

Richmond
Valley
Council



MINUTES

**Ordinary Council Meeting
16 October 2018**

ORDER OF BUSINESS

1	ACKNOWLEDGEMENT OF COUNTRY	4
2	PRAYER	4
3	PUBLIC ACCESS AND QUESTION TIME	4
4	APOLOGIES	4
5	MAYORAL MINUTES	5
	Nil	
6	CONFIRMATION OF MINUTES	5
	6.1 Minutes of Ordinary Meeting held on 18 September 2018.....	5
7	MATTERS ARISING OUT OF THE MINUTES	5
8	DECLARATION OF INTERESTS	5
9	PETITIONS	6
	Nil	
10	NOTICE OF MOTION	6
	Nil	
11	MAYOR'S REPORT	6
	11.1 Mayor's Attendances 11 September - 8 October 2018	6
12	DELEGATE'S REPORTS	6
	12.1 Delegates report submitted to the September 2018 Ordinary Meeting	6
13	MATTERS DETERMINED WITHOUT DEBATE	6
	13.1 Matters to be Determined Without Debate.....	7
14	GENERAL MANAGER'S REPORTS	7
	Nil	
15	FINANCIAL REPORTS	7
	15.1 2017/2018 Richmond Valley Council Financial Statements.....	7
	15.2 Monthly Budget Adjustments September 2018.....	8
	15.3 Financial Analysis Report - September 2018.....	9
16	TENDER REPORTS	9
	Nil	
17	GENERAL BUSINESS	10
	17.1 Rock Fishing Safety Act	10
	17.2 Classification of acquired land as operational.....	10
	17.3 Traffic and Safety concerns - Centre Street, Casino.....	11
	17.4 Debt Recovery and Provisions of Credit Policy Review	11
	17.5 Financial Hardship Policy Review.....	12
	17.6 Northern Rivers Economic Development Strategy.....	12
18	MATTERS FOR INFORMATION	13
	18.1 Development Applications determined under the Environmental Planning and Assessment Act for the period 1 September 2018 to 30 September 2018.....	13

18.2	Customer Service Report - Quarterly updated 1 July 2018 to 30 September 2018.....	13
18.3	Public Libraries Funding.....	13
18.4	Grant Application Information Report - September 2018	14
18.5	Richmond River Governance framework funding and intended activities.....	14
18.6	Disclosure of Interests - Councillors and Designated Persons.....	14
18.7	Correspondence Narrabri Shire Council - Drought Assistance	14
19	QUESTIONS ON NOTICE	14
	Nil	
20	QUESTIONS FOR NEXT MEETING (IN WRITING).....	15
21	MATTERS REFERRED TO CLOSED COUNCIL	15
21.1	Proposed Sale of Land – Lot 55 DP 1227996 and Lot 56 DP 1227996 Bulmers Road, Hogarth Range	15
22	RESOLUTIONS OF CLOSED COUNCIL	15

**MINUTES OF RICHMOND VALLEY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, 10 GRAHAM PLACE, CASINO
ON TUESDAY, 16 OCTOBER 2018 AT 5.00 PM**

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

PRESENT: Cr Robert Mustow (Mayor), Cr Sam Cornish, Cr Robert Hayes, Cr Sandra Humphrys, Cr Jill Lyons, Cr Daniel Simpson

IN ATTENDANCE: Vaughan Macdonald (General Manager), Ryan Gaiter (Chief Financial Officer/Manager Mid-Richmond), Angela Jones (Director Infrastructure and Environment), Deborah McLean (Manager Governance) Julie Clark (Personal Assistant to the General Manager and Mayor).

Thomas, Noble & Russell Chartered Accountants - Geoff Dwyer (Item 15.1)

1 ACKNOWLEDGEMENT OF COUNTRY

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

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

2 PRAYER

The Meeting opened with a prayer by the General Manager.

3 PUBLIC ACCESS AND QUESTION TIME

Nil requests were received.

4 APOLOGIES

APOLOGY

RESOLUTION 161018/1

Moved: Cr Robert Mustow

Seconded: Cr Jill Lyons

That the apology received from Cr Stephen Morrissey for the period Monday 15 October until Tuesday 13 November be accepted and leave of absence granted.

