

Richmond
Valley
Council



Minutes
Ordinary Meeting
Tuesday, 15 March 2016

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**MINUTES OF THE ORDINARY MEETING OF RICHMOND VALLEY COUNCIL,
HELD IN THE COUNCIL CHAMBERS, CNR WALKER STREET AND
GRAHAM PLACE, CASINO, ON TUESDAY, 15 MARCH 2016 AT 5.00 P.M.**

PRESENT

Crs Ernie Bennett (Mayor), Robert Hayes, Steve Morrissey, Robert Mustow, Daniel Simpson and Col Sullivan.

Vaughan Macdonald (General Manager), Angela Jones (Director Infrastructure and Environment), Ryan Gaiter (Manager Finance and Procurement) and Roslyn Townsend (Corporate Support Officer) were also in attendance.

1 ACKNOWLEDGEMENT OF COUNTRY

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

"Council would like to show its respect and acknowledge all of the traditional custodians of land within the Richmond Valley Council area and show respect to elders past and present."

2 PRAYER

The meeting opened with a prayer by the General Manager.

3 PUBLIC ACCESS AND QUESTION TIME

Nil.

4 APOLOGIES

An apology was tendered on behalf of Cr Humphrys.

150316/ 1 RESOLVED (Cr Mustow/Cr Morrissey)

That such apology be accepted and leave of absence granted.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

5 MAYORAL MINUTE

Nil.

6 CONFIRMATION OF MINUTES

6.1 ORDINARY MEETING MINUTES - TUESDAY, 16 FEBRUARY 2016

A copy of the Minutes of the Ordinary Meeting, held on Tuesday, 16 February 2016, was distributed with the Business Paper.

RECOMMENDATION

Recommended that the Minutes of the Ordinary Meeting, held on Tuesday, 16 February 2016, be taken as read and confirmed as a true record of proceedings.

150316/ 2 RESOLVED (Cr Mustow/Cr Morrissey)

That the Minutes of the Ordinary Meeting, held on Tuesday, 16 February 2016, be taken as read and confirmed as a true record of proceedings.

FOR VOTE - All Council members voted unanimously.
ABSENT. DID NOT VOTE - Cr Humphrys

7 MATTERS ARISING OUT OF THE MINUTES

7.1 ITEM 10.1 RESCISSION MOTION - NORTHERN RIVERS LIVESTOCK EXCHANGE (NRLX) (ORDINARY MEETING MINUTES 160216/3 AND 160216/4 - PAGES 4-6)

Cr Hayes stated that after the last Council meeting there was some media coverage on ABC radio that he wasn't expecting; he was reasonably certain that was on the Thursday after the meeting. On the Friday, he sent an email to the General Manager stating that it was essential that Council gets the correct information out to the community as soon as possible that day as the Mayor's response to the media on the previous day was not a factual and clear summary of the foreshadowed motion that had the support of Council. He was of the understanding that the Mayor is to represent the Council. Cr Hayes had also asked for a copy of the foreshadowed motion on item 10.1 from Tuesday's meeting as the Minutes were not available on line at that time. He asked for a copy of the Minutes as soon as possible that morning so that he could take the correct information to the press unless the other Councillors agreed to the General Manager putting out, on Council's behalf, an informative and factual press release that day with full paper coverage based around the foreshadowed

motion, reiterating that Council was looking at all options and at no time had they (the Councillors) mentioned selling the asset or jeopardising the grant money. Further, the debate at the meeting on the saleyards subject involved the Mayor suggesting that we (the Council) sell the saleyards and make some real cash. The Mayor had then followed on with this statement on ABC news.

Cr Hayes stated that the General Manager had responded to him by email that morning stating that he would review the media coverage and discuss the matter with the Communications Manager and the Mayor regarding a media release on the issue.

The General Manager had responded to Cr Hayes that afternoon (the Friday after the meeting), stating that after reviewing the media coverage he could see no benefit engaging with the media further at this time on the issue; also that he had advised Kevin Hogan of Council's resolution from the meeting, that Council was not wanting to jeopardise the grant funding and that he had been seeking advice from the Federal Government Department as options are being considered.

Cr Hayes asked whether the Mayor had been involved in the discussions leading to the General Manager's decision that there was no benefit for Council in going to the media at that time.

The General Manager advised that the Mayor had not been part of the discussions.

Cr Hayes asked whether the decision about not going to the media at that time was relayed to anybody other than him (on the email) and whether the Mayor was aware of that.

The General Manager advised "No."

Cr Hayes sought an explanation regarding the media coverage from the Mayor in the paper the following week (after the meeting) particularly as it had been determined previously by the General Manager that there was no benefit in going to the media at that time. He also asked why a joint media release had not been issued.

The General Manager advised that the assessment had been made with the Communications Manager on the Friday after the Council meeting regarding the media coverage. When the decision had been made not to go to the media at that time it was not expected that the issue would escalate. In hindsight that had eventuated, therefore Cr Hayes' line of questioning was understood by the General Manager. Reflecting on it, the issuing of a statement on that Friday may have moved things forward as far as what has transpired since that point in time. That was a judgment call made on the Friday. The next week, following some of that earlier media coverage, a statement was prepared by the General Manager jointly with the Mayor and provided to the Express Examiner. There was a request for more personal comment and then the media proceeded as it did; Council being unable to control how the media proceeded with the coverage. The General Manager had then taken the concerns that had been raised with

him since then which led to the follow on media statement that was published in last week's newspaper (9 March).

Cr Mustow, in directing his comments to the Mayor, stated that articles in the Richmond River Express Examiner relating to the saleyards proposed redevelopment contained many inaccuracies. This had caused Cr Hayes and Cr Mustow to reply and Councillors to request the General Manager to clarify the actual position of Council, which he had now provided. He stated that one article which quoted Cr Bennett three times as Mayor and also as a Councillor was headlined "Mayor urges councillors to rethink position." He asked the Mayor, "What were you referring to?" He stated that, as written in his letter to the paper, he was confused by this statement.

The Mayor stated that he had spoken to some Councillors who had not changed their original view, including Cr Hayes. He advised that he had been asked for an individual response. It wasn't provided as a Council response and he was unable to control the media headline or how it was presented. He stated that he had provided a statement to the media which was very balanced and very neutral, without making too much comment. They had responded, stating that it didn't seem believable and was just a bland statement coming from Council. However, that was what it was meant to be. They (the media) had insisted on more comment; he didn't know what other comment to give, except to urge his fellow Councillors to rethink their position. This comment had been sent back to the media as being from Ernie Bennett, not as Mayor.

Cr Mustow enquired whether the press had indicated that they wouldn't publish Council's statement because it was bland and they weren't interested in it.

The Mayor advised that was not correct; however he could make available the emails that had been sent to the press.

The General Manager advised that he was not aware that the press had advised that they would not print the statement. However, they did seek a more personal reply on the issue.

Cr Mustow again reminded the Mayor that he had been quoted three times as the Mayor and once as a Councillor, that he had also moved a rescission motion that was co-signed by Cr Sullivan and Cr Morrissey which was carried unanimously, so once it was rescinded that made the then readopted motion Council's position. He questioned the reason why the Mayor had asked Councillors to rethink their position; that was the position (the current motion) that Council would look at the options and also go to the public.

