. The Community Strategic Plan captures the community's vision for the Richmond Valley and identifies key social, economic and environmental priorities and strategies for the next 15 years. The Delivery Program reflects the in-coming Council's commitment to the community to deliver the objectives of the CSP during its term of office.

These are some of the most important and far-reaching plans that Council prepares, setting the long-term agenda for growth, jobs and housing, as well as identifying future signature projects, community facilities and service delivery. It is important that local residents, businesses, community groups and stakeholders have the opportunity to be involved in their development and refinement. Since 2021, Council has relied on its 'Our Big Conversation' engagement program to help inform the review of the CSP and the draft CSP engagement strategy outlines key directions for the 2024-25 conversation. The strategy identifies the range of engagement activities that will be offered, how council will engage with various stakeholder groups and how the feedback gathered will help to inform the final plans.

The CSP engagement strategy reflects Council's broader Community Engagement Strategy, adopted in April 2024 and aims to ensure that there are multiple opportunities for people to connect with the consultation process and have their say – whether they choose to attend an event, respond to on-line engagement options, complete a survey, or provide a written submission.

Our Big Conversation will be delivered in stages, commencing in the summer holiday period with broad-based activities for all ages that capture what people love about the Richmond Valley, why

they choose to live here and what they hope for in the future. This includes discussions about what should be preserved, protected or changed and how to address some of the challenges facing our community, such as the impacts of climate change, building resilience to natural disasters and resolving current housing shortages.

From this feedback, key themes begin to emerge and these will be explored in more detail in the next stage of the program in February-March. In these engagement sessions, people will be asked to identify priorities and specific projects that should be included in the plans and consider how these could be funded. This stage will include Council's Community Satisfaction Survey, conducted by specialist consultants, which explores which services are most important to residents, as well as considering broader community issues, such as whether people feel safe and connected to their community and have access to affordable housing and services. Council has been conducting the survey since 2013 and now plans to incorporate it in the regular IP&R review, required after each local government election. This will help to provide an important input into Council's resourcing strategy and service planning.

In the final stage of the program, the draft plans will be placed on public exhibition for community feedback in April and May, with the final versions being adopted by Council in June 2025. Once adopted, the new 2025-29 Delivery Program will guide Council's activities throughout the current term of office, with six-monthly reports on progress being provided to the community.

Engagement principles and targets

Council's broader Community Engagement Strategy identifies key principles for engagement and these have been incorporated into the Big Conversation program to ensure that activities are engaging and inclusive. The diagram below shows basic principles for the 2024-25 program.

1

Accessible

Choosing locations, times and venues that make it easy to participate

2

Interactive

Providing interactive and creative activities that encourage involvement

3

Timely

Engagement doesn't require a large time commitment from participants

4

Clear & simple

Activities that are easy to understand, follow and participate in

5

Local

Activities reflect our local way of life and communication styles

6

Inclusive

Activities consider the needs of different abilities, cultures and lifestyles

7

Meaningful

Activities that have a clear link to creating value for the community

8

Respectful

Participants feel their voice has been heard and their feedback is valued

The draft CSP engagement strategy proposes two targets for engagement reach and response, to help Council measure whether the program is reaching its audience:

1. Engagement Reach – Aiming to ensure that 80% of Richmond Valley households have awareness that the engagement program is taking place and can choose whether they wish to participate. This will largely be achieved through the distribution of Council's newsletter to local households, as well as providing information via its social media and community networks.
2. Engagement participation – Aiming to achieve at least 10% active participation in the program, which equates to 2,370 direct interactions, either through on-line feedback, social media response, survey participation, or involvement in face-to-face activities.

The engagement program will largely be delivered through Council's existing resources and through partnerships with community groups and organisations. This will include pop-ups at

community events, workshops, drop-in consultation sessions and various on-line activities, accessible via Council's website.

CONSULTATION

The engagement program will run from December to March to gather and refine ideas for the plans, with the final documents being exhibited for public comment in April/May 2025.

CONCLUSION

The draft Community Strategic Plan Engagement Strategy will help to guide the review of the Community Strategic Plan and development of the new 2025-29 Delivery Program for the incoming Council. The strategy outlines key directions and targets for council's engagement program, with details of events and activities to be advertised via Council's usual communication channels, including community newsletters, social media and Council's website. The engagement program will be conducted in stages throughout the summer months, concluding in March, with the final draft CSP and Delivery Program presented for public exhibition in April/May 2025.

ATTACHMENT(S)

Nil

15 COMMUNITY SERVICE DELIVERY

15.1 BULK WATER CHARGES

Director: Angela Jones

Responsible Officer: David Timms

EXECUTIVE SUMMARY

For the 2024/2025 financial year Council amended its Revenue Policy to create equity between existing external (to the network) bulk water customers. These changes resulted in a small number of customers being inappropriately charged both the bulk water charge as well as the water access charge. It is proposed to amend the Revenue Policy to create a new charge enabling Council to allocate an appropriate charge to these existing water customers.

Subject to endorsement by Council, the proposed changes to the Revenue Policy will be exhibited for a minimum of 30 days (excluding public holidays and a period of 2 weeks over the Christmas period) to allow written submissions to be received. At the conclusion of the exhibition period a further report will be prepared for Council's consideration.

RECOMMENDATION

That Council:

1. Endorses the proposed amendment to the Richmond Valley Council Revenue Policy 2024/2025 to introduce a Private Property Connection – Bulk Water Sale Charge.
2. Places the proposed amendment on Public Exhibition for a period of at least 30 days (excluding public holidays and a period of 2 weeks over the Christmas period).
3. Notes that a further report will be presented for Council's consideration at the conclusion of the exhibition period.

DELIVERY PROGRAM LINKS

Objective 6: Provide infrastructure that meets community needs

6D Manage water supply, sewerage and drainage effectively

6D5 Manage our water/sewer business effectively

BUDGET IMPLICATIONS

Nil

REPORT

Each year, Council sets its water charges for various customers and publishes them in its Revenue Policy. The proposed charges are then exhibited for public comment and ultimately adopted, with or without changes, by Council. There are three main types of water customers:

1. Residential customers who are connected to the water supply network;
2. Industrial/commercial customers who are connected to the network; and
3. External customers who aren't connected to the network but occasionally buy water from Council (for example farms topping up their house tanks during a drought).

Customers who are connected to the network pay a two-part charge. This includes:

- An access fee (based on the size of their water meter) which contributes to the cost of providing, maintaining and upgrading the water network, such as the water treatment plant, reservoirs and pumps; and
- A usage fee that covers the cost of treating and supplying the water to the premises.

Customers who aren't connected to the network are charged a single fee which incorporates both the cost of maintaining the water network and the cost of the water supplied. Generally, it is easy to differentiate between the different customer types. Connected properties are classified as either residential or non-residential (commercial/industrial) and billed accordingly and external customers generally source their water through fixed filling stations (which are metered) or use metered standpipes that record how much water is taken. However, recent changes to the Revenue Policy have highlighted a small number of customers that don't fit neatly into any of the categories. This includes two properties in Casino that supply water through private on-property meter assemblies/connections, set up specifically for approved water carting purposes. These properties pay the access fee because they are connected to the system but are also currently paying the external customer usage fees because they are supplying properties that are outside of the water network (who don't directly contribute to the cost of maintaining the system).

The issue became apparent when Council rationalised its charges for using water filling stations and metered standpipes to make them the same i.e. \$7.20 per kl in the 2024/2025 Revenue Policy. This effectively meant that bulk water charges for those using a standpipe increased by 52% from \$4.75 per kl to \$7.20 per kl and ensured equity amongst the external customers because they were now all paying the same fee for bulk water. It also helped to address safety issues at the council depot, where trucks were queuing up for the cheaper water that could be obtained via a standpipe, rather than using the filling stations.

To address this disparity in the charges, it is proposed to introduce a new water charge in Council's Revenue Policy, "Private Property Connection – Bulk Water Sales". The proposed charge for this item is \$4.95 per kL. This charge takes into account the fact that the customer already contributes separately to the access charge and essentially aligns with the existing High Consumption Charges currently applicable to residential consumption >200kL.

To implement this change, it is necessary to amend the Revenue Policy. This will require the new charge to be placed on Public Exhibition for a minimum period of 30 days, and then formal adoption of the amended policy. The intent would be that the revised charge would apply from 1 July 2024.

The table below indicates the proposed new charge (**in bold**) to be added:

Name	Year 23/24 Fee (inc GST)	Year 24/25 Fee (inc GST)	Unit	GST	Pricing Cat.
Other Water Fees					
Sale of Water From Standpipes	\$4.75	\$7.20	Per kL	N	E
Private Property Connection – Bulk Water Sales	-	\$4.95	Per kL	N	E
Water Filling Station – Transaction Cost	\$0.85	\$0.90	Per Transaction	N	E
Casino Water Filling Station – Sale of Water (Nammoona Landfill site)	Refer to Waste Fees		Per kL	N	E

CONSULTATION

The proposed amendment to the Revenue Policy will be placed on public exhibition for a period of at least 30 days. During this time, submissions on the proposed charge can be made.

CONCLUSION

A recent review of the bulk water sales charges in the Revenue Policy has provided equity amongst external (to the network) bulk water customers. Council has realised that some customers who do not fit within the typical bulk water customers and have been charged a bulk water fee in addition to access charges, resulting in them contributing to the cost of maintaining the system twice, once through the direct access fee and once through the combined fee levied on external customers. It is proposed that a new fee is implemented to remove this disparity and ensure that the customers who have their own private meter assemblies are charged accordingly.

This report seeks Council's endorsement of the new Private Property Connection – Bulk Water Sales Charge with the intent to exhibit the changes to the Revenue Policy for public feedback.

ATTACHMENT(S)

Nil

15.2 SECTION 7.11 HEAVY HAULAGE CONTRIBUTIONS PLAN - REVIEW AND AMENDMENTS

Director: Angela Jones

Responsible Officer: Tony McAteer

EXECUTIVE SUMMARY

A review has been undertaken of Council's Section 7.11 (formerly s.94) Heavy Haulage Contributions Plan. The review focused on bringing the Plan into alignment with current legislation (that is the replacement of section 94 with section 7.11 under the *Environmental Planning and Assessment Act 1979*) and its effectiveness achieving its intended objective of collecting contributions from heavy haulage development that cause accelerated wear and tear on local roads. The review found road construction costs, relied upon by the Plan to calculate a per tonne contribution, have on average increased from \$450,000/km to over \$1,000,000/km. This increase is more than 3 times the equivalent CPI increases over the same period. The review also identified heavy haulage vehicles, particularly those used in the extractive industry sector, are generally heavier over each axle resulting in accelerated wear and tear on roads.

As a result, draft amendments to the Contributions Plan propose increasing contributions for new heavy haulage developments from \$0.096/tonne/km to \$0.18/tonne/km. The increased charge would only apply to new industries when they secure development consent. Existing industries continue on the rates at the time of their consent, with subsequent CPI increases.

This report seeks in-principle support from Council to publicly exhibit the Draft Amendments for a minimum period of 30 days (excluding public holidays and a period of 3 weeks over the Christmas period).

RECOMMENDATION

That Council:

1. Receives and notes the Section 7.11 Heavy Haulage Contributions Plan – Review and Amendments report; and
2. Endorses the Draft Richmond Valley Council Section 7.11 Heavy Haulage Contributions Plan (as amended) for public exhibition for a minimum period of 30 days.
3. Notes that a further report will be presented for Council's consideration at the conclusion of the exhibition period.

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

Over the last 8 years Council received contributions averaging at about \$650,000 per annum from the Heavy Haulage Contributions Plan. These contributions can only be spent on upgrading/maintaining roads in the vicinity of the heavy haulage developments to account for accelerated wear and tear they have on local roads.

Contributions applying to heavy haulage developments are indexed to CPI annually, however, the review found that CPI (which increased by 33% since 2013) has failed to keep pace with accelerated road construction costs (an increase of 122%), which are over 3 times higher.

Ultimately this means contributions won't cover the actual construction/maintenance costs of roads, thus Council will either have deteriorating road standards or need to subsidise maintenance out of other revenue sources such as rates revenue.

REPORT

Sections 7.11 (formerly section 94) and 7.12 (formerly section 94A) of the *Environmental Planning and Assessment Act 1979* provide for the collection of contributions from developments towards provision or improvement of amenities or services within an area. A Development Application can be levied a contribution under 7.11 or 7.12, but not both, in accordance with an adopted Contributions Plan.

Richmond Valley Council has two (2) contributions plans being -

- *Richmond Valley Council Section 7.12 Contributions Plan* (as Amended 25 June 2024)—this is the principal contributions plan which levies development based upon a fixed percentage of the development costs. Collected funds are applied towards projects scheduled within the Plan, and
- *Richmond Valley Council Section 94 Heavy Haulage Contributions Plan 2013*—this contributions plan is aimed at developments that generally don't have large development costs, such as heavy haulage traffic generating developments like extractive industries. This Plan levies an annual contribution on those developments which is calculated based upon the volume (tonnes) of material transported to and from the development. Contributions collected are used to maintain and repair roads within the vicinity of the levied development.

An audit of Council's Contributions Plans recommended their review. The 7.12 Contributions Plan review was completed in June 2024, and the focus of this report is the review of the Section 94 Heavy Haulage Contributions Plan.

The Review

The Heavy Haulage Contributions Plan review covered several elements. The first being to update the plan to reflect recent legislative changes. These changes are generally cosmetic and relate to the decimalisation of the *Environmental Planning and Assessment Act 1979*, whereby section 94 became section 7.11.

The second and main element of the review focused on the contribution rate calculation methodology/formula used to calculate the \$/tonne/km contribution and more specifically to account for the increased cost of road construction and the increased weights that modern trucks are generally capable of hauling.

The Formula

$$\$/\text{tonne}/\text{kilometre} = \frac{\$ \text{ Cost of 1 kilometre of road}}{(\text{Design ESAs}) \times \text{Tonnes per ESA}}$$

Design ESA— the design life of a road pavement expressed as Equivalent Standard Axles (based upon the Northern Rivers Design Manual) = 1.0×10^6

Tonnes per ESA—the number of tonnes needed to wear down 1 ESA of road pavement design life. The tonnage is based upon the type of truck (number of axles) and its maximum payload. For a truck and dog (having 6 axles) carrying 33 tonnes payload = 7.7 ESAs, which means that each ESA takes 4.29 tonnes ($33/7.7=4.29$)

The review found the average cost to construct a one kilometre length of road in 2024 is over \$1,000,000 whereby it was \$450,000 in 2013. This equates to an increase of 122% which is significantly less than the CPI increase which was 33% during the same period.