CARRIED

5 MAYORAL MINUTES

Nil

6 CONFIRMATION OF MINUTES**6.1 MINUTES OF ORDINARY MEETING HELD ON 18 SEPTEMBER 2018****RESOLUTION 161018/2**

Moved: Cr Sam Cornish

Seconded: Cr Sandra Humphrys

That Council confirms the Minutes of the meeting on 18 September 2018.

CARRIED

7 MATTERS ARISING OUT OF THE MINUTES**Item 17.2 Discontinuance of Planning Proposal for Rural Residential Land at Darke Lane, Swan Bay PP2016/0003**

Cr Simpson requested asked if there had been any followup on matter.

The General Manager responded by advising a meeting was held today, 16 October, between the Consultants for the applicant, Director Jones and himself and we are now seeking a meeting with the Department of Planning as an outcome of these discussions.

Item 17.5 Casino Swimming Pool Draft Master Plan and Pool Information Reports

Cr Simpson requested further details on whether the masterplan for the Pool was on display yet?

The General Manager advised the Draft Masterplan is being advertised with good responses being received through facebook traffic, Council's website and it will be advertised in next week's Richmond River Express Examiner, with positive commentary being received from the community.

Item 18.5 Signature projects update

Cr Hayes requested an update of Council's signature projects be provided on a monthly basis.

The Mayor advised he has asked a monthly update of signature projects is provided to Council's Workshops.

The General Manager concurred with this request.

8 DECLARATION OF INTERESTS

Nil.

9 PETITIONS

Nil

10 NOTICE OF MOTION

Nil

11 MAYOR'S REPORT**11.1 MAYOR'S ATTENDANCES 11 SEPTEMBER - 8 OCTOBER 2018****RESOLUTION 161018/3**

Moved: Cr Robert Mustow

Seconded: Cr Sandra Humphrys

That Council receive and note the Mayor's attendance report 11 September to 8 October, 2018.

12 DELEGATE'S REPORTS**12.1 DELEGATES REPORT SUBMITTED TO THE SEPTEMBER 2018 ORDINARY MEETING****RESOLUTION 161018/4**

Moved: Cr Sandra Humphrys

Seconded: Cr Robert Mustow

That the Delegates' report for the month of September 2018 be received and noted.

CARRIED**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.

Items identified for debate include; 15.1, 17.1 and 17.3.

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**RESOLUTION 161018/5**

Moved: Cr Sandra Humphrys

Seconded: Cr Sam Cornish

That items 15.2, 15.3, 17.2, 17.4, 17.5 & 17.6 be determined without debate.

CARRIED

14 GENERAL MANAGER'S REPORTS

Nil

15 FINANCIAL REPORTS**15.1 2017/2018 RICHMOND VALLEY COUNCIL FINANCIAL STATEMENTS****EXECUTIVE SUMMARY**

Council's financial statements for the year ended 30 June 2018 have been prepared and subjected to external audit by the Audit Office of New South Wales. A copy of the draft financial statements and the draft Auditor's Report have been provided separately to Councillors for their information.

RESOLUTION 161018/6

Moved: Cr Daniel Simpson

Seconded: Cr Robert Hayes

That

1. Council adopt the general purpose financial statements, special purpose financial statements and special schedules for the year ended 30 June 2018.
2. Council certify the following in respect of the general purpose financial statements and special purpose financial statements for the year ended 30 June 2018:
 - (a) Council's general purpose financial statements and special purpose financial statements have been prepared in accordance with:
 - (i) The *Local Government Act 1993 (NSW)* (as amended) and the regulations made thereunder, and
 - (ii) The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board, and
 - (iii) The Local Government Code of Accounting Practice and Financial Reporting.
 - (b) The general purpose financial statements and special purpose financial statements present fairly Council's financial position and operating result for the year ended 30 June 2018 and:
 - (i) The reports are in accordance with Council's accounting and other records,

- (ii) The signatories to this statement being the Mayor, a Councillor, General Manager and Responsible Accounting Officer are not aware of anything that would make the financial statements false or misleading in any way,
- (iii) Council fix Tuesday 20 November 2018 as the date for the meeting to present the financial statements for the year ended 30 June 2018 to the public and invite submissions in writing. Council provide appropriate public notice of this meeting
- (iv) Council receive and note the Auditor's reports and thank the Auditors, Thomas, Noble and Russell and the Audit Office of New South Wales for their presentation, and
- (v) Council adopt the restricted assets (reserves) schedule as detailed in this report.