Cr Mustow also made reference to Council's Media Policy which authorised the Mayor and Chief Executive Officer to comment on Council's behalf with the aim of the policy being to provide timely and accurate information to the media in a way which is professional, enhances Council's public image, limits the possibility of misinformation and maintains positive relations with the media; he was of the view that this had not been carried out on behalf of Council. Cr Mustow also referenced further information in the Media Policy where it stated that any Councillor speaking to the media must advise that it's their own view.

The Mayor responded, as he had earlier, that his quote to the media had been sent as Ernie Bennett, not as the Mayor.

Cr Mustow made further comment about conflicting statements in the media. He also commented on the debate and quoted some of the statements made by the Mayor at the February Ordinary meeting.

The Mayor stated that hopefully his response back to the Express Examiner on Wednesday (16 March) would clarify some of the issues raised.

Cr Mustow stated that he believed that all options needed to be assessed and the community consulted.

Cr Mustow also asked the Mayor for a copy of a letter from Minister Barilaro's office, to which the Mayor had made reference in the debate at the February meeting; this related to "the other \$7 million" and comment about Council having "an opportunity to develop this themselves."

The Mayor stated that he would provide a copy of the letter.

Cr Hayes stated that the Mayor should have let the Councillors know when he realised that he'd been misquoted in the press on the Wednesday. It had been a week later that the Councillors had been made aware that the Mayor thought the story was not presented in the right context.

The Mayor stated that he would be happy to go through the article and point out all the issues about which Cr Hayes had spoken. He acknowledged that some of the media coverage appeared as though it was from the Mayor however that was not how it was provided. He reiterated that hopefully his response to the Express Examiner would clarify some of the issues.

Cr Mustow further commented that Cr Sullivan and Cr Morrissey never ever contemplated leasing but they've been targeted more or less by the comment urging Councillors to reassess their position.

The Mayor advised that provided the response was printed as it was sent, it would state that it was Cr Sullivan, Cr Morrissey and he who submitted the rescission motion.

In response to a further question from Cr Hayes, the Mayor advised that the response was sent as Ernie Bennett's statement.

In response to a further question from Cr Mustow, the Mayor acknowledged that he did say he urged Councillors to reassess their position, not change. He reminded Councillors that a resolution had come from this Council to actually lease the facility before there was any discussion with the community.

Cr Mustow reminded the Mayor that the resolution to lease the facility had been rescinded unanimously and that Council now had a new motion.

Cr Simpson also advised the Mayor that he was not happy with the comments in the newspaper.

Cr Simpson further stated that the meeting forum provided the opportunity for debate and to listen to the views of all Councillors and was offended that the rescission motion had been signed prior to Councillors debating the issue. His view was that if, after the debate, they wished to sign a rescission motion then it was more appropriate to do so then.

Cr Simpson also stated that once a matter is debated and a decision is made, then Councillors should accept the decision. He believed the media coverage portrayed a different message from the Mayor and stated that the Mayor should be acting on behalf of the Council. However, he did appreciate that the Mayor was very passionate about this particular issue, however reminded him that when he speaks to the media it should be on behalf of Council.

7.2 ITEM 14.9 TOURISM DIRECTIONAL SIGNAGE (ORDINARY MEETING MINUTE 160216/17 - PAGES 52-53)

Cr Hayes enquired whether any progress had been made with identifying any alternative options for tourism directional signage.

The General Manager advised that the investigation had not progressed at this stage but was on our agenda.

8 DECLARATION OF INTERESTS

Nil.

9 PETITIONS

Nil.

10 NOTICES OF MOTION

Nil.

11 MAYOR'S REPORT

Nil.

12 DELEGATES' REPORTS

12.1 DELEGATES' REPORTS SUBMITTED TO THE MARCH 2016 ORDINARY MEETING

RECOMMENDATION

Recommended that the Delegates' Reports be received and noted.

150316/ 3 RESOLVED (Cr Mustow/Cr Sullivan)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.
ABSENT. DID NOT VOTE - Cr Humphrys

Report

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

The following information has been provided in regard to meetings/functions attended by Councillors.

Submitted by Cr Mustow and Cr Sullivan

Subject Matter of Attendance: Rous Water Council Meeting held at Lismore on 17 February 2016.

Precis/Summary of Issues Discussed/Considered:

Summary of the main items of business were:

1. Quarterly Budget Review Statement for quarter ending 31 December 2015

A report was received outlining Council's financial result as at the quarter ending 31 December 2015. Council's financial position was reported as satisfactory having regard to projected estimates of income and expenditure as well as Council's short term liquidity position.

2. Emigrant Creek Water Treatment Plant bulk carbon dioxide tender

Council awarded a ten year contract to BOC Limited for the supply of bulk carbon dioxide for the Emigrant Creek Water Treatment Plant. The tendered price was approximately 9% more favourable when compared to the five-year contract option.

3. Policies

i) Work Health and Safety (WHS)

This item of business was deferred pending a further review of the policy.

ii) National Competition Policy

Council first adopted its National Competition policy in June 2000. The policy categorises certain activities undertaken by Council that are of a business nature: category 1 – water supply; and category 2 – Land development (Perradenya) and commercial leases. This information is, as prescribed by the Office of Local Government, now reported in the Special Purpose Financial Reports with the annual Financial Statements. As a result, the policy is not required and therefore Council resolved to revoke it.

4. Information reports

i) Investments – January 2016

This report outlined all Council's investments and borrowings as at January 2016. The total funds invested for January 2016 were \$18,146,437 and receiving a return of 2.6%.

ii) Water production and usage – December 2015 and January 2016

This report indicated that for the December 2015 - January 2016 period water consumption by constituent Councils had decreased by comparison to the same period last year.

Daily source usage during January 2016 averaged 31.278ML which was an increase from the December 2015 daily average of 30.730ML.

Rocky Creek Dam received 201mm of rainfall in December 2015 and 182mm in January 2016. As at the date of the report Rocky Creek Dam was at full capacity, being around 99.47%.

iii) Delivery program: progress report July to December 2015

This report contained information about progress on achievement of the performance targets prescribed in the Integrated Planning and Reporting Delivery Program. The result for the reporting period was: 90% Acceptable (achieved or on track according to schedule); 9% Monitor (in progress but behind schedule); and 1% Review (corrective action required).

5 Risk and Audit Committee update

Council received a report on the operations of the Risk and Audit Committee and a copy of the minutes from its 3 February 2016 meeting.

Submitted by Cr Morrissey

Subject Matter of Attendance: Richmond River County Council Meeting held at Lismore on 22 February 2016. (Cr Humphrys had submitted an apology for her inability to attend the meeting.)

Precis/Summary of Issues Discussed/Considered:

Summary of the main items of business were:

1. Policies

i) Investments (revised)

As part of Council's Integrated Planning and Reporting (IP&R) requirements, the 'Investments' policy has been reviewed. The policy was adopted without changes.

ii) Work Health and Safety (revised)

The WHS policy was reviewed with minor amendments being recommended.

2. Risk and Audit Committee

Council received a report on the operations of the Risk and Audit Committee and a copy of the minutes from its 3 February 2016 meeting.