Another element reviewed was the standard heavy vehicle specifications. The standard commercial vehicle used for 2013 calculations was a Class 4 heavy rigid vehicle (3-axle truck) with

a payload of 13 tonnes and a load factor of 1.9. The review found that it is becoming more common place for combination vehicles (3-axle truck and 3-axle dog) to be used. A truck and dog combination has a payload of up to 33 tonnes and a load factor of 7.7 (assuming a full payload). These larger payloads, even though they are distributed over more axles, increase the weight per axle results in the Equivalent Standard Axle (ESA) changing from 6.84 tonnes per ESA to 4.29 tonnes per ESA (the smaller truck does less damage to the road per tonne than the larger truck).

The review proposes to recalculate the contributions rate (\$/tonne/km) based upon the increased road construction cost and the combination use of both vehicle types ($\frac{6.84+4.29}{2} = 5.565$), resulting in the following calculation-

$$\text{\$0.180/tonne/km} = \frac{\text{\$1,000,000}}{(1.0 \times 10^6) \times (5.565)}$$

The following table compares heavy haulage rates from the 2013 Plan (increased by CPI to 2024 rates) relative to those with only the road construction costs, and those with road construction costs and use of heavier vehicles-

Development Type	Average Haul Distance	2013 Contribution Plan (CPI adjusted)		Draft Contributions Plan Amendment			
				Scenario 1 (\$1M/km road upgrade only)		Scenario 2 (\$1M/Km road upgrade + spread the use across Class 4 trucks and Truck & Dogs)	
annual extraction volume		\$/tonne/km	Contribution /tonne	\$/tonne/km	Contribution /tonne	\$/tonne/km	Contribution /tonne
<=20,000m ³	10km	\$0.096	\$0.96	\$0.146	\$1.46	\$0.180 [^]	\$1.80
>20,000m ³	15km	\$0.096	\$1.44	\$0.146	\$2.19	\$0.180 [^]	\$2.70

[^] Rate proposed by this review

It should be noted that contribution rates payable for each development are based upon the rate expressed as a condition of development consent using the Contribution Plan as it was when the consent is issued, plus an annual increase to CPI. Therefore, new contribution rates proposed by this review and draft amendment will only apply to new heavy haulage developments and not apply retrospectively to existing heavy haulage developments.

What annual revenue is generated from heavy haulage contributions?

The following heavy haulage contributions were collected annually since 2016. Note the peak in contributions from 2017 to 2020 can be attributed to construction of the Pacific Motorway, outside this the contributions collected average about \$200,000 per year.

Year	Total Contributions Collected
2016/2017	\$74,555
2017/2018	\$1,171,341
2018/2019	\$1,641,849

Year	Total Contributions Collected
2019/2020	\$1,463,922
2020/2021	\$277,596
2021/2022	\$332,182
2022/2023	\$224,886
2023/2024	\$116,023
TOTAL	\$5,186,331

How do the proposed contribution rates compare to other LGAs?

A summary of heavy haulage rates for adjoining LGAs is provided below and adjusted to CPI for comparison-

LGA	Contribution Rate
	\$/tonne/km
Tweed Shire	\$0.0582 (@ 2024) [#]
Lismore	\$0.090 (@ 2024) [#]
Ballina	\$0.072287 (@ 2019) (\$0.087) [*]
Kyogle	\$0.048 (@ 2008) (\$0.073) [*]
Clarence Valley (multiple plans from former Copmanhurst (2001), Maclean (1994), Ulmarra (1995) LGAs	No figure provided
Byron	No heavy haulage contribution plan
Tenterfield	No heavy haulage contribution plan
[#] Review only increased rates by CPI from previous plan values without reviewing increased costs to construct roads or changing truck types [*] Adjusted to CPI (@2024) for comparison	

CONSULTATION

It is proposed to publicly exhibit the Draft Section 7.11 Heavy Haulage Contributions Plan Amendment for a minimum period of 30 days (excluding public holidays and a period of 3 weeks over the Christmas period). This engagement will include consultation with key industry stakeholders.

A post exhibition report will be presented to Council with a summary of submissions, recommended changes, and a final version of the Plan for adoption.

CONCLUSION

A review has been undertaken of the Section 94 Heavy Haulage Contributions Plan. The review focused on legislation changes, increased cost of road construction, and the use of larger truck

combinations for heavy haulage. The review has resulted in preparation of the *draft Richmond Valley Council Section 7.11 Heavy Haulage Contributions Plan Amendment*. Endorsement of Council is sought for the Draft Plan to be publicly exhibited in accordance with Council's Community Participation Plan.

A post Exhibition report will be presented to Council including feedback from submissions.

ATTACHMENT(S)

- 1. Draft Richmond Valley Council Section 7.11 Heavy Haulage Contributions Plan (As Amended) (under separate cover)**

15.3 NSW OPERATOR OF THE YEAR

Director: Angela Jones

Responsible Officer: James Sun

EXECUTIVE SUMMARY

The Water Industry Operations Association of Australia (WIOA) is the industry group for operational staff in the water sector in Australia. Each year the WIOA NSW Division calls for nominations from industry for the Operator of the Year Award, which is announced at their annual conference. This year Council's Operations Supervisor – Water and Sewer Services; Mr David Cash was nominated by his peers at Council and attended the conference in Tamworth. At the conference awards dinner he was announced as the WIOA NSW Operator of the Year. Part of his prize is a trip to attend the WIOG (Water Industry Operations Group) study tour, conference and exhibition in New Zealand in May 2025. It is recommended that Council acknowledge the award that Mr Cash won and approve his international travel and associated costs to New Zealand.

RECOMMENDATION

That Council:

1. Acknowledges the WIOA NSW Operator of the Year Award that Mr Cash won; and
2. Approves the international travel for Mr Cash to attend the WIOG study tour, conference and exhibition in New Zealand in 2025 and the incidental expenses to be funded from existing budgets.

DELIVERY PROGRAM LINKS

Objective 10: Lead and advocate for our community

10C Lead with integrity

10C1 Provide representative and accountable community governance

BUDGET IMPLICATIONS

WIOA will cover international travel, transport whilst in New Zealand and contribute to accommodation, meals and conference registration fees.

Council will partially contribute towards the balance of the cost of accommodation and incidental travel costs.

REPORT

WIOA

Water Industry Operations Association of Australia (WIOA) is the industry group for operational staff in the water sector in Australia. WIOA is a dynamic hub for water industry professionals spanning operations, management, engineering and more. WIOA is dedicated to elevating standards through supporting training and education, disseminating vital industry insights through engaging networking, social and educational events and has been supported by Council for many years as a Corporate Member.

WIOG

Water Industry Operations Group NZ (WIOG) is the industry group and representative for all water and wastewater operational professionals in New Zealand. The goals and objectives of the group are to provide members with the opportunities to enhance their knowledge, experience and to provide them with a voice. The group also promotes the water industry "source to discharge" as a whole to raise public awareness.

WIOG members are associated with local authorities, contractors, suppliers, consultants and regulatory authorities.

NSW Operator of the Year Award

The NSW Operator of the Year Award is presented each year to operators of water or wastewater treatment facilities to recognise excellent performance, initiative and all-round attention to detail. The award is sponsored by the Water Directorate.

In 2024, David was nominated by his peers at Council because he has shown or demonstrated the following qualities:

- Overall plant management, performance and presentation
- Knowledge and input into plant process
- Understanding of, whilst showing diligence with, environmental issues
- Demonstration of initiative and innovation in process operation
- Showing due diligence and leadership in workplace health and safety
- Being an active team member and giving encouragement.

Some of David's key achievements are:

- Driving substantial process and control improvements at both the Water and Wastewater Treatment plants to improve automation and monitoring.
- Continuous commitment to innovation and protection of Council assets through spearheading Magnesium Hydroxide (MHL) dosing at sewage pump stations across Broadwater, Evans Head, Woodburn and Casino.
- Showing exceptional leadership during the 2022 flood response when he coordinated access to critical infrastructure.
- Outside of work, David volunteers as Captain of the Rural Fire Service for the Ellangowan Brigade.

At the WIOA NSW Conference, held in Tamworth on 6 - 7 November 2024, it was announced that David had won the NSW Operator of the Year Award. The Award is the most prestigious award presented at the annual conference and is presented to operators of water or wastewater treatment facilities that are directly responsible for operational decisions at plants. Applications are judged by an independent panel and David receives a perpetual trophy for Council to keep for 12 months plus a personal trophy to keep permanently. He has also won a trip to New Zealand to participate in a study tour and attend the WIOG New Zealand conference in May 2025.

The Prize - WIOG Study Tour New Zealand

The week-long study tour would require David to depart Australia for Christchurch on 24 May 2025, and return to Australia from Wellington on 31 May 2025.

Key highlights of the tour include visiting Water and Wastewater treatment plants in NZ and attending the WIOG Conference & Exhibition in Nelson.

CONCLUSION

The WIOA NSW Operator of the Year award is prestigious and brings about recognition of the good work that operators do. Council approving David's international travel would allow him to further his learning and development and pass that along to other staff at Council.

ATTACHMENT(S)

Nil

16 PROJECTS & BUSINESS DEVELOPMENT**16.1 OLD CASINO NEIGHBOURHOOD CENTRE, 31 WALKER STREET CASINO, CROWN LAND MANAGER (RESERVE 96623)**

Director: Ben Zeller

Responsible Officer: Kim Anderson

EXECUTIVE SUMMARY

Council is the appointed Crown Land Manager for Reserve 99623, Lot 5 in Deposited Plan 44727, 31 Walker Street Casino, known as the Old Casino Neighbourhood Centre building. The Casino-Boolangle NSW Aboriginal Land Council has expressed a desire to relocate from renting their existing Barker Street premises to this building.

The NSW Aboriginal Land Council has lodged three separate Aboriginal Land Claims on this land, being Lot 5 in Deposited Plan 44727 in 2015, 2021 and 2024 which remain undetermined. This land and building have not been occupied by the community since 2017.

RECOMMENDATION

That Council:

1. Supports any application made by Casino-Boolangle NSW Aboriginal Land Council to the NSW Crown Lands Minister for the appointment of Casino-Boolangle NSW Aboriginal Land Council as Crown Land Manager for Reserve 96623, being 31 Walker Street Casino; and
2. Supports any application made by the NSW Aboriginal Land Council or Casino-Boolangle NSW Aboriginal Land Council to seek priority assessment and determination on the lodged Aboriginal Land Claims over Reserve 96623, being 31 Walker Street Casino.

DELIVERY PROGRAM LINKS

Objective 10: Lead and advocate for our community

10C Lead with integrity

10C1 Provide representative and accountable community governance

BUDGET IMPLICATIONS

Council incurs annual service charges including insurance, rates, water, and electricity of \$6,343 per annum. Each lawn maintenance of this facility costs \$167 per maintenance in internal charges allocated to Council's urban mowing budget allocation.

The building and land asset has a financial written down value of \$467,481 as of 30 June 2024.

REPORT

The building located at 31 Walker Street Casino was once the former school master residence, constructed in 1882 at the same time as the timber school was being upgraded to a brick building.

The building became surplus to the school's needs (c1980s) and it was transferred to the NSW Crown Lands Department for community use. The Council of the Municipality of Casino was appointed on 4 March 1983 as the trustee of Crown Reserve 96623 for Community purposes of Lot 5 Deposited Plan 44727, 31 Walker Street Casino.

The Casino Neighbourhood Centre Inc leased and occupied the building from 1986 until 17 November 2017. Council has sought advice from NSW Crown Lands during 2010 to terminate the reserve usage and resign as manager when the Casino Neighbourhood Centre Inc were planning to relocate to a different premises.

At the November 2012 Ordinary Meeting Council resolved to give control back to the NSW Crown Lands Division of the Department of Primary Industries (the Crown). The Casino Community Neighbourhood Centre Inc continued to occupy the site monthly until vacating the space in 2017.

The building was unable to be leased to a new tenant due to the condition and scale of works required to bring it to current standards. The scale of works required related to the age of the building, not the care and maintenance by the previous lessee.

Council was requested by NSW Crown Lands to explore additional options to secure a tenant including the option for a community group to undertake works to bring the building to current standards. To date the building has remained unoccupied and Council has continued as the Crown Land Manger of this reserve.

The external facade of the building has been locally heritage listed since 1992. The structural integrity of the building appears quite stable considering the age. The building contains asbestos and requires replacement of bathroom, kitchen, and full electrical re-wiring.

Council has been unable to secure funds to make good any improvements to the premises. The costs of capital improvements have been scoped and is estimated that \$320,000 is required to bring the building to a standard for occupation.

The *Aboriginal Land Rights Act 1983* provides that land is claimable if the land is not lawfully used or occupied at the date of claim. The reserve was lawfully used and occupied in 2015, however remained vacant following 2017. It is the responsibility of the Aboriginal Land Claims Assessment Team to determine the outcomes of any claims.

There are no funds in Council's current budget set aside for capital improvements to the premises.

The Casino-Boolangle NSW Aboriginal Land Council has approached Council on several occasions for occupation of this building. They have recently requested to undertake their own inspection and are willing to coordinate any upgraded works that are required.

CONSULTATION

Council has had recent discussions with Casino-Boolangle NSW Aboriginal Land Council, and they are supportive of being appointed as the Crown Land Manager. They have identified funding to undertake the necessary repairs to the building to permit occupation.

CONCLUSION

Council has not utilised the Old Casino Neighbourhood building at 31 Walker Street since the tenant vacated in 2017. Council has not identified a current or future community need for this facility which requires significant capital investment prior to any occupation.

Council is incurring the annual services and maintenance costs to retain this building as an asset which is not currently used by the community.

The Casino-Boolangle NSW Aboriginal Land Council are willing to be appointed as the Crown Land Manger and have identified funding to undertake the necessary repairs to occupy this building. It is recommended that Council support the transfer as the appointed Crown Land Manager of Reserve 96623 to Casino-Boolangle NSW Aboriginal Land Council.