CARRIED

15.2 MONTHLY BUDGET ADJUSTMENTS SEPTEMBER 2018

EXECUTIVE SUMMARY

This report details the proposed budget adjustments for the month of September 2018. The main adjustment includes additional funding of \$400,000 towards road rehabilitation works on MR145 Woodburn Coraki Road at Swan Bay. This aligns the funding with the grant application, taking the total project budget to \$2,400,000 across 2017/2018 and 2018/2019. Previously, the budget only totalled \$2,000,000. Total funding includes \$1,000,000 in Federal grants and \$1,400,000 from Council, with Council's share being funded from the Road Rehabilitation Reserve and Section 94 Heavy Haulage Reserve.

Other adjustments include the reallocation of funding between a number of projects including CCTV funding at Council's landfills, funding for construction of an accessible toilet at the Coraki Youth Hall, funding for retaining wall works in Evans Head, funding for asphalt overlay works on Reynolds Road as well as funding for the replacement of a flow meter at the Coraki Sewerage Treatment Plant. There are also requests for funding for new projects to be added to the 2018/2019 budget, which includes an allocation to subdivide and create a lot at Evans Head to allow for the sale of land to NSW Health to establish a HealthOne facility. Council has also been successful with grant funding for a number of road improvement projects including works on Mongogarie Road and Naughtons Gap Road. In addition, there are funding requests to upgrade SCADA licences and telemetry radios across Council's water and sewerage operations.

In summary, the proposed budget adjustments will have no impact on Council's projected surplus of \$105,544 for 2018/2019 as all of the proposed changes are fully funded from grants, reserves or reallocations from other project budgets. The report provides further details of the proposed changes as well as the revised budget position as at 30 September 2018.

RESOLUTION 161018/7

Moved: Cr Sandra Humphrys

Seconded: Cr Sam Cornish

That

1. Council approve the proposed budget adjustments for the month of September 2018.
2. Council note the revised budget position for 2018/2019 as at 30 September 2018.

CARRIED

15.3 FINANCIAL ANALYSIS REPORT - SEPTEMBER 2018**EXECUTIVE SUMMARY**

The purpose of this report is to inform Council on the status and performance of its investment portfolio in accordance with the *Local Government Act 1993* (Section 625), *Local Government (General) Regulation 2005* (Clause 212), Australian Accounting Standard AASB 139 and Council's Investment Policy.

The value of Council's Investment Portfolio as at 30 September 2018 including General Bank Accounts and Trust Funds are shown below.

Investment Portfolio	General Bank Accounts	Trust Funds	Total
\$45,859,467	\$649,353	\$120,995	\$46,629,814

The rate of return on Council's investments for September 2018 was 2.73% which is above the 90 Day Bank Bill Index for September of 1.94%.

RESOLUTION 161018/8

Moved: Cr Sandra Humphrys

Seconded: Cr Sam Cornish

Recommended that Council adopt the Financial Analysis Report detailing investment performance for the month of September 2018.

CARRIED

16 TENDER REPORTS

Nil

17 GENERAL BUSINESS

17.1 ROCK FISHING SAFETY ACT

EXECUTIVE SUMMARY

On 1 December 2016, the NSW State Government introduced the *Rock Fishing Safety Act 2016* making it compulsory for rock fishermen to wear lifejackets when fishing in declared high risk areas. Randwick Local Government Area (LGA) was declared a high risk area and chosen as the preferred Council to trial and implement the legislation. On 13 April 2018 the Minister for Emergency Services, Troy Grant MP announced the implementation of the *Rock Fishing Safety Act 2016* to commence 1 June 2018 following positive results from the evaluation of Randwick LGA trial.

To date Randwick LGA is the only area operating under the *Rock Fishing Safety Act 2016* with other LGAs given the opportunity to 'opt-in'.