3. Information reports

The following reports were received and noted:

i) Investments report – January 2016

This report outlined all Council's investments and borrowings as at January 2016. The total funds invested for January 2016 were \$2,525,051 and receiving a return of 2.85%.

ii) Delivery Program progress report: July – December 2015

This report contained information about progress on achievement of the performance targets prescribed in the Integrated Planning and Reporting Delivery Program. The result for the reporting period was: 93% Acceptable (achieved or on track according to schedule); and 5% Monitor (in progress but behind schedule) and 2% Review (corrective action required).

iii) Works report

During the reporting period the Richmond catchment experienced 53 days of rainfall providing a total average rainfall across the region of 424.4mm. Additionally, nine weeks of the reporting period has been windy; however, works

for the spray program due to seven weeks of light or calm conditions has allowed schedules to be maintained even with the safety conditions restriction for wind speed of >6.5km/hour.

Half pipe trial

Issues with accretion, mangrove populations and sediment build-up impinging on floodgate operation has resulted in Council undertaking a 'half pipe' trial. The trial is aimed at providing a permanent fixture to allow floodgate assets to be cleared of sediment (periodically) without the requirement for expensive equipment and potential environmental harm.

The 'half pipe' trial located on the Back Channel levee, is included in routine photo point monitoring to provide information on functionality as demonstrated in Fig. 9 to 11 below. Additionally, while inspecting the half pipe trial additional works illustrated by Fig. 12 shows storm damage (29/01/2016) with fallen trees on the Back Channel levee.



Fig 9: Back Channel asset 4060



Fig 10: Back Channel asset 4110



Fig 11: Back Channel asset 4120



Fig 12: Trees across Back Channel Levee

Lismore Levee

The first of the two Lismore Levee audits were undertaken in November 2015. Emanating from the audit was the need to conduct a survey of the levee heights in accordance with the Lismore Levee Operations Manual. This is being progressed with Lismore City Council.

Natural resource management

Coastal Zone Management Plan Grant (CZMP) - Office of Environment & Heritage (OEH)

Richmond River County Council was unsuccessful in obtaining funding for its 2015 CZMP grant application under the OEH estuary management program. The three constituent Councils and RRCC had agreed to provide \$35,000 each per year over a three year program (a total of \$840,000 over three years) if matching funding could be obtained from OEH. Council staff will continue to reconsider possible funding options.

NSW Environmental Trust (ET) grant

The \$94,765 three year NSW ET grant titled 'Protecting the Richmond' is into its second year with work completed at two sites and progressing at another six sites over three constituent Council areas. Nine hundred metres of fencing has been completed while initial weed control and planting of 3,200 trees has been completed at five sites with another three sites in preparation. The photo below (Figure 13) shows weed control and seedlings planted at Albert Park, Lismore. The first progress report was submitted to ET in November 2015 and has been accepted with the reviewer requesting some minor clarification, which has since been provided.



Fig 13: Revegetation works at Albert Park

Water quality

Council staff monitor water quality in the Richmond catchment with weekly manual sampling at six sites and through the use of data loggers at another five sites. The manual sites are at Coraki, Swan Bay, Rocky Mouth Creek, Woodburn, Kilgin School and Bagotville Barrage while data loggers are located at Rocky Mouth Creek, Tuckean x 3 and North Creek.

The loggers record at 15 to 30 minute intervals and upload directly to dedicated websites. Water quality data informs Council on floodgate operation and can demonstrate water quality improvement through best management practice. Measurements taken from the water quality monitoring are provided online on

Council's website and as a weekly editorial in the Northern Star. A new report card is being developed for the website which will provide a quick visual rating of water quality at three data logger sites over a 3 month period.

Submitted by Cr Sullivan

Subject Matter of Attendance: Far North Coast Weeds Council Meeting held at Lismore on 22 February 2016.

Precis/Summary of Issues Discussed/Considered:

Summary of the main items of business were:

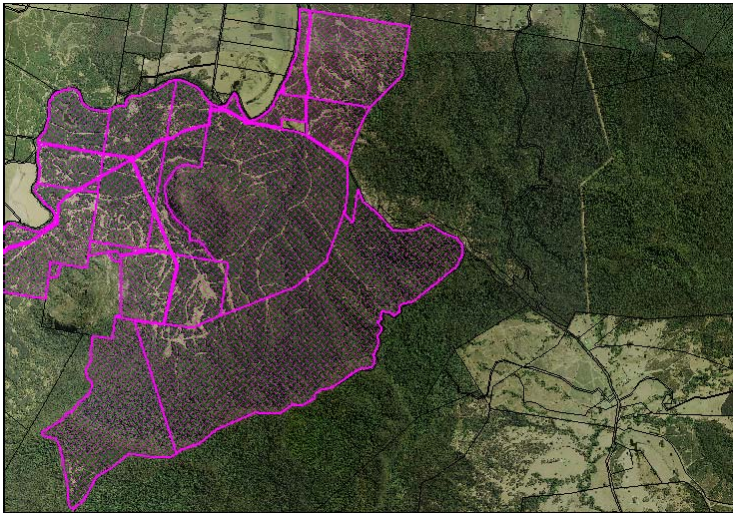
1. Operations report

The report covered works completed for November to December 2015. Council continued high priority inspections with the focus on:

Paper mulberry: A control program for Paper mulberry was conducted across the region, with the heaviest infestations occurring around the Blue Knob area. In total there were over 10Ha treated across three main sites: Wilson's Creek, Blue Knob and Federal. The alarming rate of new infestations discovered by Council's inspectors is a growing concern and further extension and awareness campaigns will be conducted over the following months to try to locate all infestations within the region. Paper mulberry is a major threat to the environment in our region.

Alligator weed: A full aquatic surveillance and control program was carried out from Bangalow to Broadwater. This project has been on-going for a number of years and we are finally starting to see dramatic reductions in above ground biomass, with limited regrowth being recorded at known sites. The site at Lagoon Grass has now received numerous treatments and is also showing encouraging signs that the infestation is reducing in size. We believe the rapid containment of these infestations has reduced further spread to other wetlands and has been contained to the lagoon area only.

Tropical soda apple: Council has continued to focus very heavily on Tropical soda apple. With total infestations now covering close to 4,000Ha across the Council area, it is considered to be the biggest concern for Council and the Department of Primary Industries. Since late last year, a further three sites have been discovered, including an infestation near Urbenville in Kyogle Shire. The state-wide Tropical soda apple taskforce is currently in the process of developing a state plan, which is based on the contents of the Biosecurity Strategy. Council is heavily involved in the development of this plan and it is hoped that future investment may be directed by other stakeholders and key groups as a result.



New Tropical soda apple
(class 1) infestation -
Urbenville

Awareness activities included three media releases covering Chinese violet, Miconia and Water lettuce. A television commercial on Tropical soda apple was produced and aired over the December-January period. This commercial was directly responsible for the reporting of the region's largest Tropical soda apple infestation near Urbenville.

Council completed its Weed Control Operator recruitment process in January and this position has now been permanently filled.

2. Policies

Council adopted the following policies:

- i) Investments
- ii) Work Health and Safety

3. Risk and Audit Committee

Council received a report on the operations of the Risk and Audit Committee and a copy of the minutes from its 3 February 2016 meeting.