ATTACHMENT(S)

Nil

17 ORGANISATIONAL SERVICES

17.1 SECTION 7.11, 7.12 AND SECTION 64 DEVELOPMENT CONTRIBUTIONS AND EXPENDITURE UPDATE

Director: Ryan Gaiter

Responsible Officer: Hayley Martin

EXECUTIVE SUMMARY

Council receives contributions, raises levies and enters into planning agreements on development works that are subject to a development consent issued by Council. This report provides an update on developer contributions income and expenditure for the year ended 30 June 2024.

Council collected a total of \$1,044,233 in developer contributions during the 2023/2024 financial year and expended \$835,805. Unexpended developer contributions held in cash reserves totalled \$12,489,554 as at 30 June 2024.

Details of the different types of contributions are provided in the report.

RECOMMENDATION

That Council receives and notes the update on Section 7.11, Section 7.12 and Section 64 developer contributions for the 2023/2024 financial year.

DELIVERY PROGRAM LINKS

Objective 11: Manage resources responsibly

11A Manage finances responsibly and provide value for money

11A3 Maintain efficient rating and revenue systems

BUDGET IMPLICATIONS

These funds are managed within Council's financial reserves.

REPORT

Developer contributions are charged by councils when new development occurs. These contributions enable local councils or other consent authorities to provide public amenities and services required as a consequence of the increased demand caused by development. They are used to provide infrastructure such as open space, parks, community facilities, local roads and footpaths and water and sewerage infrastructure. Developer contributions are essential in maintaining access to the facilities and services that support community wellbeing.

Section 7.11 and Section 7.12 Contributions

S7.11 and 7.12 of the *Environmental Planning and Assessment Act 1979* allow Council to collect monetary contributions from development to help meet the additional demand for roads and traffic, community, cultural, open space and recreational facilities generated by development associated with population growth and employment generation. Council's adopted contribution plans were prepared in accordance with the requirements of the *Environmental Planning and Assessment Act 1979*.

Council has a specialised s7.11 Heavy Haulage levy that is applied where the anticipated development will, or is likely to, generate additional heavy haulage vehicle movements e.g. quarries. As a consequence of this development, there is likely to be an accelerated decline in the life of the road network due to increased heavy haulage, a cost which would otherwise be borne by the wider community. The rate is typically based on the tonnages and the distance covered on

local roads to reach the classified road network. The levy is spent on roads that are impacted by the development itself, typically any road back to a main road. Council's road engineers do an annual condition assessment of Council's road network, and if roads that are covered by an s7.11 Heavy Haulage levy are considered to be in a state where funding is required to be spent, s7.11 contributions are used to fund the repairs.

Council's Section s7.12 levy is triggered by all development over \$100,000 at the percentage set by the legislation. There are legislated exemptions that developments triggering the levy are assessed against. The levy is collected across the entire Council area and is spent on the list of projects detailed in Council's adopted s7.12 Contributions Plan.

Section 64 Contributions

S64 contributions are levied under the *Local Government Act 1993* towards water and sewerage infrastructure and in accordance with Council's Development Servicing Plan. Contributions are generally levied where the anticipated development will or is likely to increase the demand for water or sewerage supply services. Funds are generally held for future utilisation when additional capacity is required to accommodate the increased demand, for example, future upgrades of Council's water and sewerage treatment plants. These works are factored into Council's Long Term Financial Plan (LTFP) and require significant levels of funding, which is why these reserve balances have built up over time to provide for these works.

Developer Contributions 2023/2024 Financial Year

The following table shows the annual budget (as at 31 March 2024 Quarterly Review) and actual amounts received in s7.11, s7.12 and s64 contributions during the 2023/2024 financial year.

Reserve	Budgeted Income 2023/2024	Actual Income 2023/2024
S7.11 Quarry Road Contributions	\$18,448	\$0
S7.11 Heavy Haulage	\$127,954	\$116,023
S7.12 Development Contributions	\$272,395	\$293,639
S64 Sewerage Contributions	\$303,600	\$435,474
S64 Water Contributions	\$169,485	\$199,097
Total	\$891,882	\$1,044,233

The following table shows expenditure of s7.11, s7.12 and s64 contributions during the 2023/2024 financial year.

Reserve	Budgeted Expenditure 2023/2024	Actual Expenditure 2023/2024
S7.11 Quarry Road Contributions	\$12,033	\$10,365
S7.11 Heavy Haulage	\$696,840	\$682,647
S7.12 Development Contributions	\$110,923	\$142,793
S64 Sewerage Contributions	\$0	\$0
S64 Water Contributions	\$0	\$0
Total	\$819,796	\$835,805

The major works that were funded from s7.11 Heavy Haulage included \$554,844 towards the finalisation of MR145 Woodburn-Coraki major upgrade and funding from s7.12 contributions included various footpath renewals in Casino, Coraki and Evans Head.

As at 30 June 2024, Council held \$1,324,960 in s7.11 reserves, \$1,939,509 in s7.12 reserves and \$9,225,085 in s64 reserves, or \$12,489,554 in total.

CONSULTATION

Nil.

CONCLUSION

Council collected \$1,044,233 in developer contributions in the last financial year 2023/2024 and expended \$835,805. Council held unexpended developer contribution cash reserves of \$12,489,554 as at 30 June 2024.

Council will have the opportunity to determine the allocation of developer contribution funding during the draft budget process for the 2025/2026 financial year, whilst also taking into consideration commitments in Council's Long Term Financial Plan.

ATTACHMENT(S)

Nil

17.2 REVIEW OF COUNCIL'S INVESTMENTS POLICY

Director: Ryan Gaiter

Responsible Officer: Rylee Vidler

EXECUTIVE SUMMARY

Council reviews its Investments Policy on an annual basis to ensure it remains appropriate in changing economic, investment and legislative environments. After a major review in 2020 and some refinements to the policy in the years following, this year's review resulted in some further minor changes to align with Council's current organisational structure and provide some clarity to rating categories. There have been no legislative or gazetted changes requiring the policy to be amended, with the policy supporting positive investment portfolio results.

RECOMMENDATION

That Council:

1. Adopts the 2025 Investments Policy.
2. Continues to utilise Laminar Capital as its financial advisory service provider and the Treasury Direct online investment platform for another 12 months.

DELIVERY PROGRAM LINKS

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

Interest rate yields on cash accounts, term deposit and floating rate notes have continued to remain high during the 2024/2025 financial year as the official cash rate remains elevated. NSW Treasury Corporation Funds still experience periods of volatility but year to date has performed well, despite uncertainty surrounding rate cuts and politics impacting on economies. During the 2024/2025 financial year to date, \$1,740,154 has been received in interest and investment revenue on a cash basis (this result is 74.13% of the budget of \$2,347,506).

The interest revenue budget has been increased for the 2024/2025 financial year to \$2,347,506 from the original budget of \$1,266,010 in 2023/2024, due to the increased returns on offer along with the level of cash being held. The average return on Council's term deposits and floating rate notes held at 30 June 2024 was 5.29%. By comparison the average return on Council's term deposits and floating rate notes held as at 30 November 2024 is 5.17%.

REPORT

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

Investment Options

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

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

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

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

Investment Performance

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

Year	Average Portfolio	Interest Revenue	Variance from Previous Year
2020/2021	\$57,375,335	\$1,348,337 (includes TCorp fair value gains)	\$451,738
2021/2022	\$67,742,261	(\$673,303) (includes TCorp fair value losses)	(\$2,021,640)
2022/2023	\$78,401,129	\$3,168,411 (includes TCorp fair value gains)	\$3,841,713
2023/2024	\$79,851,030	\$4,049,181 (includes TCorp fair value gains)	880,770
2024/2025 At 30 Nov 24	\$79,962,688	\$1,740,154 (includes TCorp fair value gains)	(\$2,309,027)

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

TCorpIM Investments

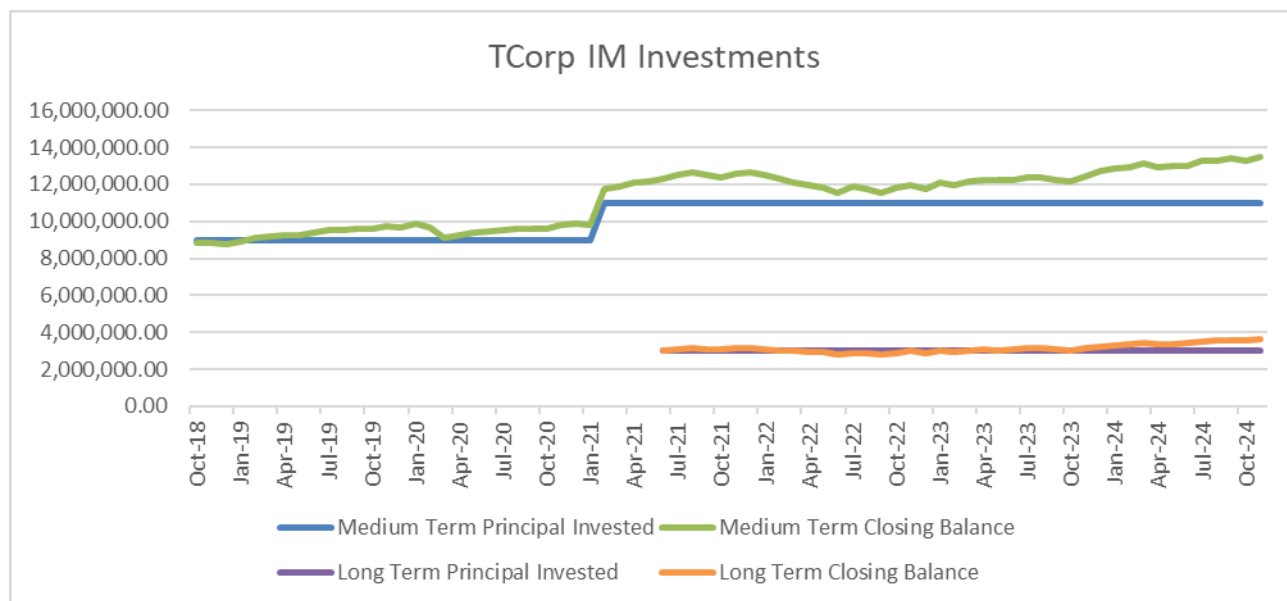
Council continues to invest with NSW Treasury Corporation via its Medium Term and Long-Term Growth Funds. The objective of these investments is to attain higher yields than those offered by cash balances, term deposits and floating rate notes in the long term.

The performance of these investments over the 2024/2025 financial year to 30 November 2024 has varied from the previous year with the funds achieving the following returns:

- TCorpIM Medium Term Fund – 3.62% (a decrease from 6.37% at 30 June 2024)
- TCorpIM Long Term Fund – 6.92% (a decrease from 10.63% at 30 June 2024)

Council's investments in NSW Treasury Corporation Funds have experienced volatility in the market, however, advice from Council's financial advisors Laminar Direct in July 2022 was to keep

the money invested, as the products are long term investments and need to be treated as such, the benefits will only be realised at the end of the investment. The graph below depicts the performance each month of both funds against the original principal invested.



Financial Advisors

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

Investment Holdings

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

Policy Updates

The following changes to the Investment Policy are proposed:

- Update titles under 3. Delegations of Authority to align with Council’s organisational structure.
- Update amount to be held in Council’s at call accounts from \$3-5 million to \$10 million due to an increase in creditor payments for capital works under 8. Liquidity and Maturity.
- Update table under 9. Credit Rating, Portfolio and Counterparty Limits to include the Standard and Poor’s short-term rating equivalent alongside the long-term ratings.

CONCLUSION

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

ATTACHMENT(S)

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

17.3 FINANCIAL ANALYSIS REPORT - NOVEMBER 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 30 November 2024 is shown below:

Bank Accounts	Term Deposits	Floating Rate Notes	Fixed Rate Bonds	TCorp IM Funds	Total
\$15,230,417	\$34,000,000	\$6,750,390	\$4,500,000	\$17,154,897	\$77,635,704

The weighted average rate of return on Council's cash and investments at 30 November 2024 was 8.44% which was above the Bloomberg AusBond Bank Bill Index for November of 0.36%, which is Council's benchmark.

RECOMMENDATION

That Council adopts the Financial Analysis Report detailing the performance of its cash and investments for the month of November 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 30 November 2024, Council has earned \$1,031,525 in interest and \$708,629 in fair value gains from funds held in TCorp, for a total investment income of \$1,740,154. This equates to 74.13% 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 RBA held the cash rate at 4.35% per annum at its November meeting.

Rate of Return

The weighted average rate of return on cash and investments in November was 8.44%, an increase in 611 basis points from the previous month. The rate of return is 808 points above the Bloomberg AusBond Bank Bill Index of 0.36% which is Council's benchmark.

Council's NSW Treasury Corporation IM Funds returned net gains of \$295,433 during the month of November. The Medium-Term Growth Fund (MTGF) returned a gain of \$199,181 and the Long-Term Growth Fund (LTGF) returned a gain of \$96,252.

During November, financial market volatility declined as equity markets rose and bond yields fell in most advanced economies. The RBA is still not confident that inflation will return to its target and are worried that it may even reaccelerate with continued resilience in Australia's labour market. RBA officials continue to emphasise that rate cuts are not likely in the near future with investors predicting at least May 2025 to allow for two more quarters of positive inflation data.

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 \$77,635,704 at 30 November 2024. This was made up of Council's Business Online Saver Account (\$11,647,000), Macquarie Cash Management Account (\$2,007,369), Term Deposits (\$34,000,000), Floating Rate Notes (\$6,750,390), Bonds (\$4,500,000), NSW Treasury Corporation Investments (\$17,154,897) and other bank accounts (\$1,576,048).

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 58.29% of the total portfolio as at 30 November 2024.