RESOLUTION 161018/9

Moved: Cr Daniel Simpson

Seconded: Cr Sam Cornish

That Council

1. Commend the NSW Government on its proactive approach to water safety and commit to support the *Rock Fishing Safety Act 2016*.
2. Commence a trial period to implement the *Rock Fishing Safety Act 2016* and education campaign as provided by the DPI in liaison with all relevant stakeholders.
3. Monitor and evaluate the Trial and provide a report to Council at the end of the Trial period.

CARRIED

17.2 CLASSIFICATION OF ACQUIRED LAND AS OPERATIONAL

EXECUTIVE SUMMARY

On 28 August 2018 Council acquired title to Lot 7304 DP 1138123 being a drainage reserve located within the boundaries of Council's land at 1459 Spring Grove Road Casino being land adjoining the Casino Sewerage Treatment Plant.

In accordance with Section 31 of the Local Government Act 1993, a resolution may be made within 3 months of acquisition to identify the classification of the land.

Being land that is used for drainage purposes, this report seeks a resolution to identify the land as Operational Land.

RESOLUTION 161018/10

Moved: Cr Sandra Humphrys

Seconded: Cr Sam Cornish

That Council resolve to classify Lot 7304 DP 1138123 as Operational Land.

CARRIED

17.3 TRAFFIC AND SAFETY CONCERNS - CENTRE STREET, CASINO**EXECUTIVE SUMMARY**

Councillors and the Executive have been approached by members of the community regarding the traffic congestion and road safety in Centre Street Casino. This report documents the history of works undertaken by Council Officers in an effort to gain support from Roads and Maritime Services for intersection upgrades on Centre Street, which is controlled by RMS, as part of the Bruxner Highway.

RESOLUTION 161018/11

Moved: Cr Robert Mustow

Seconded: Cr Sandra Humphrys

1. That Council approach Roads and Maritime Services to once again discuss the community concerns with road safety in Centre Street Casino, particularly the intersections of Canterbury Street and Richmond Street.
2. That the General Manager and Mayor write a letter to the Minister for Roads, highlighting Council's position in relation to safety concerns and traffic congestion currently being observed.

CARRIED

17.4 DEBT RECOVERY AND PROVISIONS OF CREDIT POLICY REVIEW**EXECUTIVE SUMMARY**

Council adopted the Debt Recovery and Provision of Credit Policy in its current form on 15 August 2018. The policy has been reviewed by the Revenue Section. The reviewed policy, a copy of which is included in this report, recommends a number of changes and additions be made.

RESOLUTION 161018/12

Moved: Cr Sandra Humphrys

Seconded: Cr Sam Cornish

That Council adopt the reviewed Debt Recovery and Provisions of Credit Policy.

CARRIED

17.5 FINANCIAL HARDSHIP POLICY REVIEW

EXECUTIVE SUMMARY

Council adopted the Financial Hardship Policy in its current form on 19 September 2017. The Policy has been reviewed by Council's Revenue section. The reviewed Policy, a copy which is included in this report, streamlines the process of assessment and makes it simpler for the ratepayer to apply.

RESOLUTION 161018/13

Moved: Cr Sandra Humphrys

Seconded: Cr Sam Cornish

Recommended that Council adopt the reviewed Financial Hardship Policy to assist ratepayers in applying for financial hardship measures.

CARRIED

17.6 NORTHERN RIVERS ECONOMIC DEVELOPMENT STRATEGY

EXECUTIVE SUMMARY

The Northern Rivers Regional Economic Development Strategy 2018-2022 (the Strategy) was prepared by Corview Group on behalf of the NSW Government to identify the economic strengths of the Northern Rivers Region.

Consultation was undertaken during the development of the project with both government and non-government stakeholders.

The aim of the document is to provide a framework which can be utilised by Council to facilitate economic growth in the Northern Rivers. The strategy will also be used by the NSW Government to assist decision making in relation to the distribution of the Regional Growth Fund.

Five regional imperatives were identified during the consultation process which were:

1. Develop its Engines of Growth through better connections to external markets
2. Grow tourism activity across the Region consistent with the directions of the North Coast Destination Management Plan
3. Foster the development of emerging industries and specialisations, such as Creative Professionals
4. Continue to grow the population and internal markets like health, education and retail
5. Develop the services precincts of the Region by extending current models of collaboration and partnership.