4. Information reports

The following reports were received and noted:

i) *Investments report – January 2016*

This report outlined all Council's investments and borrowings as at January 2016. The total funds invested for January 2016 were \$1,903,592 and receiving a return of 2.4%.

ii) *Delivery Program progress report: July – December 2015*

This report contained information about progress on achievement of the performance targets prescribed in the Integrated Planning and Reporting Delivery Program. The result for the reporting period was: 98% Acceptable (achieved or on track according to schedule); and 2% Monitor (in progress but behind schedule).

13 MATTERS DETERMINED WITHOUT DEBATE

150316/ 4 RESOLVED (Cr Morrissey/Cr Sullivan)

That Items 14.4, 14.5, 14.7 and 14.11 be determined without debate.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

Prior to the above motion being put to the vote Cr Simpson sought an explanation of the circumstances surrounding the need for Council to consider a write-off of the amount of money detailed in Item 14.5 Write-off of consumption charges Property ID 163390.

The General Manager advised that the property in question had a standpipe installed and at that point in time the owners weren't notified of the difference in charge; this dated back to 2010. A period of time transpired where the water was utilised as part of a commercial business. Following identification of the mistake the business was notified of the backdated charge but in that period of time they didn't have the opportunity to pass on the cost to their clients. The identified mistake was rectified from that point forward and the business has sought to have the matter resolved a number of times in recent years and did so again recently with him. The General Manager stated that the matter needs to be resolved and hence the recommendation put forward. He believed that the recommendation was reasonable in the circumstances but ultimately it is a decision for Council.

14 MATTERS FOR DETERMINATION

14.1 DELEGATION OF FUNCTIONS - GENERAL MANAGER**Responsible Officer:**

Deborah McLean (Manager Governance and Risk)

RECOMMENDATION

Recommended that:

1. Council revoke all previous delegations of functions from the Council to the General Manager.
2. Council adopt the Delegations Authority included in this report.

150316/ 5 RESOLVED (Cr Mustow/Cr Sullivan)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

Executive Summary

Section 377 of the Local Government Act 1993 provides that a Council may, by resolution, delegate to the General Manager or any other person or body (not including another employee of the Council) any of the functions of the Council with certain exemptions. With the appointment of Mr Vaughan Macdonald as General Manager, Council needs to ensure appropriate delegations are allocated in order to undertake the functions of the General Manager.

The provisions of the Act provide for the General Manager to delegate any of the functions of the General Manager, other than the power of delegation.

Community Strategic Plan Links

Focus Area 7 Governance and Process - Long-term Goal 7.5 Sound Governance and Legislative Practices.

Budget Implications

Not applicable.

Report

It is proposed that Council consider the delegation issue in relation to that of the General Manager. To enable this to be completed it is necessary for the delegations of the General Manager to be established. Functions of Council that cannot be delegated are as follows:

- the appointment of a general manager
- the making of a rate
- a determination under section 549 as to the levying of a rate
- the making of a charge
- the fixing of a fee
- the borrowing of money
- the voting of money for expenditure on its works, services or operations
- the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment)
- the acceptance of tenders which are required under this Act to be invited by council
- the adoption of an operational plan under section 406
- the adoption of a financial statement included in an annual financial report
- a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6
- the fixing of an amount or rate for the carrying out by the council of work on private land

- the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work
- the review of a determination made by the Council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979
- the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194
- a decision under section 356 to contribute money or otherwise grant financial assistance to persons
- a decision under section 234 to grant leave of absence to the holder of a civic office
- the making of an application, or the giving of a notice, to the Governor or Minister
- this power of delegation
- any function under this or any other Act that is expressly required to be exercised by resolution of the council.

In preparing the proposed delegation document (included with this report), reference has been made to existing arrangements and also to delegations utilised at other Councils in the area.

It should be noted that the legislation requires that a review of delegations is made during the first 12 months of each term of office. Therefore any delegations adopted will be subject to a review in the period from October 2016 to September 2017.

As part of that process it is appropriate to revoke the previous delegations made by Council.

Conclusion

Council is required to ensure that appropriate delegations are provided to the General Manager in order for duties and responsibilities to be carried out in accordance with legislative requirements.

Richmond Valley Council Delegation of Functions and Authority Section 377 Local Government Act 1993

General Manager

Following is a schedule of responsibilities and delegations for the General Manager. Section 377 of the Local Government Act prevents certain matters from being delegated.

SCHEDULE 1 (Authority)

1. The functions of the Council as specified in:
 - The Local Government Act 1993, its Regulations, Cognate and Related Legislation; and
 - Other legislation under which Council has powers, authorities, duties and functions; and
 - Council's adopted Codes, Policies and Procedures; and
 - The Responsibilities, Accountabilities and Performance Measures listed from time to time in the General Manager's Contract of Employment and Position Description.
2. The authorisation of expenditure/payments in accordance with Council resolutions and/or budget provisions.

SCHEDULE 2 (Limitations/Exclusions)**Limitations**

1. Subject to the provisions of the Local Government Act 1993 and any other legislation relevant to the delegations.
2. Council may by resolution direct that a particular matter be referred to Council for decision.
3. The General Manager shall Exercise the functions herein delegated in accordance with and subject to:
 - a) The provisions of the Local Government Act 1993, as amended;
 - b) All and every policy of the Council adopted by Resolution and current at the time of the exercise of the functions herein delegated.

Exclusions

4. Power to make or amend Council policy.
5. Carrying out new or non-core services not already being undertaken by Council.
6. Significant variation to any existing Council service that would have ongoing implications for Council in terms of cost or service delivery.
7. Any functions which are required by or under the Local Government Act 1993 or by or under any other Act or instrument to be performed by resolution of the Council.
8. Functions delegated to the Mayor.
9. Determination of applications for development consent under the Environmental Planning and Assessment Act, or for approval under the Local Government Act, that are required to be referred to Council for approval.
10. Adoption of a Plan of Management for Community Land.
11. Approval to write off debts in excess of \$2,000.
12. Approval to write-off Rates and Charges in excess of \$2,000.

14.2 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT TO BE HELD IN CANBERRA 19 TO 22 JUNE 2016**Responsible Officer:**Vaughan Macdonald (General Manager)

RECOMMENDATION

Recommended that:

1. Council consider whether it wishes to submit any motions to the 2016 National General Assembly.
2. Council determine whether it wishes to be represented at the 2016 National General Assembly of Local Government to be held in Canberra on 19 to 22 June.
3. Council consider the date of the June Ordinary Meeting if it wishes to be represented at the 2016 National General Assembly.

150316/ 6 RESOLVED (Cr Sullivan/Cr Morrissey)

That:

1. Council consider whether it wishes to submit any motions to the National General Assembly noting that the closing date for submission of motions was 22 April 2016.
2. Council be represented by the Mayor and General Manager at the 2016 National General Assembly of Local Government to be held in Canberra on 19 to 22 June and that any other Councillors who were interested in attending notify the General Manager.
3. Council's Ordinary Meeting in June be deferred to Tuesday, 28 June.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

Executive Summary

The Australian Local Government Association (ALGA) has advised that the 2016 National General Assembly of Local Government will be held in Canberra between 19 and 22 June. The Assembly provides an opportunity for councils to identify and discuss national issues of priority for the sector and to agree on possible steps which could be taken to address these issues. Every Council has the opportunity to raise relevant issues for debate at the Assembly by submitting a motion for consideration.