Council made the following new investments during November 2024:

Banking Institution	Investment Type	Environmentally Sustainable Investment	Amount Invested	Investment Term	Interest Rate
National Australia Bank	Term Deposit	N	\$2,000,000	6 months	5.05%
Bank of Queensland	Term Deposit	Y	\$2,000,000	6 months	4.95%
ING Bank	Term Deposit	N	\$1,000,000	12 months	5.17%
Bank of Queensland	Term Deposit	Y	\$2,000,000	6 months	5.15%
Total			\$7,000,000		

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

Banking Institution	Investment Type	Environmentally Sustainable Investment	Amount Invested	Interest Earned
Judo Bank	Term Deposit	Y	\$2,000,000	\$52,142
Bank of Queensland	Term Deposit	Y	\$2,000,000	\$51,641
ING Bank	Term Deposit	N	\$1,000,000	\$54,248
National Australia Bank	Term Deposit	N	\$2,000,000	\$24,953
Total			\$7,000,000	\$182,985

Council had \$17,154,897 in longer term investments being the MTGF and LTGF held with NSW Treasury Corporation as at 30 November 2024. The investment values and fair value returns are shown below:

Investment Holding	Fair Value 30 November 24	Fair Value Gain/(Loss) at 30 November 24	Fair Value Gain/(Loss) YTD	Fair Value Gain/(Loss) Life of Investment
Medium Term Growth Fund	\$13,499,543	\$199,181	\$472,089	\$2,494,514
Long Term Growth Fund	\$3,655,354	\$96,252	\$236,540	\$655,354
Total	\$17,154,897	\$295,433	\$708,629	\$3,149,868

Environmentally Sustainable Investments (ESI's)

Council's cash and investments portfolio of \$77,635,704 at 30 November 2024 includes \$42,404,897 or 54.6% with no direct investment in the fossil fuel industry.

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

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

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

CONCLUSION

During the month of November 2024, Council's investments have been made in accordance with the Act, the Regulations and Council's Investment Policy.

As at 30 November 2024 Council's cash and investments totalled \$77,635,704 with \$15,230,417 of this being funds held in bank accounts. The weighted average rate of return was 8.44% and total investment revenue equals 74.13% of budgeted revenue for the year to 30 November 2024.

ATTACHMENT(S)

1. RVC Investment Pack - November 2024 (under separate cover)

17.4 AUDIT, RISK AND IMPROVEMENT COMMITTEE WORKPLAN AND NON-VOTING MEMBER NOMINATION

Director: Ryan Gaiter

Responsible Officer: Latoya Cooper

EXECUTIVE SUMMARY

Richmond Valley Council (Council) has established an Audit, Risk and Improvement Committee (ARIC) in compliance with section 428A of the *Local Government Act 1993*, the *Local Government (General) Regulation 2021* and the Office of Local Government's *Guidelines for risk management and internal audit for local government in NSW*.

The objective of the ARIC is to provide independent assurance to the Council by monitoring, reviewing and providing advice about the Council governance processes, compliance, risk management and control frameworks, external accountability obligations and overall performance.

Council has the option of appointing a non-voting councillor member to the ARIC alongside the three independent members currently appointed.

The ARIC are required to develop a strategic workplan every four years to ensure all core responsibilities of the committee are reviewed and considered by the internal audit function.

RECOMMENDATION

That Council:

1. Considers the appointment of a non-voting councillor member to the Audit, Risk and Improvement Committee; and
2. Endorses the Audit, Risk and Improvement Workplan.

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

Under Section 428A of the *Local Government Act 1993* (the Act), Council is required to have an Audit, Risk and Improvement Committee (ARIC). The Office of Local Government Guidelines require each council in NSW to have:

- an Audit, Risk and Improvement Committee ("ARIC" or "Committee") that continuously reviews and provides independent advice to the council on how it is functioning and managing risk.
- a robust Risk Management Framework that accurately identifies and mitigates the risks facing the council and its operations; and
- an effective Internal Audit Function that provides independent advice as to whether the council is functioning effectively and the council's internal controls to manage risk are working.

The three essential governance mechanisms are crucial for ensuring that councils operate effectively and efficiently, aligning their actions with community goals and objectives.

The OLG established the Guidelines in December 2023 to assist councils to comply with statutory requirements under the Act and the Regulation. The Committee is an advisory body only. It exercises no administrative functions, has no delegated financial responsibilities, and does not perform any management functions of council.

The Committee provides independent advice to the council, which is informed by council's internal audit and risk management activities, as well as information and advice provided by council staff, relevant external bodies, and other subject matter experts.

The work of the ARIC is to be thoroughly planned and executed. The ARIC must develop a strategic work plan every four years to ensure that the matters listed in the Terms of Reference are reviewed by the ARIC and considered by the Internal Audit Function when developing their risk-based program of internal audits. The strategic workplan must be reviewed at least annually to ensure it remains appropriate.

Nomination of non-voting Councillor member

In 2016, the Local Government Act 1993 (Act) was amended requiring all NSW Councils to have an Audit, Risk and Improvement Committee (ARIC). Council originally had an ARIC that comprised of two independent community members and one councillor, followed by a committee made up entirely of Councillors from 2013. The new requirements stipulate that at a minimum, Councils are required to have an ARIC that comprises of:

- One independent chair who meets the independence and eligibility criteria for an ARIC chair, and
- At least two independent members who meet the independence and eligibility criteria for ARIC members (councils may appoint additional independent members should they choose to do so).

In August 2022, Council appointed its current Audit, Risk and Improvement Committee (ARIC) which meets the requirements noted above, whose terms are due to expire 30 June 2025, consisting of:

- Ron Gillard (Independent Chair)
- Emma Fountain (Independent Member)
- Jesse Jo (Independent Member)

Under section 216C of the *Local Government (General) Regulation 2021*, Councils may appoint one non-voting councillor member who meets the criteria for councillor members. The mayor cannot be appointed as a councillor member of a council's audit, risk and improvement committee.

In September 2022, Council resolved to seek confirmation as to whether all Councillors, other than the Mayor, could be appointed on a rotating basis as members of the ARIC. Following advice from the Office of Local Government, it was determined this was not possible and as such, no Councillor was appointed as a member of the ARIC.

The Office of Local Governments Guidelines for Risk Management and Internal Audit specify the following eligibility criteria for councillor members:

- an ability to read and understand financial statements and a capacity to understand the ethical requirements of government (including potential conflicts of interest)
- a good understanding of one or more of the following: risk management, performance management, human resources management, internal and external auditing, financial reporting, accounting, management control frameworks, internal financial controls, governance (including planning, reporting and oversight), or business operations

- a capacity to form independent judgements and willingness to constructively challenge/question management practices and information
- a professional, ethical approach to the exercise of their duties and the capacity to devote the necessary time and effort to the responsibilities of a councillor member of an audit, risk and improvement committee, and
- preparedness to undertake any training on the operation of audit, risk and improvement committees recommended by the chairperson based on their assessment of the skills, knowledge and experience of the councillor member.

Council's ARIC operates in accordance with the adopted Audit Risk and Improvement Committee Terms of Reference and Internal Audit Charter.

ARIC Workplan

The draft ARIC Workplan, endorsed by the ARIC at its 4 December 2024 meeting, outlines the actions and activities that will be the focus of the Committee over the Council term of 2024-2028 and is attached for Council consideration. This workplan was developed in accordance with the ARIC responsibilities as outlined in the Terms of Reference.

The ARIC may, in consultation with the governing body, vary the annual work plan to address new or emerging risks. The governing body may also, by resolution, request the ARIC to approve a variation to the annual work plan. Any decision to vary the annual work plan must be made by the ARIC.

When considering whether to vary the strategic or annual work plans, the ARIC must consider the impact of the variation on the Internal Audit Function's existing workload and the completion of pre-existing priorities and activities identified under the work plan.

CONSULTATION

Nil

CONCLUSION

It is not a requirement for Council to appoint a non-voting Councillor to the Audit and Risk Committee, however, should Council wish to do so, a single Councillor should be nominated as per the advice of the Office of Local Government. A draft four-year workplan for the ARIC has been prepared outlining the actions and activities that will be the focus of the Committee over the Council term.

ATTACHMENT(S)

1. **Draft Audit Risk and Improvement Committee Workplan 2024-2028 (under separate cover)**

18 GENERAL BUSINESS

Nil

19 MATTERS FOR INFORMATION

RECOMMENDATION

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

19.1 BEECH STREET TRAFFIC CALMING REPORT UPDATE

Director: Ben Zeller

Responsible Officer: Kim Anderson

RECOMMENDATION

That Council receives and notes the Beech Street Traffic Calming Report and that community consultation be undertaken on the options available to address the ongoing community concerns.

REPORT

Beech Street, Evans Head, is commonly used as a thoroughfare for commuter and tourist traffic travelling to and from Broadwater and Evans Head. This street currently experiences motorists travelling well above the 50km/h sign posted speed limit, particularly during the morning and afternoon peak periods. It is a recurring issue for the residents and raises ongoing safety risks.

Council staff consulted with Transport for NSW (TfNSW) road safety officers where funding was made available by TfNSW to carry out a traffic calming study to include concepts, design, and cost estimates.

Subsequently, Council engaged GeoLink Consulting Pty Ltd (GeoLink) to investigate the design of appropriate traffic calming infrastructure for this street with the main objectives to include:

- Physically altering the carriageway within the study area to slow traffic.
- Maintaining or improving safety for all road users, including cyclists and pedestrians.
- Maintaining an acceptable level of efficiency for motorised traffic given the estimated daily traffic volumes of around 2,500 vehicles per day.
- Maintaining a comfortable bus route.
- Improving the overall amenity of the street.
- Minimising capital and maintenance costs.

GeoLink provided the attached Concept Design Options Report which details the investigations, assessment, and proposed treatment options.

Using these recommendations, a detailed design has been provided that would mitigate the highlighted risks when constructed. This construction phase of the project is currently unfunded.

The detailed design includes improvements from Booyong to Currajong Streets incorporating blister islands, and traffic calming modifications at the intersections of Cudgerie, Carrabeen and Ash Streets.

Additionally, residents have contacted Council for investigations in reducing the speed of vehicles entering Evans Head from Broadwater Evans Head Road. It is proposed that consultation for options be undertaken at the same time as the Beech Street traffic calming project.

It is proposed that Council undertakes public consultation with affected residents and the community to enable feedback on the proposed works and the detailed design.

Staff will continue to explore grant opportunities to facilitate any future construction to implement preferred solutions.

Consultation

Council staff will undertake public consultation allowing feedback from any affected residents.

A report will be presented to Council following the public consultation process.

ATTACHMENT(S)

1. **Concept Design Options Report - Beech Street Traffic Calming (under separate cover)**
2. **Entry Treatment Options Design - Broadwater Evans Head Road (under separate cover)**

19.2 DISCLOSURE OF INTEREST RETURNS - COUNCILLORS

Director: Ryan Gaiter

Responsible Officer: Kate Ailder-Conn

RECOMMENDATION

That Council receives and notes the disclosure of interest returns completed by Councillors, tabled for the information of Council.

REPORT

Under the Code of Conduct, adopted by Council on 15 November 2022, returns of interest must be submitted by councillors and designated persons within three months of being elected or becoming a designated person. In addition, returns must be submitted annually (within three months of the commencement of the financial year).

A further requirement is that at any time when a councillor or designated person becomes aware of any new interest that needs to be disclosed, such disclosure must be made within three months of becoming aware of the interest. With such return to be tabled at the first council meeting following lodgement.

Following the local government election held on 14 September 2024, all Councillors were required to complete a disclosure of interest return, with the returns now tabled for the information of Council. The General Manager has received disclosure returns from:

- Cr Robert Mustow
- Cr Stephen Morrissey
- Cr Sam Cornish
- Cr Robert Hayes
- Cr Sandra Humphrys
- Cr Lyndall Murray, and
- Cr John Walker.

Information contained in returns made and lodged under Clause 4.21 of the Code of Conduct will be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009* (and its associated Regulation), together with any guidelines issued by the Information Commissioner. Accordingly, returns will be made available upon request and by appointment to any member of the public in person at Council's Casino Administration Office. The returns will be published on Council's website as soon as practicable following the December 2024 Ordinary Meeting.

This report provides information to Council regarding the submission of returns of interest by designated persons and fulfils Council's obligations under Section 440AAB of the *Local Government Act 1993*.

ATTACHMENT(S)