For each imperative; Opportunities, Actions and Candidate Projects were identified.

RESOLUTION 161018/14

Moved: Cr Sandra Humphrys

Seconded: Cr Sam Cornish

That the Northern Rivers Economic Development Strategy be received and noted.

CARRIED

18 MATTERS FOR INFORMATION

RESOLUTION 161018/15

Moved: Cr Jill Lyons

Seconded: Cr Daniel Simpson

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

CARRIED

18.1 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 SEPTEMBER 2018 TO 30 SEPTEMBER 2018

RESOLUTION 161018/16

Moved: Cr Jill Lyons

Seconded: Cr Daniel Simpson

That the development application figures for the period 1 September 2018 to 30 September 2018 be received and noted by Council.

CARRIED

18.2 CUSTOMER SERVICE REPORT - QUARTERLY UPDATED 1 JULY 2018 TO 30 SEPTEMBER 2018

RESOLUTION 161018/17

Moved: Cr Jill Lyons

Seconded: Cr Daniel Simpson

That the quarterly Customer Service Report for the period 1 July 2018 to 30 September 2018 be noted by Council.

CARRIED

18.3 PUBLIC LIBRARIES FUNDING

RESOLUTION 161018/18

Moved: Cr Jill Lyons

Seconded: Cr Daniel Simpson

That Council receive and note the NSW State Government's announcement of increased funding for public libraries.

CARRIED

18.4 GRANT APPLICATION INFORMATION REPORT - SEPTEMBER 2018**RESOLUTION 161018/19**

Moved: Cr Jill Lyons
Seconded: Cr Daniel Simpson

That the Grant Application report for the month of September be received and noted.

CARRIED

18.5 RICHMOND RIVER GOVERNANCE FRAMEWORK FUNDING AND INTENDED ACTIVITIES**RESOLUTION 161018/20**

Moved: Cr Jill Lyons
Seconded: Cr Daniel Simpson

That Council receive and note the Richmond River Governance Framework Funding and Intended Activities report.

CARRIED

18.6 DISCLOSURE OF INTERESTS - COUNCILLORS AND DESIGNATED PERSONS**RESOLUTION 161018/21**

Moved: Cr Jill Lyons
Seconded: Cr Daniel Simpson

That the Disclosure of Interest Pecuniary Interest Returns for the period 1 July 2017 to 30 June 2018 be received and noted.

CARRIED

18.7 CORRESPONDENCE NARRABRI SHIRE COUNCIL - DROUGHT ASSISTANCE**RESOLUTION 161018/22**

Moved: Cr Jill Lyons
Seconded: Cr Daniel Simpson

That Council receive and note the letter of appreciation from Narrabri Shire Council, thanking Richmond Valley Council for its role in coordinating drought relief assistance provided to farmers within the Narrabri Shire Local Government Area.

CARRIED

19 QUESTIONS ON NOTICE

Nil

20 QUESTIONS FOR NEXT MEETING (IN WRITING)

Nil

21 MATTERS REFERRED TO CLOSED COUNCIL**RESOLUTION 161018/23**

Moved: Cr Sandra Humphrys

Seconded: Cr Sam Cornish

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:

21.1 Proposed Sale of Land – Lot 55 DP 1227996 and Lot 56 DP 1227996 Bulmers Road, Hogarth Range

This matter is considered to be confidential under Section 10A(2) - (c) 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 information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

The General Manager reported that no written representations had been received in respect to the items listed for consideration in Closed Council.

The Mayor called for verbal representation from the gallery.

There were no representations from the gallery.

.CARRIED

RESOLUTION 161018/24

Moved: Cr Jill Lyons

Seconded: Cr Sam Cornish

That Council moves out of Closed Council into Open Council at 6.04 pm.

CARRIED

22 RESOLUTIONS OF CLOSED COUNCIL

The following resolution of Council, passed while the meeting was closed to the public, were read to the Open Council meeting by the General Manager.

That the matter be deferred until a further meeting.

The Meeting closed at 6.05 pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 20 November 2018.

.....

CHAIRPERSON