The ALGA Board is calling for motions for the 2016 Assembly under the theme of '*Partners in an Innovative and Prosperous Australia*'. This theme reflects the renewed focus across all levels of government on the roles and responsibilities of the public sector and the challenge of meeting our communities' needs. To be eligible for inclusion in the National General Assembly Business Papers, motions must follow the principles:

1. Be relevant to the work of local government nationally;
2. Be consistent with the theme of the National General Assembly;
3. Complement or build on the policy objectives of state and territory local government associations;
4. Propose a clear action and outcome; and
5. Not be advanced on behalf of external third parties which may seek to use the Assembly to apply pressure to Board members, to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, the local government sector.

Council's Conference Attendance Policy provides for the attendance of the Mayor and General Manager (or their nominees) at the National General Assembly.

Community Strategic Plan Links

Focus Area 7 Governance and Process - Long term Goal 7.4 Civic Leadership and Corporate Planning.

Budget Implications

There is provision in the current budget for conference attendance costs.

Report

As a major event on the annual local government events calendar, the National General Assembly typically attracts mayors, councillors and senior officers from councils across Australia.

The theme for the 2016 National General Assembly is '*Partners in an Innovative and Prosperous Australia*'. The program will be focused on debating and discussing the role that local government plays in boosting productivity and showcasing innovation and best-practice. The Assembly brings the local government sector together providing a platform for thought provoking discussion and serious consideration of the development of policies on issues of national significance.

Should Council choose to submit any motions to the National General Assembly, a Discussion Paper has been provided to assist in preparing motions and is available on the ALGA website at www.alga.asn.au Motions should be submitted electronically via an online form on the website and should be received by the ALGA no later than 22 April 2016.

A copy of the Australian Local Government Association's letter dated 18 February 2016 and the Call for Motions Discussions Paper has been circulated separately to each Councillor.

It is noted that the date of the 2016 National General Assembly conflicts with the date of Council's June Ordinary Meeting, i.e. 21 June.

Whilst Council's policy provides for the Mayor and General Manager (or their nominees) to attend the Assembly, the practice has been to allow other councillors the opportunity to also attend should they wish. Should Council determine to be represented at the 2016 National General Assembly, it may need to consider the date of its June meeting.

Conclusion

This report provides information on the opportunity for Council to participate in the 2016 National General Assembly of Local Government.

14.3 MONTHLY BUDGET ADJUSTMENTS - FEBRUARY 2016

Responsible Officer:

Ryan Gaiter (Manager Finance and Procurement)

RECOMMENDATION

Recommended that Council approve the budget adjustments for the month of February and note the revised budget position as at 29 February 2016.

The General Manager responded to a number of questions from Councillors on the proposed budget adjustments, including the implementation of the Food Organics Garden Organics (FOGO) program, the transfer of drainage maintenance funds from the lower river areas to Casino, responsibility for Coraki Woodburn Road intersection with Pacific Highway, Coraki Woodburn Road maintenance, transfer of funds for heavy patching of roads from Coraki and Evans Head to Casino, and the reallocation of communications funding for a specific marketing initiative.

150316/ 7 RESOLVED (Cr Simpson/Cr Hayes)

That Council approve the budget adjustments for the month of February and note the revised budget position as at 29 February 2016, with the exception of the drainage maintenance and heavy patching adjustments. Further, that information be brought to the next councillor information session on the proposed drainage maintenance and heavy patching adjustments.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

Executive Summary

In between Quarterly Budget Reviews, circumstances arise which require adjustments to Council's budget. This can include the need to remove projects, reallocate funds between projects or the addition of new projects. This can be due to a number of factors including unforeseen delays caused from planning requirements, tendering and procurement processes, along with other factors including unplanned maintenance, weather events or Council being successful with new grant funding.

The introduction of a monthly budget adjustment report is considered to be prudent financial management. It will give a more timely and accurate reflection of Council's budget position as circumstances change and provide management with additional tools to monitor and track the delivery of projects.

A summary of the proposed adjustments for February 2016 is shown below:

Budget Adjustments February 2016	Proposed Budget Adjustment
Capital Grants and Contributions	14,492
Operating Expenditure	(18,000)
Capital Expenditure	(122,508)
Transfers to/(from)	155,000
Net Effect on Budget Result	0

Community Strategic Plan Links

Focus Area 7 Governance and Process - Long term Goal 7.5 Sound Governance and Legislative Practices.

Budget Implications

As detailed in the report.

Report

The proposed budget adjustments for February 2016 and effect on the projected budget results for the 2015/2016 financial year are summarised in the table below:

Budget Adjustments February 2016	Revised Budget 31-Dec-15	Recommended Changes for Council Resolution	Projected Year End Result 2015/2016
Income from Continuing Operations	56,726,657	14,492	56,741,149
Expenses from Continued Operations	52,330,758	(18,000)	52,312,758
Operating Result from Continuing Operations	4,395,899	32,492	4,428,391
Add: Non-Cash Expenses	12,020,297	0	12,020,297
Add: Non-Operating Funds Employed	2,997,800	0	2,997,800
Less: Capital Expenditure	23,508,755	(122,508)	23,386,247
Less: Loan Repayments	1,626,600	0	1,626,600
Estimated Funding Result - Surplus/(Deficit)	(5,721,359)	155,000	(5,566,359)
Restricted Funds – Increase/(Decrease)	(5,965,302)	(155,000)	(5,810,302)
Working Funds – Increase/(Decrease)	243,943	0	243,943

A summary of the proposed budget adjustments within each Focus Area is shown below:

Focus Area	Focus Activity	Proposed Budget Adjustment
Capital Grants and Contributions		
Environment	Waste Management	14,492
Total Capital Grants and Contributions		14,492
Operating Expenditure		
Environment	Waste Management	(24,000)
Transport and Infrastructure	Stormwater Drainage	0
Transport and Infrastructure	Roads and Transport Services	6,000
Governance and Process	Corporate Support Services	0
Total Operating Expenditure		(18,000)
Capital Expenditure		
Environment	Waste Management	(131,000)
Transport and Infrastructure	Roads and Transport Services	8,492
Total Capital Expenditure		(122,508)
Transfers to/(from) Reserves		
Environment	Waste Management	155,000
Total Transfers to/(from) Reserves		155,000
Net Effect on Budget Result		0

A detailed breakdown of the proposed budget adjustments are included as an attachment to this report.

Conclusion

The report details the proposed budget adjustments for the month of February 2016. There is no impact on the projected budget surplus of \$243,943 for the 2015/2016 financial year.