Nil

19.3 GRANT APPLICATION INFORMATION REPORT - NOVEMBER 2024

Director: Ryan Gaiter

Responsible Officer: Rylee Vidler

RECOMMENDATION

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

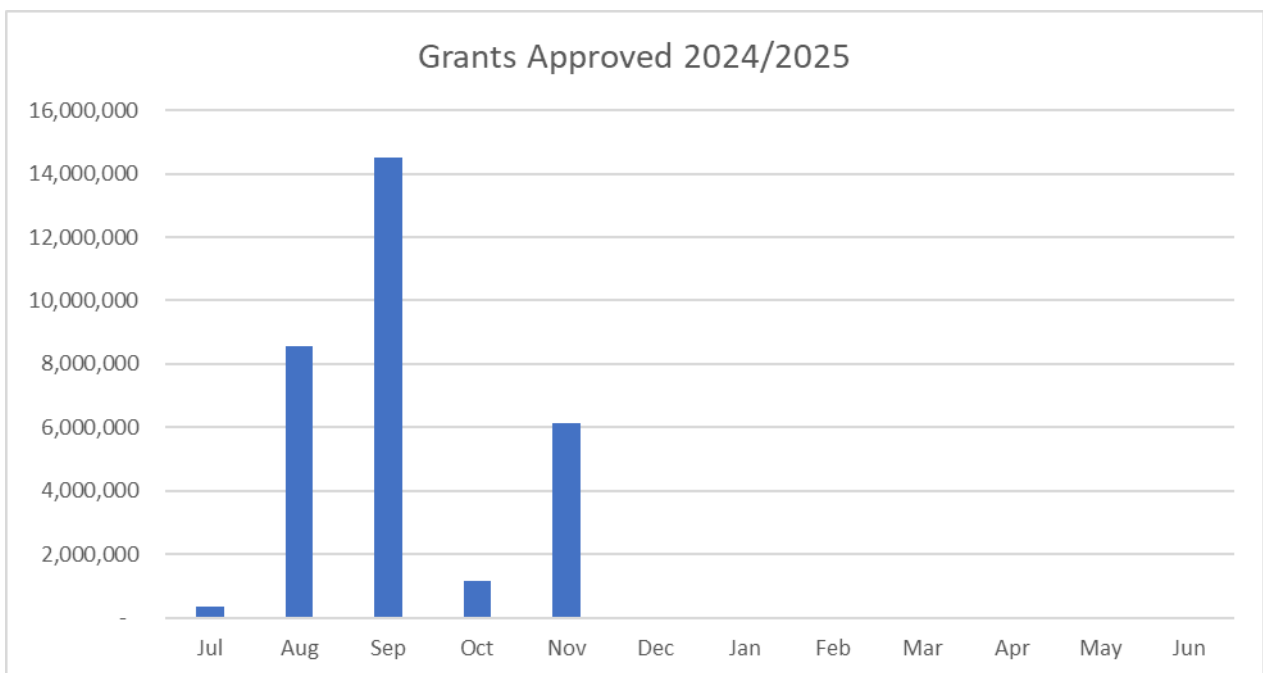
REPORT

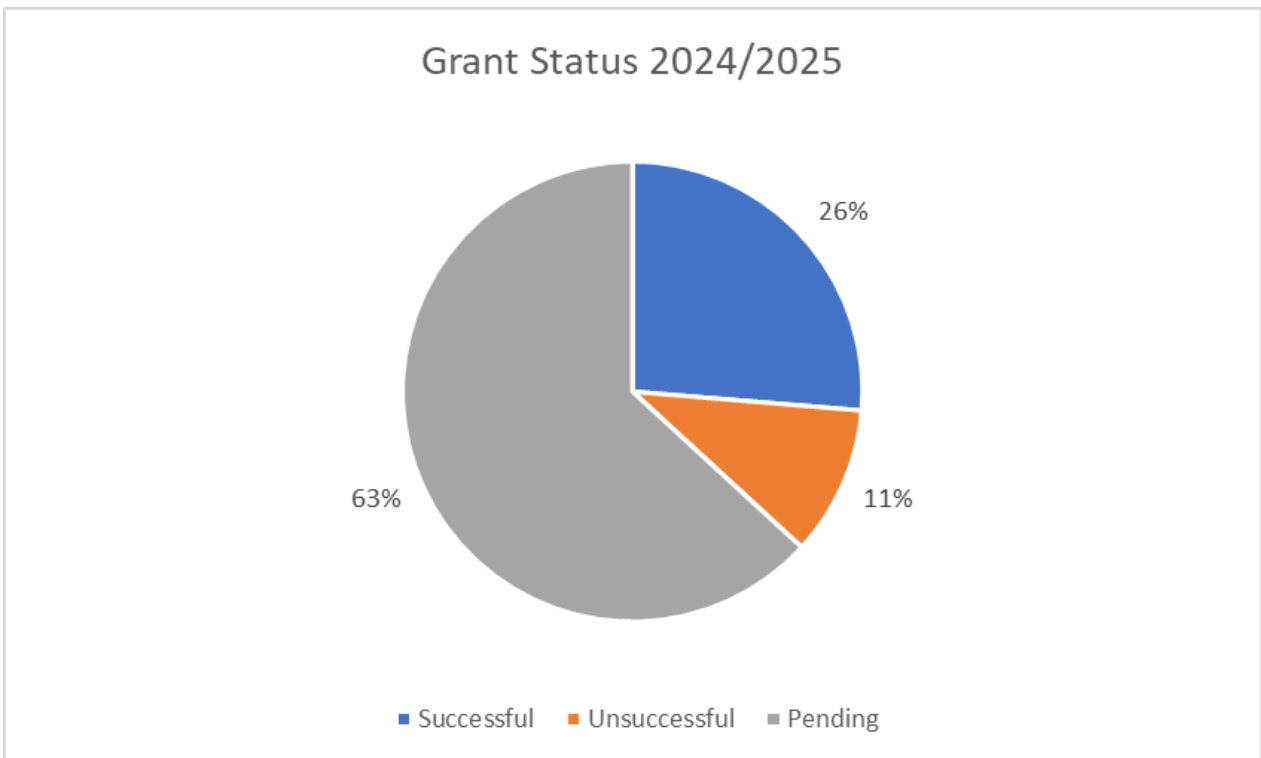
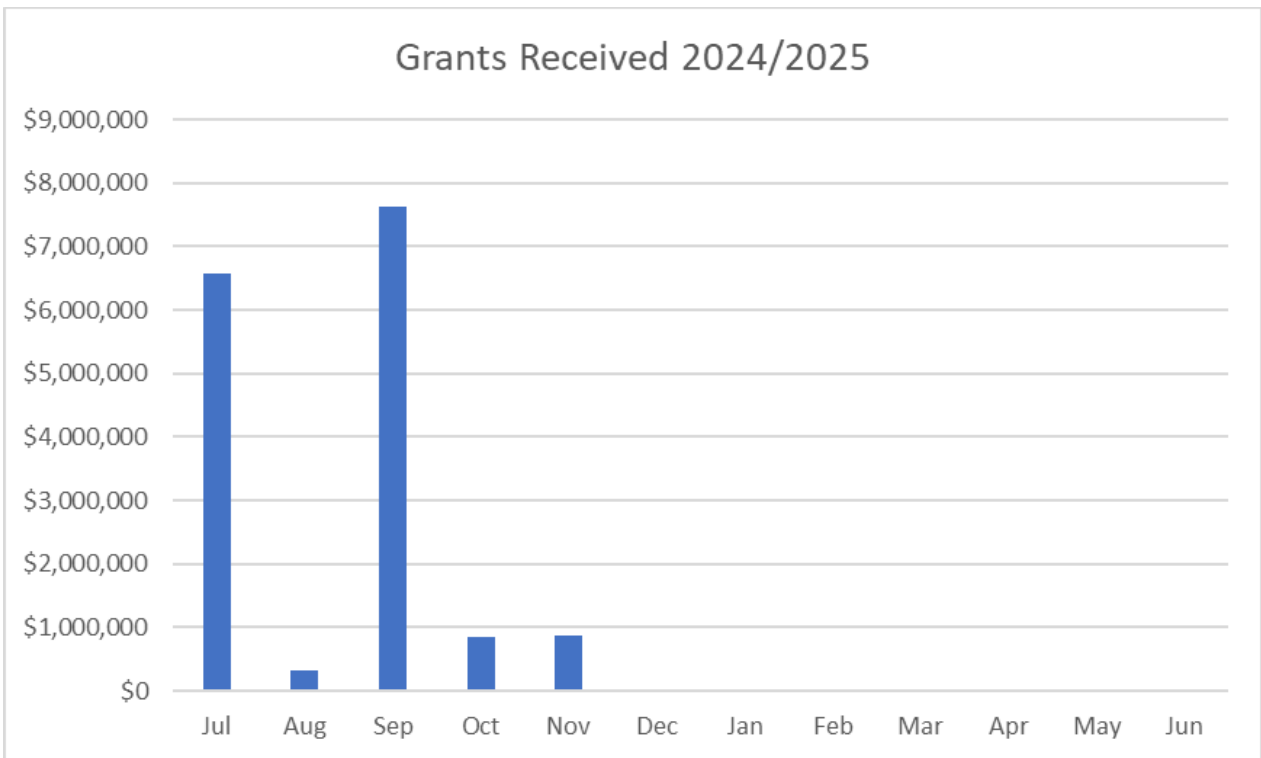
This report provides information on grant applications that have been approved, grants that have been received, grant applications that were unsuccessful and grant applications that were submitted for the month of November 2024.

During the reporting period, there were three grants approved totalling \$6,122,789 and five new submissions were made. Council was not notified of any unsuccessful applications during the period.

Council received funding for five grants totalling \$874,447.

A summary of grants approved and received, as well as the status of applications for the current financial year to 30 November 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)	\$ 50,466,403	\$50,466,403	\$ -	N/A	25 November 2024
<p>Comment: Council has been approved for the following new EPAR project: Bungawalbyn Whiporie Road. Note: This is a cumulative total for all EPAR projects approved, previously reported \$49,745,614. There are currently 89 EPAR submissions approved and 1 remains outstanding.</p>							
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	1 November 2024
<p>Comment: This funding will allow Council to deliver activities and entertainment for the Richmond Valley on Australia Day 2025.</p>							
Woodburn Evans Head Shared Pathway	Transport for NSW (State)	Road Safety Program 2023-24 to 2025-26	\$ 5,392,000	\$ 5,392,000	\$ -	N/A	18 November 2024
<p>Comment: This funding will allow Council to install a shared user path on Alfred Street and Woodburn-Evans Head Road between River Street, Woodburn and Riverside Retirement Village, Doonbah spanning 5.8km.</p>							

Grants that have been received

Project Name	Funding Body	Funding Name	Project Value	Grant Funding	Council Funding	Application Submitted	Date Received	Total Received
NSW Storms and Floods 10 March 2021 Onwards - EPAR Works - AGRN960	Transport for NSW (State)	Disaster Recovery Funding Arrangements (DRFA)	\$ 4,397,531	\$ 4,397,531	\$ -	N/A	\$ 123,542 8 November 2024	\$ 4,363,422
Comment: Payment received for works completed on Works Package 8: Naughtons Gap Road								
Financial Assistance Grant 2024/25	NSW Local Government Grants Commission (Federal)	Financial Assistance Grant	\$ 6,842,387	\$ 6,842,387	\$ -	N/A - Annual Allocation	\$ 268,790 18 November 2024	\$ 6,304,807
Comment: Quarter 2 instalment of the 2024/2025 FAG Grant.								
Betterment of Casino Netball Clubhouse	Regional NSW (State)	Community Assets Program	\$ 1,385,750	\$ 1,385,750	\$ -	27 March 2023	\$ 415,725 18 November 2024	\$ 970,025
Comment: Milestone payment for works completed.								
Lolback Bridge	Transport for NSW (State)	Fixing Country Bridges Round 2	\$ 583,902	\$ 583,902	\$ -	23 November 2021	\$ 58,390 27 November 2024	\$ 583,902
Comment: Final payment for completion of works.								
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	\$ 8,000 28 November 2024	\$ 8,000
Comment: 80% of grant funding received to hold event.								

Grant Applications Submitted

Project Name	Funding Body	Funding Name	Project Value	Grant Funding	Council Funding	Application Submitted
Youth Employment Strategy (YES Program) Funding	Office of Local Government (State)	Local Government Apprentice, Trainee and Cadet Program	\$ 511,281	\$ 360,739	\$ 150,542	8 November 2024
Comment: If successful, this funding will be used to partially fund an Apprentice Heavy Vehicle Mechanic and Apprentice Mechanical Fitter within Council's existing YES Program. These positions are not currently in the organisational structure.						
Casino Showground Water and Amenity upgrade	Department of Planning, Housing and Infrastructure (State)	Crown Reserves Improvement Fund	\$ 300,000	\$ 300,000	\$ -	22 November 2024
Comment: If successful, this funding will be used to install two large water tanks to capture water from the undercover arena at the Casino Showground to provide water security to all users. It will also address the lack of toilets for large scale events by providing an additional toilet block near the undercover arena.						
Design of Woodburn to Broadwater Shared Pathway	Transport for NSW (State)	Get Active NSW	\$ 198,000	\$ 198,000	\$ -	25 November 2024
Comment: If successful, this funding will be used to the design the shared pathway that will form part of the Mid-Richmond three villages link.						
Rail Trail to Queen Elizabeth Park Connection	Transport for NSW (State)	Get Active NSW	\$ 2,012,850	\$ 2,012,850	\$ -	25 November 2024
Comment: If successful, this funding will be used to construct a shared pathway on Hickey Street to connect the Rail Trail to Queen Elizabeth Park via the suspension bridge.						
Broadwater to Evans Head Shared Pathway	Transport for NSW (State)	Get Active NSW	\$ 6,768,297	\$ 5,000,000	\$ 1,768,297	25 November 2024
Comment: If successful, this funding will be used to construct a shared pathway on Broadwater- Evans Head Road connecting the two villages.						

ATTACHMENT(S)

Nil

19.4 CORRESPONDENCE - RICHMOND VALLEY COUNCIL AND NRJO SUBMISSIONS TO COUNCILLOR CONDUCT FRAMEWORK REVIEW

RECOMMENDATION

That Council receives and notes Richmond Valley Council's and Northern Rivers Joint Organisation's submissions to the Office of Local Government following on from the 'Councillor conduct and meeting practice – a new framework' discussion paper.

SUMMARY OF CORRESPONDENCE

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 outlined 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:

- 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.

Council was presented with a draft response to the *Councillor Conduct and Meeting Practices discussion paper* at the 19 November Ordinary meeting and following discussion the following letter was submitted to the Office of Local Government.

The Northern Rivers Joint Organisation (NRJO) also provided a submission on behalf of its seven member councils (Ballina Shire, Byron Shire, Clarence Valley, Kyogle, Lismore City, Tweed Shire and Richmond Valley) and a copy follows.

ATTACHMENT(S)

- 1. Richmond Valley Council Submission**
- 2. Northern Rivers Joint Organisation Submission**



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ABN 54 145 907 009

26 November 2024

Mr Brett Whitworth
Deputy Secretary Local Government
Locked Bag 3015
NOWRA NSW 2541

Via email: councillorconduct@olg.nsw.gov.au

Dear Mr Whitworth

Councillor Conduct Framework Review

Richmond Valley Council welcomes the opportunity to provide feedback on the *Councillor conduct and meeting practice – a new framework’ discussion paper*. Like many councils in NSW, we share the view that the current Councillor conduct framework would benefit from simplification and that there is room for some improvement in the Code of Meeting Practice. However, we do not believe that the piecemeal, disjointed and, at times contradictory approach outlined in the discussion paper will bring any tangible benefit to local councils and the communities they serve. These reforms are more likely to make things worse, as many of the proposals are ill-conceived or unworkable, adding additional layers of complexity and potentially driving further division amongst elected representatives.

Neither does Council accept the discussion paper’s assertions that local councils need to ‘have local democracy and dignity returned to their operations’. We don’t believe they ever left, and there is no evidence presented in the paper to suggest otherwise. Rather, the issues highlighted in the discussion paper would suggest that state government has a limited grasp of how to regulate the local government sector effectively and consistently fails to understand that respect, dignity and responsible decision making cannot be contrived by endlessly rewriting the book of rules. Meaningful change comes when councils themselves are willing to change – to set personal interest and politics aside and put their community first. We believe that many councils, including Richmond Valley Council, already work effectively in this way - which is evidenced by the fact that a significant proportion of the sector consistently records no Councillor Code of Conduct complaints each year. These councils should not be penalised and impeded by the complexities of now proposing two separate codes of conduct and the vagaries of the pick-and-mix review of meeting practice presented in the paper. There is a risk of focusing excessively on the poor behaviour in a minority of councils to the detriment of those who are simply getting on with the job of serving their community.

Is the system really broken?

The proposed reforms in the Office of Local Government 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”*.

Love where we live and work



We question these assertions, as they are not the lived experience of Richmond Valley Council and many others in regional NSW. Many regional/rural councillors 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 commentary denigrates the contribution they have made to their communities by suggesting that local government is beset by secretive and dysfunctional leadership. This is simply not the case in most councils. Our council does not make 'secret decisions'. It operates respectfully and efficiently, within the requirements of the *Local Government Act 1993* and the current model codes.

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 substantiate this figure, or to mention that there are a significant number of councils, including Richmond Valley Council, who record no Code of Conduct complaints against Councillors annually - in fact, Richmond Valley Council has had no Councillor Code of Conduct complaints for the past eight years.

Council is at odds to understand the origin of the complaints figure quoted in the discussion paper, as it does not tally with the figures published on the Your Council website, nor with the annual Time Series Data published by the Office of Local Government. There are significant disparities in this data. Based on publicly available data, only a handful of councils recorded high numbers of annual complaints. These are aberrations that do not reflect what is going on in the local government sector. A small number of councils get the headlines for all the wrong reasons - the rest of the sector gets on with the job.

Rather than totally rewriting the Code of Conduct and reconfiguring the framework, the Office of Local Government should use its early intervention powers more consistently and strategically to deal with rogue councils who are bringing the sector into disrepute. There is clearly something going wrong with the governance of these councils and the rest of the sector should not pay the price of a 'one size fits all' response.

Changes to the Code of Conduct

While Council agrees that the current Code of Conduct, the procedures for implementing the Code and the framework that supports it would all benefit from simplification, it is concerned by the proposal to introduce a second aspirational code for elected officials, while continuing to apply the existing code to council staff. As many Code of Conduct complaints involve interactions between elected representatives and staff, how does the Office of Local Government envisage this will work? Under these provisions, two separate standards under two separate instruments would potentially be applied to the same occurrence within the same organisation. If the NSW Government is seeking to simplify the rules of conduct, then it should do so consistently across the entire sector, in consultation with councillors, council staff and the community.

The key reform for the conduct framework, proposed in the discussion paper, is to move to a streamlined, aspirational Code of Conduct for local councillors that is equivalent to that applied to members of the NSW Parliament. This fails to recognise the fundamental differences between state and local government in NSW. Firstly, local councils do not enjoy the protection of Parliamentary Privilege, and this directly impacts the manner in which debate must be conducted. Statements made by members of the NSW Parliament in the House cannot be made the subject of an action for defamation. Statements made by local Councillors are not protected in the same manner. Higher levels of government also acknowledge that serving as an elected representative is a full-time occupation and local members and Ministers are paid a professional wage and afforded the support, they require to carry out their duties. Local Councillors are not afforded a living wage and are obliged to balance their public duties with

their existing employment or business activities. This introduces greater complexity to the manner in which they carry out their role. The two levels of government also operate at vastly different scales, and the impacts of behaviour are therefore not the same. There is a significant difference between the impacts of a local State Member expressing his or her criticism of a decision made by the majority to an audience of 8 million NSW residents, and the impacts of one of seven local councillors openly criticising the decisions of colleagues in a small country town where there are long-standing family connections and co-dependencies.

Council is particularly concerned by the discussion paper's assertion that "*the revamped Code of Conduct would not seek to restrain the ability of a Councillor to speak publicly on matters pertaining to their council, even when that Councillor is disagreeing with, or being critical of, the decisions of the majority*". This only drives division in small communities and encourages 'trial by social media' rather than rational and respectful discussion. The basic premise of democracy is that the majority decision is respected, and this should be reflected in the behaviour of elected representatives, regardless of their personal views.

Council is also concerned by the proposal to remove the definition of misbehaviour in public office from the proposed new Code and attempt to embed it in legislation. While we accept it is possible to define issues such as what constitutes conflicts of interests, attempting to legislate what constitutes 'the pub test' is fraught with peril. Moral and ethical standards are subjective and culturally sensitive. What one person believes is 'outside the norms and expectations of a sitting councillor may be different to the views of another. Adding the further complexity of referring misbehavioural matters to a Privileges Committee, comprised of local government leaders (who may themselves have exhibited these behaviours in the past) may render this process unworkable. The discussion paper contains limited detail as to how the committee would operate, how members would be appointed and held accountable and who would cover the cost of its operations. There are concerns that if the current level of conduct complaints continues, the committee would be overwhelmed with the workload. Council believes that the role of the Privileges Committee should be carried out by an independent body, rather than those who have established relationships within the local government sector.

Council is supportive of improving the definition of pecuniary interest and separating review of conflicts of interest from review of allegations of misbehaviour, with the former being investigated by the Office of Local Government. Investigating these matters currently places a significant administrative burden on local government and Council believes these investigations are best managed by the sector's regulator. However, given the paper's observation that some Office of Local Government reviews are currently taking up to two years to complete, there are concerns that issues may not be resolved expediently.

There are also concerns about the proposed approach for management of potential conflicts of interest for property developers and real estate agents. The paper takes the view that excluding developers and agents from standing for office would be undemocratic, as it infringes their right to political free speech, however it appears to have no concerns with infringing on their right to earn a living by insisting they divest themselves from real estate or development business activities and contractual obligations. How does the Office of Local Government envisage this will be monitored and enforced? In a repeat of the same flawed policy approach that introduced breed-specific regulation to the Companion Animals Act and condemned councils to endless and expensive arguments over what can or can't be classified as a Pitbull terrier, the Office of Local Government now wants to open endless arguments over what can or can't be classified as a property developer. These proposals simply won't work. All elected officials who undertake business activities outside of their council duties have the potential to encounter pecuniary conflicts of interest and all should have the same provisions for effectively managing them.

Restoring dignity to council meetings

Council has a number of concerns with the proposals in this section of the discussion paper. Firstly, with the assumption that dignity has left the council chamber and secondly with the misguided belief that it can somehow be returned by requiring people to stand up and sit down in a council meeting. Local government is the most directly representative level of government, embracing a range of different cultures, abilities and beliefs across many communities. In this regard, we need to be cautious of imposing protocols that may potentially further exclude people with mobility challenges or be incompatible with the cultural practices of indigenous communities or people from diverse backgrounds. What is perceived as a sign of respect in one culture, may be perceived as something entirely different in another. We believe Councils are in the best position to make the judgement on appropriate meeting protocols that are reflective of each community's unique identity and cultural norms.

Council's main concern with this section of the paper is the piecemeal nature of the proposed council meeting reforms, without the rigor and broader context of a thorough review of the Code of Meeting Practice. The proposals to give mayors extra powers to expel other councillors and withhold their fees are ill-conceived, divisive and potentially open to political misuse. For councils to work effectively, they need to work as a team - and handing out financial penalties and sanctions to your colleagues may not be the best way to achieve this. The discussion paper raises concerns with the Code of Conduct being weaponised, yet then proceeds to do the same to the Code of Meeting Practice. This is out of step with the underpinning principles of the reforms. Financial penalties are best imposed by an appropriate independent body, rather than handed out by individuals in the heat of the moment.

Proposals to ban confidential briefing sessions

Richmond Valley Council has significant concerns with the proposal for a wholesale ban on confidential briefing sessions, based on the assumption that 'decisions are being made in secret'. Councils throughout NSW strongly refuted this assumption at a recent local government forum, pointing out that the majority of councils currently use confidential information sessions to ensure Councillors are well prepared and supported to make informed decisions about matters that will come before the open council meeting. They are not decision making forums.

Richmond Valley Council provides confidential information sessions once a month where Councillors can engage in open discussion on sensitive matters, receive legal advice, or obtain technical information from Council officers on matters that are then on the open council agenda. Rather than condemn these sessions as 'secretive', Office of Local Government should be commending Councillors for taking their responsibilities seriously and giving up their time to ensure they are well prepared to make objective decisions. This is a better approach to local leadership than staging public open-mike sessions prior to meetings, with last-minute emotive pleas on issues, or having to constantly reschedule meetings because the business before Council cannot be completed within the available time. Responsible use of information sessions results in efficient council meetings, with well-informed debate.

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. This format allows open discussion without the need to constantly close the meeting if confidential matters arise. The NSW Government achieves its 'safe space' via the Cabinet process where elected leaders, including the Minister for Local Government, regularly meet behind closed doors to discuss policy matters and develop strategy.

The agenda for these meetings, the briefing notes that Ministers receive, and the minutes of the proceedings are not released to the public.

Councils believe they deserve the same safe spaces to support effective governance. Local government is the most accessible form of government to the community and there are many opportunities for residents to speak directly with their elected representatives, participate in council meetings and receive direct consultation on matters that affect them. Council briefing/information sessions have a role to play within the broader context of local government operations and shouldn't be singled out for targeted reforms to the Code of Meeting Practice. This form of knee-jerk and piecemeal approach to reform is an underlying theme of the discussion paper that deeply concerns our Council.

Councils throughout NSW support responsible governance and acknowledge the need to adequately address councillor misbehaviour and poor meeting practices. However, we believe the best way to achieve this is by thorough, systematic review of the instruments currently at hand – i.e. the Code of Conduct and the Code of Meeting practice, rather than offering up a patchwork of disjointed reforms in a light-weight discussion paper in the midst of a local government election. These matters are too important to our communities to be rushed through without due consideration and consultation.

In closing, Richmond Valley Council would urge the Minister and the Office of Local Government to rethink its current approach before attempting to implement the one-size-fits-all solutions proposed in the discussion paper. We believe the majority of councils in NSW would welcome a respectful conversation on these matters.

I would be happy to discuss these views in further detail should the Office of Local Government and Minister decide to review its approach to implementing these reforms.

Thank you for taking the time to review our feedback on this Discussion Paper.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Vaughan Macdonald', written in a cursive style.

Vaughan Macdonald
General Manager



NSW Office of Local Government
Strategic Policy Unit
Locked Bag 3015
NOWRA NSW 2541
councillorconduct@olg.nsw.gov.au

18 November 2024

Dear NSW Office of Local Government's Strategic Policy Unit,

Councillor Conduct Framework Review

Thank you for the opportunity to make a submission in response to the *Councillor conduct and meeting practices: A new framework* discussion paper as part of the Councillor Conduct Framework's review.

This submission is made by the Northern Rivers Joint Organisation (NRJO) on behalf of its 7 member councils (Ballina Shire, Byron Shire, Clarence Valley, Kyogle, Lismore City, Richmond Valley and Tweed Shire) in relation to the NSW Northern Rivers region.

Overall, the NRJO supports any reforms that reduce the administrative costs of managing the conduct of elected local government officials while enhancing procedural fairness for and promoting informed decision making by them. However, any proposals with the potential to create further layers of bureaucracy are not supported, especially where appropriate governance structures already exist.

Principles of change

Generally speaking, the NRJO supports the principles of change outlined in the discussion paper.

Currently, however, local government's independence to make decisions is restricted by State led initiatives, State determined priorities, cost shifting by the State, limited State funding and the processes for setting fees, charges and ordinary rates.

While freedom of speech is important, ensuring statements are not false or defaming is equally as important. So too is the ability for councillors to respond to statements by others. The proliferation and widespread use of social media poses significant challenges to this balance, which is an issue the revamped Code of Conduct should seek to address.

A timelier local government regulator is also needed, both in terms of providing advice and guidance about legislative and other changes as well as responding to and handling Code of Conduct complaints.



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Further to the NRJO's comments above in relation to the constraints on local government decision-making, the concept of subsidiarity is also currently restricted given many of the decisions that impact local communities are already made for local government by State laws.

Finally, timely justice should not be at the expense of a fair and thorough investigation as incorrect findings will erode trust in the handling of Code of Conduct complaints and the broader local government sector.

Potential changes to the code of conduct and oath of office

A clear and succinct outline of behavioural expectations for councillors is needed. Legislated definitions of misbehaviour must capture the full breadth of unacceptable behaviours including those currently detailed in the Code of Conduct along with emerging behaviours both inside and outside of council chambers.

Key elements of an aspirational Code of Conduct the NRJO would like to see enshrined include:

- standards to which councillors must strive to uphold in order to serve as role models the community look up to and respect
- behaviours councillors must demonstrate that reflect the values the community expects from its elected leaders
- requiring councillors to always engage in respectful interactions with fellow councillors, council staff and the community.

Aligning the Oath of Office to the revamped Code of Conduct is supported by the NRJO.

Potential changes to the definitions and assessment of councillor misbehaviour

The NRJO supports a more descriptive and definitive pecuniary interest framework that makes the rules for disclosure clear. Proposals outlined in the discussion paper regarding the definition of pecuniary interests requiring disclosure and extending the interests for disclosure by councillors are also supported. To reduce the risk of accidental misreporting or under reporting, the Office of Local Government should ensure adequate up-to-date guidance material about the pecuniary interest framework is provided to councillors and the local government sector.

While the NRJO agrees with the principles of what constitutes a significant or major non-pecuniary interest, guidance about these interests and their disclosure is frequently sought by councillors. Again, the Office of Local Government should ensure adequate up-to-date guidance about non-pecuniary interests is readily available to councillors and the local government sector.

As part of this review, the NRJO also suggests that a more efficient process for providing annual written returns of interests be considered. Given the NRJO's governing body is comprised of 7 mayors, all must complete duplicative identical written returns of interest. For some they must complete these in triplicate because they also serve as members of Rous County Council's governing body.

Formation of a Local Government Privileges Committee to meet and assess complaints made against councillors is supported by the NRJO. However, the Privileges Committee should not only comprise senior and experienced mayors and ex-mayors. It would benefit from including more diverse members with a broad range of experience, especially as many complaints are about misbehaviour outside the council chambers and involve the behaviour of councillors towards council staff. As such, the Privileges Committee should also be comprised of former general managers with significant experience in NSW local government.

To help minimise complaints, the Office of Local Government should consider:

- strengthening the provisions of the *Local Government Act 1993* in relation to eligibility to stand for election as a councillor
- mandating a minimum requirement for local government candidates to attend relevant, approved information sessions
- mandating a minimum requirement for elected councillors to attend relevant training during their tenure
- better defining what constitutes councillor misbehaviour on social media.