Budget Adjustments February 2016

Focus Area	Focus Activity	Project	Project Description	Reason for Adjustment	Current Budget	Proposed Adjustment	Proposed Budget	Effect on Budget - Surplus/ (Deficit)
Operating Expenditure								
Environment	Waste Management	140111-3455-61129	Food & Garden Organics (FOGO) - Bin Audit	Project to be carried forward to 2016/2017	46,434	(16,000)	30,434	16,000
Environment	Waste Management	140111-3455-63196	Food & Garden Organics (FOGO) - Post FOGO Education	Project to be carried forward to 2016/2017	24,000	(8,000)	16,000	8,000
Transport & Infrastructure	Stormwater Drainage	350200-4540	Drainage Maintenance - Broadwater	Funds underspent & routine maintenance only required	6,588	(1,588)	5,000	1,588
Transport & Infrastructure	Stormwater Drainage	350300-4540	Drainage Maintenance - Coraki	Funds underspent & routine maintenance only required	20,888	(9,888)	11,000	9,888
Transport & Infrastructure	Stormwater Drainage	350400-4540	Drainage Maintenance - Evans Head	Funds underspent & routine maintenance only required	28,244	(13,244)	15,000	13,244
Transport & Infrastructure	Stormwater Drainage	350400-4555	Drainage Maintenance - Evans Head - GPT Maintenance	Funds underspent & routine maintenance only required	7,000	(3,500)	3,500	3,500
Transport & Infrastructure	Stormwater Drainage	350400-4553	Drainage Maintenance - Evans Head - Wetlands Maintenance	Funds underspent & routine maintenance only required	16,804	(10,804)	6,000	10,804
Transport & Infrastructure	Stormwater Drainage	350850-4540	Drainage Maintenance - Woodburn	Funds underspent & routine maintenance only required	15,624	(2,624)	13,000	2,624
Transport & Infrastructure	Stormwater Drainage	350100-4540	Drainage Maintenance - Casino	Drainage issues requiring additional funds for maintenance works	54,496	41,648	96,144	(41,648)
Transport & Infrastructure	Roads & Transport Services	370020-4600	Urban Roads Broadwater - Roadside Furniture M & R	No significant funds required this financial year	718	(542)	176	542
Transport & Infrastructure	Roads & Transport Services	370030-4600	Urban Roads Coraki - Roadside Furniture M & R	No significant funds required this financial year	1,849	(1,449)	400	1,449
Transport & Infrastructure	Roads & Transport Services	370040-4600	Urban Roads Evans Head - Roadside Furniture M & R	No significant funds required this financial year	4,058	(3,458)	600	3,458
Transport & Infrastructure	Roads & Transport Services	370070-4600	Urban Roads Woodburn - Roadside Furniture M & R	No significant funds required this financial year	1,951	(1,551)	400	1,551
Transport & Infrastructure	Roads & Transport Services	370010-4650	Urban Roads Casino - Linemarking	Casino Urban line marking works requiring additional funding	10,862	7,000	17,862	(7,000)
Transport & Infrastructure	Roads & Transport Services	370040-4650	Urban Roads Evans Head - Linemarking	Evans Head Urban line marking works requiring additional funding	5,136	6,000	11,136	(6,000)
Governance & Process	Corporate Support Services	620100-3025-63196	Communications & Marketing - Advertising	Savings in advertising transferred to new project	82,103	(10,000)	72,103	10,000
Governance & Process	Corporate Support Services	620100-3671-63193	Communications & Marketing - Regional Living Expo	New Economic Development marketing strategy	0	10,000	10,000	(10,000)
Total Operating Expenditure					326,755	(18,000)	308,755	18,000
Capital Grants & Contributions								
Transport & Infrastructure	Roads & Transport Services	739036	RMS Speed Zone Signs - Fairy Hill, North Casino & Gap Rd Woodburn	Successful RMS grant funding towards speed zone signs	0	14,492	14,492	14,492
Total Capital Grants & Contributions					0	14,492	14,492	14,492
Capital Expenditure								
Environment	Waste Management	814303	Bora Ridge Landfill - Cell Closure Plan	Project to be carried forward to 2016/2017	96,000	(96,000)	0	96,000
Environment	Waste Management	814700	Rappville Landfill - Transfer Station Upgrade	Project to be carried forward to 2016/2017	35,000	(35,000)	0	35,000
Transport & Infrastructure	Roads & Transport Services	837627	Urban Roads Coraki - Heavy Patching	Transfer allocation to Casino	7,000	(7,000)	0	7,000
Transport & Infrastructure	Roads & Transport Services	837628	Urban Roads Evans Head - Heavy Patching	Transfer allocation to Casino	8,000	(8,000)	0	8,000
Transport & Infrastructure	Roads & Transport Services	837625	Urban Roads Casino - Heavy Patching	Increased allocation required	15,000	15,000	30,000	(15,000)
Transport & Infrastructure	Roads & Transport Services	837802	Urban Roads Broadwater - Sign Renewals	No significant funds required - transfer to Evans Head linemarking	2,900	(2,000)	900	2,000
Transport & Infrastructure	Roads & Transport Services	837804	Urban Roads Evans Head - Sign Renewals	No significant funds required - transfer to Evans Head linemarking	6,800	(4,000)	2,800	4,000
Transport & Infrastructure	Roads & Transport Services	839036	RMS Speed Zone Signs - Fairy Hill, North Casino & Gap Rd Woodburn	Successful RMS grant funding towards speed zone signs	0	14,492	14,492	(14,492)
Total Capital Expenditure					170,700	(122,508)	48,192	122,508
Transfers to/from Reserves								
Environment	Waste Management	910100-9100-11175	Reserve Transfers - Unexpended Grants	Transfer FOGO projects to/(from) Unexpended Grants	(690,010)	24,000	(666,010)	(24,000)
Environment	Waste Management	910300-9200-11175	Reserve Transfers - Domestic Waste Management	Transfer projects carried forward to 2016/2017	(204,525)	38,400	(166,125)	(38,400)
Environment	Waste Management	912560-9100-11175	Reserve Transfers - Other Waste Management	Transfer projects carried forward to 2016/2017	(281,805)	92,600	(189,205)	(92,600)
Total Transfers to/from Reserves					(1,176,340)	155,000	(1,021,340)	(155,000)
Total Budget Movements					678,885	0	678,885	0

14.4 FINANCIAL ANALYSIS REPORT - FEBRUARY 2016**Responsible Officer:**Ryan Gaiter (Manager Finance and Procurement)

RECOMMENDATION

Recommended that Council adopt the Financial Analysis Report detailing investment performance for the month of February 2016.

150316/ 8 RESOLVED (Cr Morrissey/Cr Sullivan)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

Executive Summary

The Financial Analysis Report gives an overview of Council's performance in regard to investment returns and investments made and also reports the balance of Council's Investment Portfolio as at the end of the reported month. This overview is both a legislative requirement and essential in keeping Council up to date on the monthly performance of Council's investments.

Council made three new term deposits for the period. Three term deposits also matured within the period.

Emphasis continues to be placed on investing in accordance with Council's Investment Policy.

Council's cash and term deposit investment portfolio has maturity dates ranging from same day up to 120 days; deposits are made taking into account cash flow requirements and the most beneficial investment rates available at the time of making any investment.

Council has maintained its investments with NSW Treasury Corporation during this period. The Hourglass Cash Facility Trust has \$7,000,000 invested in it and the Hourglass Strategic Cash Facility Trust has \$7,000,000 invested in it. As of 29 February 2016 the Hourglass Cash Facility Trust is valued at \$7,077,856.78 and the Hourglass Strategic Cash Facility Trust is valued at \$7,068,146.74.

Council's total Investment Portfolio at fair value as at 29 February 2016 was \$28,827,992.80 against a face value of \$28,681,989.28. Council also has \$2,502,929.41 in General Bank Accounts and \$120,994.55 in Trust Funds as at 29 February 2016.

Community Strategic Plan Links

Focus Area 7 Governance and Process - Long term Goal 7.5 Sound Governance and Legislative Practices.

Budget Implications

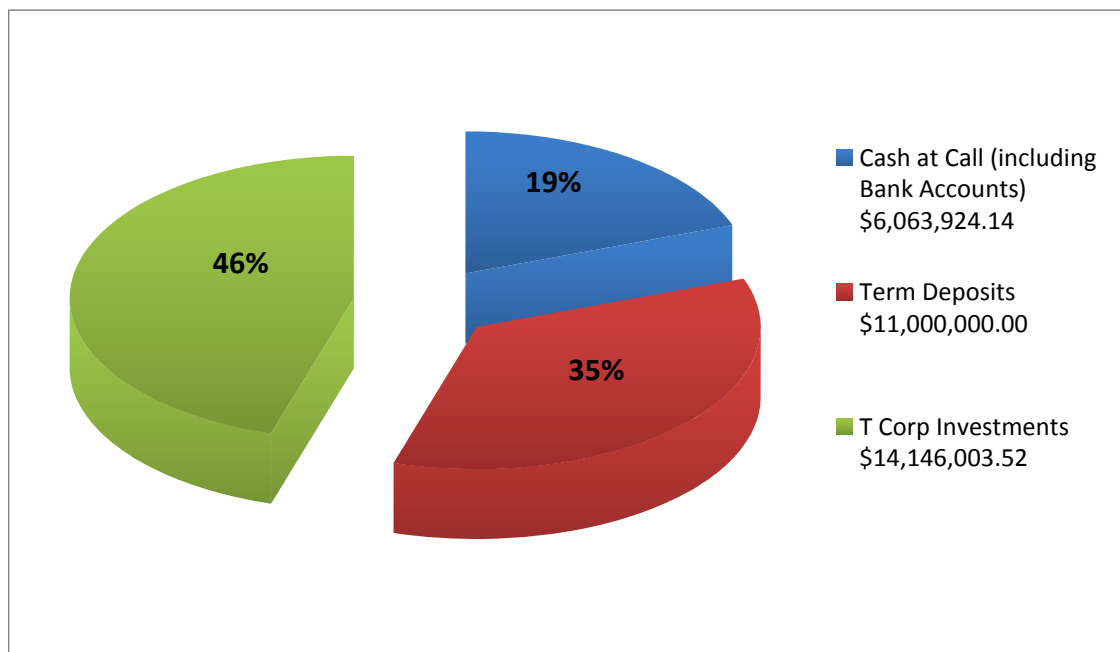
Year to date Council has earned \$334,396.75 in interest and \$153,103.52 in fair value gains for total revenue of \$487,500.27 against a budget of \$868,000.00 which equates to 56.16%.

Report

The Financial Analysis Report aims to disclose information regarding Council's investment portfolio.

This report includes the provision of fair value for all Council's investments. Council receives indicative market valuations on these investments monthly (where available) and this can be compared to the face value or original cost of the investment when purchased (where available). The notion of fair value is to comply with Australian Accounting Standard AASB 139. The market valuations of fair value valuations are an indication only of what a particular investment is worth at a point in time and will vary from month to month depending upon market conditions. The fair value of Council's Investment Portfolio as at 29 February 2016 was \$28,827,992.80 against a face value of \$28,681,989.28.

The following graph shows a breakup of Council's investment portfolio as at 29 February 2016:



The Reserve Bank of Australia (RBA) left the cash rate unchanged at its February 2016 meeting, so the cash rate in Australia was 2.00% per annum at February 2016 month end.

Council has a term deposit portfolio of \$11,000,000 or 38.16% of the total portfolio composition. In terms of investment yields, interest rates available for investments during the period have increased from the previous report; the average yield of the deposits increased from 2.99% to 3.01%. The short dated deposit and cash position of the portfolio provides excellent liquidity to Council allowing flexibility to take advantage of higher interest bearing investments as the opportunities arise. Council has invested \$14,000,000 with NSW Treasury Corporation.

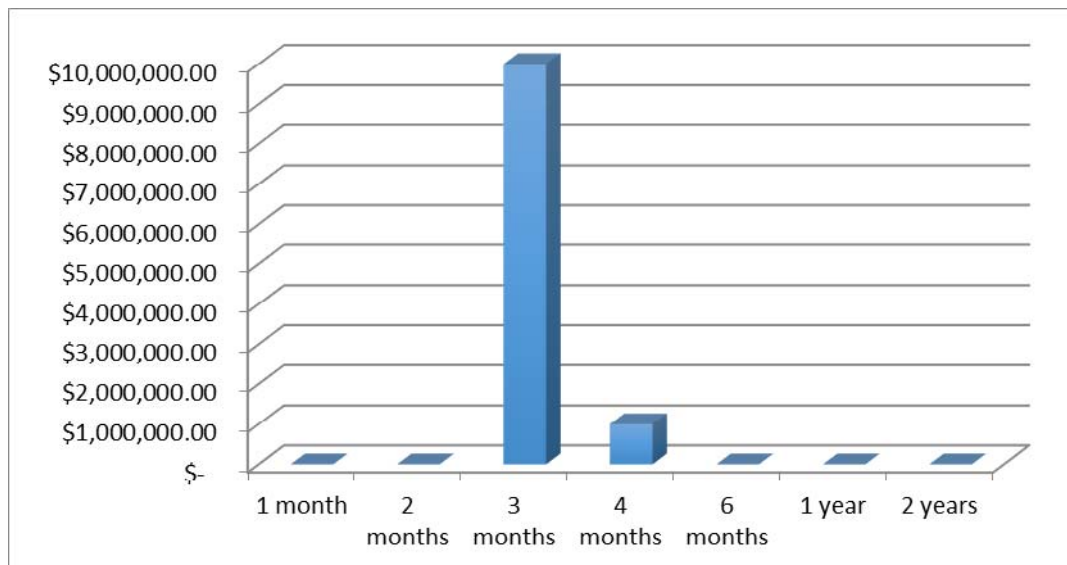
Council made three new term deposits during the month of February 2016.

Financial Institution	Investment Amounts	Maturity Date	Investment Rate per annum	Days Invested
Newcastle Permanent Building Society	\$1,000,000.00	11 May 2016	3.00%	90
Westpac	\$1,000,000.00	30 May 2016	3.04%	91
Newcastle Permanent Building Society	\$1,000,000.00	30 May 2016	3.00%	91

Total term deposit maturities during the months ending 31 February 2016 included returning principal (in full) and interest, are shown in the following table.

Financial Institution	Investment Amount	Maturity Date	Investment Rate per annum	Interest Received
Elders Rural Bank	\$1,000,000.00	3 February 2016	2.85%	\$7,176.62
Bankwest	\$1,000,000.00	11 February 2016	2.90%	\$7,150.68
Defence Bank	\$1,000,000.00	29 February 2016	3.05%	\$7,520.54

The following graph shows Council's term deposit maturities as at 29 February 2016.



Conclusion

Council is continually looking for ways to increase its investment performance. Consistent with Council's Investment Policy a significant portion of the investment portfolio is now invested with New South Wales Treasury Corporation in the Hourglass Cash Facility Trust and Hourglass Strategic Cash Facility Trust with the aim of receiving higher returns.