Lobbying guidelines and a model policy should include a clear definition of lobbyists/lobby groups and adequately cover all lobbying type activities from incentives via gifts and inducements through to the dissemination of misinformation and other inappropriate behaviour aimed at improperly influencing local government decision-making. The model policy should put the onus on councillors to properly consider the impact of lobbyists on their decision making. Consideration should also be given to restricting former councillors, general managers and senior executives from carrying out lobbying activities for a specified period after they cease employment.

Dispute resolution and penalty framework

Penalty infringement notices should be set at a level sufficient to deter inappropriate behaviour.

Ordering mandatory attendance at specified training should be considered as a further penalty, with the cost to be borne by the councillor if previous training had already been provided by the council or joint organisation.

Consideration should also be given to whether any penalty infringement notice or other penalty imposed on a councillor should be published/reported publicly, for example, as part of the council's Annual Report or joint organisation's Annual Performance Statement.

Restoring dignity to council meetings

Introducing courtroom etiquette, such as standing when speaking and formal/reverent manners of address, into the council chambers, is not supported by the NRJO. Such reforms will only serve as a barrier to diversity and inclusion. Further, introducing the practice of standing when a mayor enters the room will be problematic for NRJO meetings where each member of its governing body is a mayor.

Any other powers granted to the mayor or chair of the relevant meeting to deal with disorderly behaviour must be accompanied by appropriate safeguards to ensure the risk of abusing those powers is mitigated. To this end, councillors participating in the relevant meeting must also be empowered to be able to deal with disorderly behaviour by the mayor or chair.

The proposal to no longer permit councils or joint organisations to hold pre-meeting briefing sessions is not supported by the NRJO. Briefing sessions ensure more informed decision-making can occur at formal meetings by providing councillors an early opportunity to clarify matters to be considered by the council or joint organisation and ask questions of senior staff and other subject matter experts without fear of media scrutiny or public judgment. Without these sessions, meeting times would likely increase significantly as to would the risk of staff feeling restrained from responding publicly especially if the matter is contentious. It is also important to remember the right to access council information by members of the public is already preserved and regulated under the *Government Information (Public Access) Act 2009*.

Should you need to discuss any of the above further, please do not hesitate to contact me directly.

Yours sincerely



Phillip Rudd
Executive Officer
Northern Rivers Joint Organisation

19.5 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 NOVEMBER 2024 - 30 NOVEMBER 2024

Director: Angela Jones

Responsible Officer: Andy Edwards

RECOMMENDATION

That Council receives and notes the Development Application report for the period 1 November to 30 November 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 November 2024 to 30 November 2024 was twenty (20) with a total value of \$5,229,287.00.

During the month of November, the Regional Planning Panel determined the Modification Development Application for Bentley Quarry by the granting of approval to alter the staging of extraction, and not approving of the amendment of condition 60(b)(ii) to reduce the current truck restriction relating to hours of trucks entering or exiting the quarry at 1465 Bentley Road, Bentley. (MA2024/0008)

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

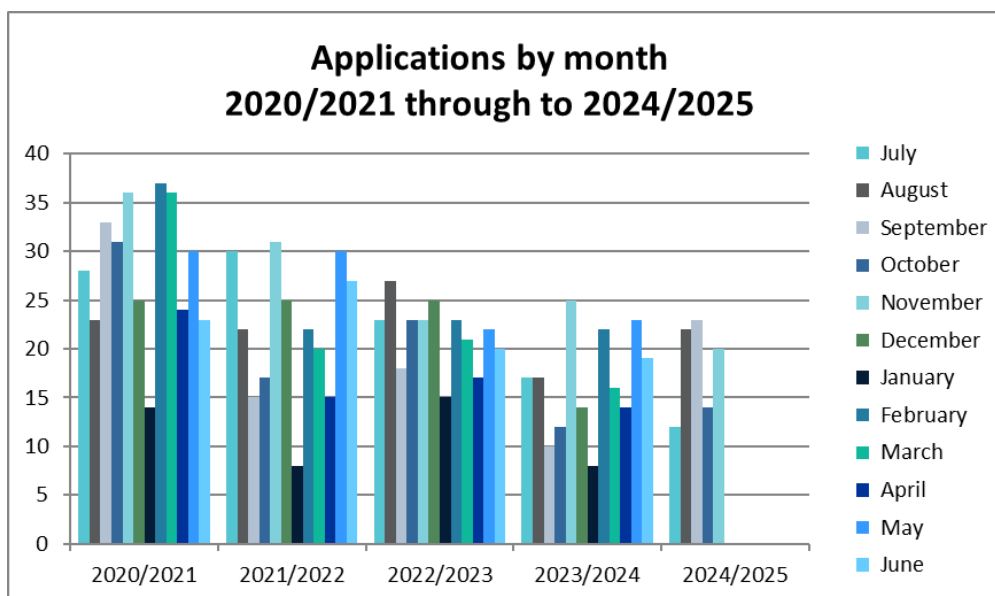


Figure 1: Monthly number of development applications and CDC's processed by Council over five financial years.

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 November 2024.

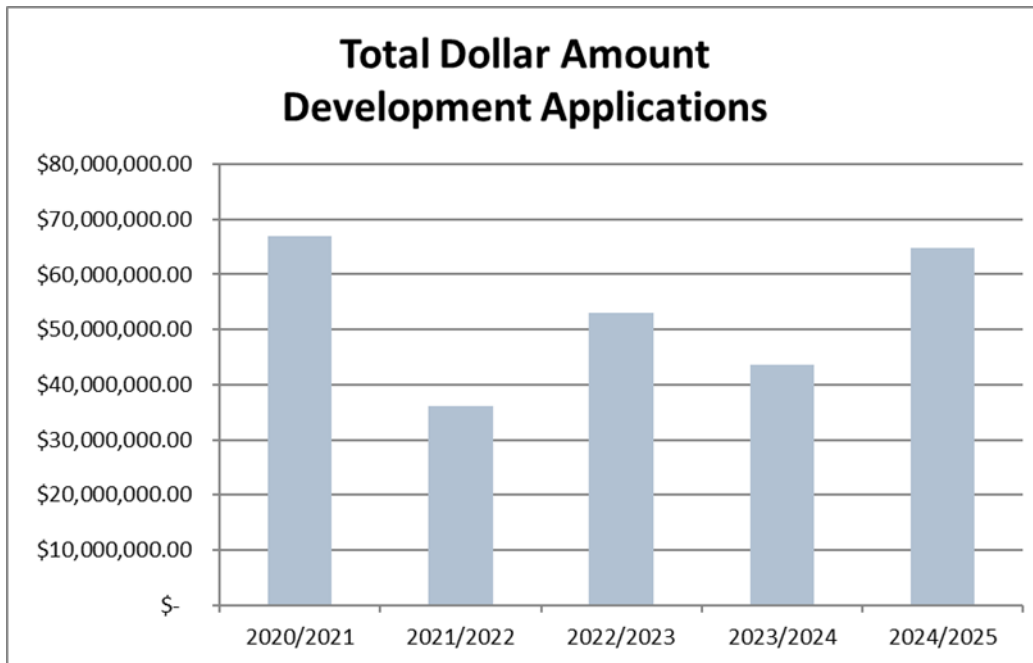


Figure 2: Annual value of development

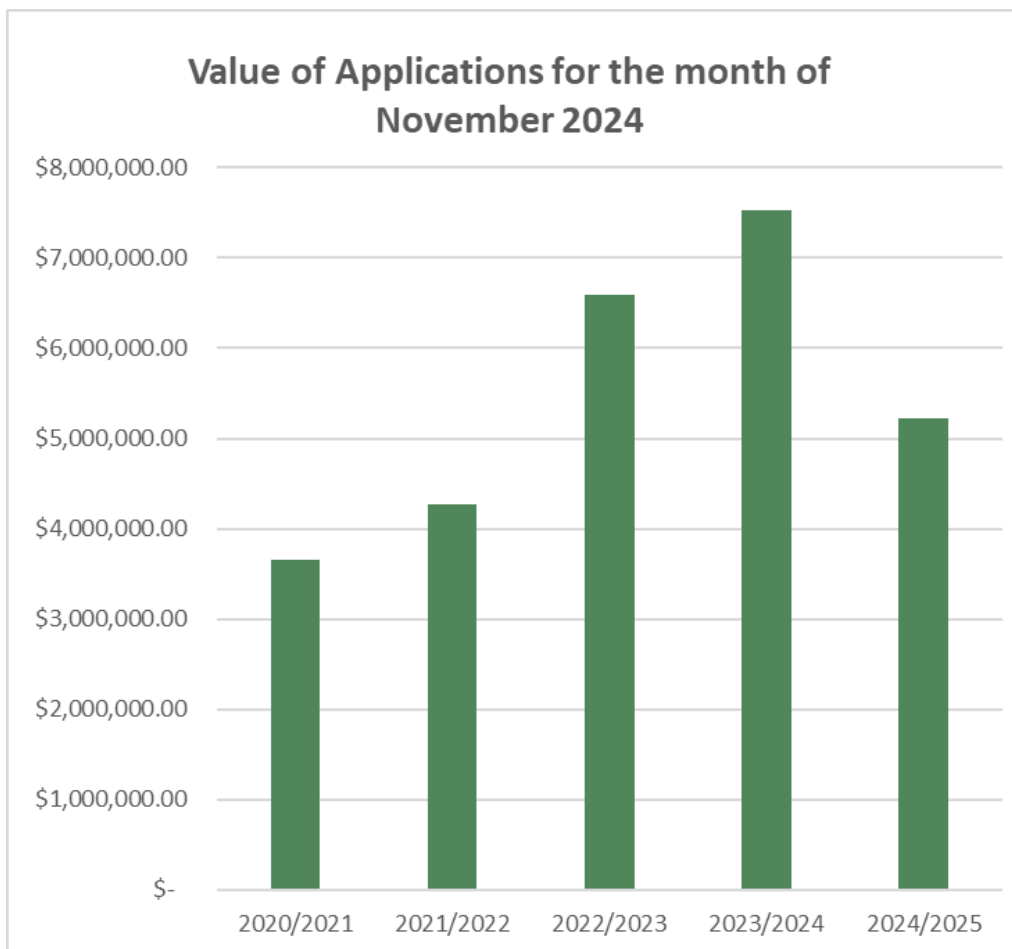


Figure 3: Value of development for the month of November 2024

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.

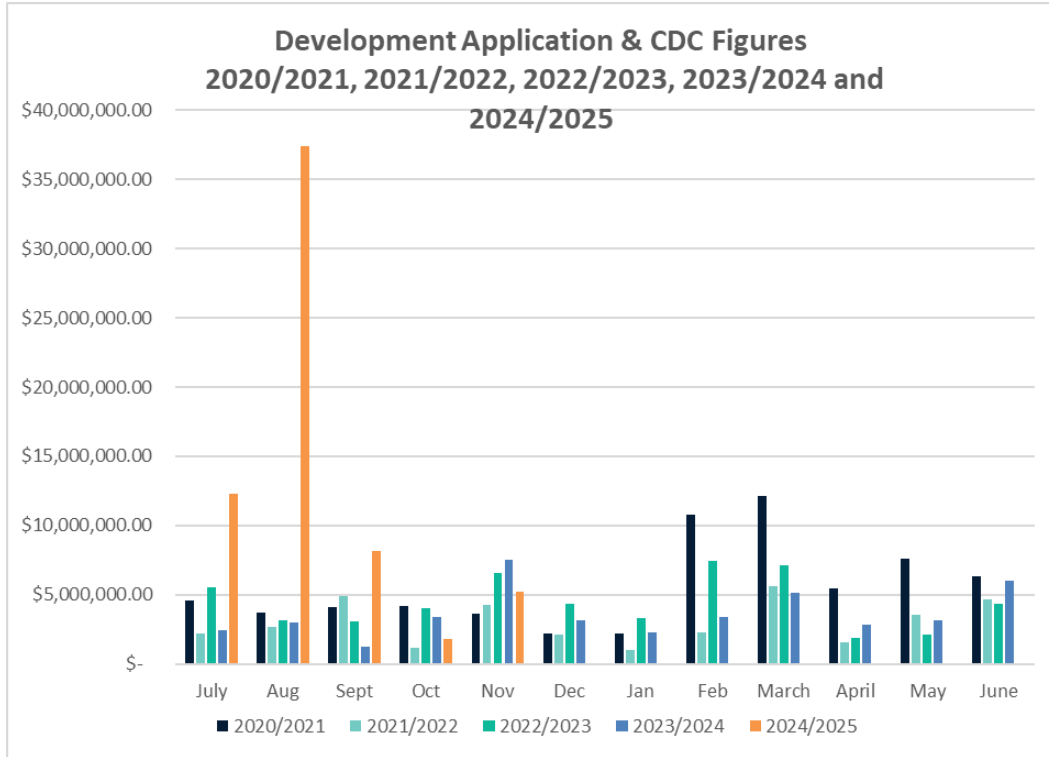


Figure 4: Value of development applications per month over five financial years.

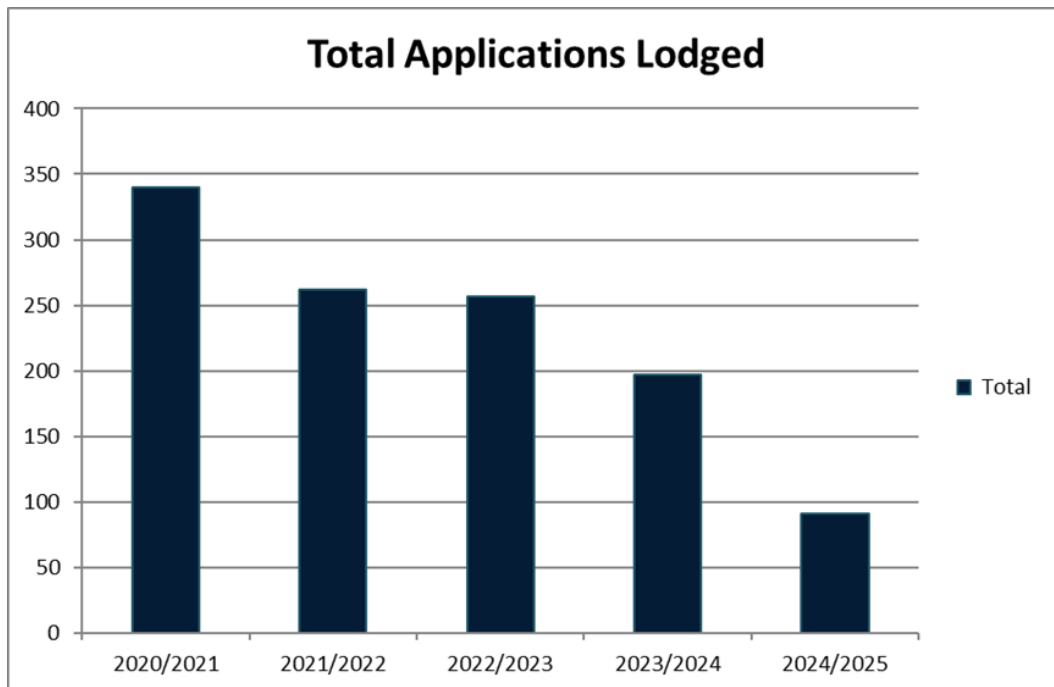


Figure 5: Number of Development Applications & CDCs per annum over five financial years

Activity for the month of November 2024

General Approvals (excluding Subdivisions, Section 4.55)	14
Section 4.55 amendments to original consent	2
Operational Consent	-
Subdivision	2
Refused	-
Rejected	-
Complying Development (Council Approved)	-
Complying Development (Private Certifier Approved)	2
Amended Complying Development (Private Certifier Approved)	-
TOTAL NUMBER OF DEVELOPMENT APPLICATIONS DETERMINED	20
Withdrawn	1
Average assessment days for applications determined in November 2024 (Planning & Building Combined)	33
No. of Integrated development applications determined in November 2024	2
No. of Designated development applications determined in November 2024	1

ATTACHMENT(S)

Nil

**Summary of Development Applications determined under the Environmental Planning and Assessment Act
for the period 1 November 2024 to 30 November 2024**

Application ID	Applicant	Owners	Location	Development	Date Received (In Portal)	Date Accepted (In Portal)	Determination Date	Estimated Cost
MA2024/0008	R & S Contracting	R G & S L McKenzie	1465 Bentley Road, Bentley	S4.55(2) - Modification - It is proposed to alter the staging of the extraction and remove the restriction on truck movements during school bus periods	19/04/2024	14/05/2024	21/11/2024	\$0.00
DA2025/0044	Barker Architects	B & L R H Fayle	28 Carrabeen Street, Evans Head	Demolition of existing patio roof and walls, and construction of new patio on existing concrete slab	4/09/2024	13/09/2024	8/11/2024	\$117,500.00
DA2025/0054	Newton Denny Chapelle	Momentum Resources Pty Ltd & Olijust Pty Ltd	587 Old Dyraaba Road, Woodview	Proposed 2 lot Torrens Title subdivision	12/09/2024	16/09/2024	5/11/2024	\$0.00
DA2025/0057	R N Barlow	W J & R M Barlow	26 Rileys Hill Road, Broadwater	Construction of an in-ground fibreglass swimming pool with associated equipment and fencing.	23/09/2024	1/10/2024	6/11/2024	\$38,000.00
DA2025/0061	J J Santin	J J & M Santin	61 Woodburn Street, Evans Head	Construction of new two-storey dwelling	2/10/2024	9/10/2024	6/11/2024	\$850,000.00
DA2025/0062	Rob Donges Planning - Yamba	J G Crethar & M A Gibson	313 Mongogarrie Road, Leeville	Relocated dwelling and extension to deck	2/10/2024	8/10/2024	13/11/2024	\$247,500.00
DA2025/0063	Newton Denny Chapelle	N M Gilmore & J I McHugh	180 Canterbury Street, Casino	Proposed Strata Title Subdivision	2/10/2024	11/10/2024	5/11/2024	\$0.00
DA2025/0065	Chris Burley Constructions	K M McDonald	17 Wheat Street, Casino	Demolition and replacement of existing shed	3/10/2024	10/10/2024	8/11/2024	\$48,800.00
DA2025/0066	N L Lammers	R A & N L Lammers	41 Cypress Street, Evans Head	New 6m x 6m garage	8/10/2024	16/10/2024	13/11/2024	\$10,000.00
DA2025/0068	A M Moore	A J & A M Moore	184 Bundocks Road, Casino	Construction of a farm shed with awnings and associated works	9/10/2024	15/10/2024	8/11/2024	\$70,600.00
DA2025/0071	S D Henderson	A J Kneale & M T Carter & C D Kneale	170 Busbys Flat Road, Leeville	New 192m ² colorbond shed	14/10/2024	17/10/2024	14/11/2024	\$41,000.00

Application ID	Applicant	Owners	Location	Development	Date Received (In Portal)	Date Accepted (In Portal)	Determination Date	Estimated Cost
MA2025/0009	N L Lammers	R A & N L Lammers	41 Cypress Street, Evans Head	S4.55(1A) Modification - Adjust approved house position from 4mtrs to 2.5mtrs off Southern boundary, removing approved carport and driveway	14/10/2024	17/10/2024	21/11/2024	\$0.00
DA2025/0072	A R Kapeen	Kurrachee Co-Op Society Ltd	97 Bridge Street, Coraki	Demolish existing dwelling, tree removal and erect new two storey dwelling	14/10/2024	22/10/2024	26/11/2024	\$890,000.00
DA2025/0074	S D Henderson	C E & L A Croft	15 Backmede Road, Backmede	Alterations and additions to existing dwelling including kitchen/lounge extension	14/10/2024	18/10/2024	19/11/2024	\$97,000.00
DA2025/0077	K M Mellish	K M Mellish	2 Russell Street, Casino	Construction of a 7m x7m shed	21/10/2024	23/10/2024	27/11/2024	\$20,000.00
DA2025/0079	Richard van Dorp Building Design Pty Ltd	J Campbell & T R Curtis	12 Dixon Place, North Casino	Construction of a secondary dwelling and associated works	25/10/2024	31/10/2024	28/11/2024	\$130,000.00
MA2025/0011	Newton Denny Chapelle	Northern Rivers Housing	8 Callistemon Street, Casino	Multi dwelling housing development with associated civil & landscape works - amendment to the internal fencing configuration within the site.	6/11/2024	11/11/2024	28/11/2024	\$0.00
Summary of Council Certified Complying Development Applications determined under the Environmental Planning and Assessment Act for the period 1 November 2024 to 30 November 2024								
Application ID	Applicant	Owners	Location	Development	Date Received (In Portal)	Date Accepted (In Portal)	Determination Date	Estimated Cost
Nil								

Summary of Flood Affected Development Applications determined under the Environmental Planning and Assessment Act for the period 1 November 2024 to 30 November 2024								
Application ID	Applicant	Owners	Location	Development	Date Received (In Portal)	Date Accepted (In Portal)	Determination Date	Estimated Cost
DA2025/0060	J M Kay	J M Kay	6 Cooper Street, Woodburn	Raise existing dwelling above flood level	1/10/2024	3/10/2024	7/11/2024	\$109,000.00
Summary of Privately Certified Applications determined under the Environmental Planning and Assessment Act for the period 1 November 2024 to 30 November 2024								
Application ID	Applicant	Owners	Location	Development	Date Submitted to Council for Registration	Date Accepted	Determination Date	Estimated Cost
CDC2025/0013	Professional Certification Group Pty Ltd	Casino RSM Club	162 Canterbury Street, Casino	Interior fit-out works to ground floor reception & level 1 lobby	15/11/2024	25/11/2024	15/11/2024	\$2,076,173.00
CDC2025/0014	Techton Building Services	The Presbyterian Church (NSW) Property Trust	93 Manifold Road, North Casino	New single storey Classroom Block	19/11/2024	26/11/2024	11/11/2024	\$483,714.00
Summary of Development Applications determined under the Environmental Planning and Assessment Act with a Clause 4.6 Variation for the period 1 November 2024 to 30 November 2024								
Application ID	Applicant	Owners	Location	Development	Date Received (in Portal)	Date Accepted (In Portal)	Determination Date	Estimated Cost
Nil								
Summary of Development Applications Refused under the Environmental Planning and Assessment Act for the period 1 November 2024 to 30 November 2024								
Application ID	Applicant	Owners	Location	Development	Date Received (in Portal)	Date Accepted (In Portal)	Determination Date	Estimated Cost
Nil								

Summary of Development Applications issued an Operation Consent under the Environmental Planning and Assessment Act for the period 1 November 2024 to 30 November 2024								
Application ID	Applicant	Owners	Location	Development	Date Received (in Portal)	Date Accepted (In Portal)	Determination Date	Estimated Cost
Nil								
Summary of Development Applications Withdrawn under the Environmental Planning and Assessment Act for the period 1 November 2024 to 30 November 2024								
Application ID	Applicant	Owners	Location	Development	Date Received (in Portal)	Date Accepted (In Portal)	Withdrawn Date	Estimated Cost
DA2025/0059	S Collins	Korinderie Ridge Co-Op Ltd	660 The Gap Road, The Gap	Change of use from a workshop (DA1983/0163), to the ongoing use of a class 1a dwelling house	29/09/2024	02/10/2024	24/11/2024	\$124,339.60

19.6 OUTCOME OF COMMUNITY FINANCIAL ASSISTANCE PROGRAM 2024/2025 ROUND ONE FUNDING

Director: Angela Jones

Responsible Officer: Marie Cullen

RECOMMENDATION

That Council receives and notes the allocations under the Community Financial Assistance Program 2024/2025 Round One and the annual donation to the Westpac Rescue Helicopter Northern Rivers Service.

REPORT

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

Council has allocated \$76,575.00 in the 2024/2025 budget for the Community Financial Assistance Program. The policy provides for two approximately equal funding rounds, allowing for \$37,766.00 to be allocated in this first round. This round of funding was advertised in October 2024 and Council received 25 applications.

All applications received have been reviewed in accordance with the policy and 22 applications were deemed eligible. 14 projects will be partially or fully funded in this round.

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

Councillors had an opportunity to review the proposals and provide feedback at a workshop on 3 December 2024, with the General Manager approving the allocation of funds under delegation.

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

Organisation	Purpose of funding	Amount allocated
Bentley Public Hall Trust	Address building subsidence at the back of the hall by funding materials with volunteers to perform the necessary repairs.	\$1,500.00
Broadwater Community Hall	Purchase a projector and portable screen to support hall activities, including business meetings, community events, and movie nights.	\$2,387.00
Casino Rodeo & Campdraft Association Incorporated	Install floodlights in the back cattle yards and campdraft cut-out yard to improve visibility and safety at the Casino Showground.	\$1,500.00
Casino Senior Citizens Centre Incorporated Pty Ltd	Provide subsidised bus trips and social events for local seniors to enhance the social and mental well-being of aged community members in the Casino area.	\$3,000.00
Casino Town Tennis Club	Professionally clean and maintain six artificial turf courts by deep cleaning, redistributing sand, and extending	\$3,000.00

	the surfaces' lifespan for safe play.	
Cycling Without Age - Casino chapter	Purchase safety equipment to enable older people and those with disabilities to participate in trishaw rides on the Rail Trail.	\$4,000.00
Ellangowan Public Hall Trust	Replace the deteriorating wooden tank stand with a durable base and install a 22,500L water tank at the hall to increase capacity and improve reliability.	\$3,235.00
Fairy Hill Hall	Install childproof fencing at the hall to improve safety and attract family-oriented bookings.	\$4,000.00
Mid Richmond Neighbourhood Centre on Behalf of Broadwater Community-led Resilience Team (CRT)	Expand the UHF radio network with the purchase of 10 additional radios and provide training to enhance disaster preparedness and communication with vulnerable residents in the Broadwater area.	\$3,648.00
Mid Richmond Neighbourhood Centre	Support a youth art installation and improve accessibility to the community garden shed by levelling concrete floors at the new MRNC Coraki space.	\$3,696.00
Pacific Coast Railway Society Inc	Replace a termite-damaged beam in the train shed to ensure structural safety and preserve a popular family activity.	\$2,530.00
The Evans Head Living Museum	Digitise and preserve oral history interviews and make them accessible through a touchscreen computer.	\$3,070.00
The Nurtured Village - Northern Rivers	Provide hampers and mental health resources to new mothers in the Richmond Valley LGA and host events to reduce isolation and enhance maternal mental well-being.	\$1,500.00
Woodburn Business and Community Chamber	Purchase office supplies and equipment to support, member engagement and foster business growth in Woodburn.	\$700.00
	TOTAL	\$37,766.00

Round one was over-subscribed, and as such, the following applications have not been allocated funding in this round. Unsuccessful applicants will be advised of the outcome and offered feedback on their application and encouraged to apply again in the next round or provided with alternative solutions to address their needs.

- Casino Cricket Club
- Casino & District Historical Society
- Casino Netball Association
- Casino Public School Parents and Citizens Association
- Coraki Golf Club
- Evans Head Bombers JRLC
- Evans Head District Cricket Club
- Scout Association of Australia NSW Branch 2nd Casino Scout Group

The following applications were deemed ineligible under the Policy to receive funding:

- Bentley Community Preschool

- Casino Amateur Swimming Club
- CFD Foundation

Additionally, Council committed to continue supporting the Westpac Rescue Helicopter Northern Rivers Service throughout its term, with an annual \$5,000 donation to this vital community service.

ATTACHMENT(S)

Nil

19.7 LOCAL TRAFFIC COMMITTEE MEETING MINUTES 3 DECEMBER 2024**Director: Ben Zeller****RECOMMENDATION**

That Council receives and notes the Minutes of the Local Traffic Committee Meeting held on 3 December 2024

REPORT

A copy of the Minutes is included in the attachments.

ATTACHMENT(S)

1. **Minutes of the Local Traffic Committee Meeting held on 3 December 2024 (under separate cover)**

19.8 AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES - 4 DECEMBER 2024**Director: Ryan Gaiter****RECOMMENDATION**

That Council receives and notes the Minutes of the Audit, Risk and Improvement Committee meeting held on 4 December 2024.

ATTACHMENT(S)

- 1. Minutes of the Audit, Risk and Improvement Committee meeting 4 December 2024 (under separate cover)**

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 VP437584 – Construction of Bruxner Highway and Patricia Street Roundabout

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

22.2 Fire and Rescue NSW - Fire Safety Report

This matter relates to (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