RICHMOND VALLEY COUNCIL FINANCIAL ANALYSIS REPORT AT 29 FEBRUARY 2016														
Investment Name	Investment Source	Investment Type	Rating	Investment Date	Maturity Date	Interest Basis	Interest Frequency	Current Interest Rate for Month	Original Investment Value	Current Investment Fair Value	Fair Valuation Date	% of Total Portfolio	Capital Guarantee Maturity	
<u>Cash at Call</u>														
CBA Business Online Saver	Commonwealth Bank	At Call	A1+/AA		At Call	Variable	Monthly	0.21%	N/A	3,681,989.28	29/02/2016	12.77%	No	
Total Cash at Call										3,681,989.28		12.77%		
<u>Term Deposits</u>														
Term Deposit	Members Equity Bank	Term Deposit	A2/BBB	7/12/2015	7/03/2016	Fixed for Term	Maturity	0.24%	N/A	1,000,000.00	29/02/2016	3.47%	Part	
Term Deposit	Westpac	Term Deposit	A1+/AA-	8/12/2015	6/04/2016	Fixed for Term	Maturity	0.25%	N/A	1,000,000.00	29/02/2016	3.47%	Part	
Term Deposit	ANZ Ltd	Term Deposit	A1+/AA-	10/12/2015	9/03/2016	Fixed for Term	Maturity	0.25%	N/A	1,000,000.00	29/02/2016	3.47%	Part	
Term Deposit	National Australia Bank	Term Deposit	A1+/AA-	21/12/2015	21/03/2016	Fixed for Term	Maturity	0.25%	N/A	1,000,000.00	29/02/2016	3.47%	Part	
Term Deposit	Members Equity Bank	Term Deposit	A2/BBB	11/01/2016	11/04/2016	Fixed for Term	Maturity	0.25%	N/A	1,000,000.00	29/02/2016	3.47%	Part	
Term Deposit	Bankwest	Term Deposit	A1+/AA-	18/01/2016	18/04/2016	Fixed for Term	Maturity	0.25%	N/A	1,000,000.00	29/02/2016	3.47%	Part	
Term Deposit	National Australia Bank	Term Deposit	A1+/AA-	18/01/2016	22/04/2016	Fixed for Term	Maturity	0.26%	N/A	1,000,000.00	29/02/2016	3.47%	Part	
Term Deposit	ANZ Ltd	Term Deposit	A1+/AA-	19/01/2016	28/04/2016	Fixed for Term	Maturity	0.25%	N/A	1,000,000.00	29/02/2016	3.47%	Part	
Term Deposit	Newcastle Permanent	Term Deposit	A2/BBB+	11/02/2016	11/05/2016	Fixed for Term	Maturity	0.25%	N/A	1,000,000.00	29/02/2016	3.47%	Part	
Term Deposit	Westpac	Term Deposit	A1+/AA-	29/02/2016	30/05/2016	Fixed for Term	Maturity	0.25%	N/A	1,000,000.00	29/02/2016	3.47%	Part	
Term Deposit	Newcastle Permanent	Term Deposit	A1+/AA-	29/02/2016	30/05/2016	Fixed for Term	Maturity	0.25%	N/A	1,000,000.00	29/02/2016	3.47%	Part	
Total Term Deposits										11,000,000.00		38.16%		
<u>Fixed Interest Securities</u>														
Total Fixed Interest Securities										0.00	0.00			
<u>NSW Treasury Corporation Hourglass Investments</u>														
Cash Facility Trust	NSW Treasury Corporation	Trust		Various	N/A		Monthly		7,000,000.00	7,077,856.78	29/02/2016	24.55%		
Strategic Cash Facility Trust	NSW Treasury Corporation	Trust		Various	N/A		Monthly		7,000,000.00	7,068,146.74	29/02/2016	24.52%		
Total Fixed Interest Securities										14,000,000.00	14,146,003.52		49.07%	
Total Investment Portfolio at Face Value									28,681,989.28					
Total Investment Portfolio at Fair Value										28,827,992.80				
Overall Average Interest Rate for month - Portfolio									0.25%					
Total Bank Account Portfolio										2,502,929.41				
Total Portfolio										31,330,922.21				
<u>Bank Accounts</u>														
Account Name	Balance \$ 29-Feb-16													
General Fund Bank Account	2,369,719.37													
Trust Fund Bank Account	120,994.55													
NAB Cheque Account	-40.00													
Evans Head Memorial Areodrome Fund	12,255.49													
Total	2,502,929.41													

14.5 WRITE-OFF OF CONSUMPTION CHARGES - PROPERTY ID 163390**Responsible Officer:**Ryan Gaiter (Manager Finance and Procurement)

RECOMMENDATION

Recommended that charges in the amount of \$18,252.15 be written off Property ID 163390 and the owner be advised in writing of the outcome.

150316/ 9 RESOLVED (Cr Morrissey/Cr Sullivan)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

Executive Summary

A standpipe has been installed at Property ID 163390 to enable quantities of water to be drawn for the operation of a commercial entity. Due to an administrative error the pricing of the water at a standpipe rate was not administered by Council for a twenty month period from the date of installation. A subsequent backdating of the charge occurred resulting in the owner requesting a write-off of the charge totalling \$18,252.15.

Community Strategic Plan Links

Focus Area 7 Governance and Process - Long Term Goal 7.7 Customer Service.

Budget Implications

Any amount written back will be adjusted against water consumption income

Report

The owners of Property ID 163390 installed a standpipe at the property to enable quantities of water to be drawn for the operation of a commercial entity. The pricing of the water at the standpipe rate was not administered by Council for a twenty month period from the date of installation; subsequent backdating of the charge was then incurred by the owner. This has meant that the owner of the property did not have the ability previously to pass on these costs at the time of drawing the water. Also, this did not allow the standpipe charge to be factored into the subsequent business costs as the amount that was billed each quarter for the twenty month period was the lower non-residential water consumption rate and not the standpipe water consumption amount.

The amount of additional consumption costs that were backdated and charged to the property owner totalled \$18,252.15. The costs that were incurred by the owner were that of a normal non-residential consumption rate, therefore the cost to Council to issue the water to the property owner was at no higher cost than any other non-residential business rated property within its Local Government Area.

Conclusion

As the cost of the water was not at a higher rate to produce for this property and that Council has made an administrative error, a request to write-off the additional charges incurred is not unreasonable. The owner was not able to factor the costs into the charging and every day running of their commercial operation. It is recommended that charges in the amount of \$18,252.15 be written off Property ID 163390 and the owner is advised in writing of the outcome.

14.6 WATER CONSUMPTION WRITE-OFF - PROPERTY ID 161330

Responsible Officer:

Ryan Gaiter (Manager Finance and Procurement)

RECOMMENDATION

Recommended that:

1. Council determine what amount of concession, if any, is to be granted to the owner of Property ID 161330.
2. A suitable payment plan be entered into for the balance owing with no interest to accrue whilst the payment arrangement is being met.
3. If a consumption write-off is approved it be a once only water consumption concession with no further concessions to be granted for this property.

A **Motion** was moved by Cr Mustow and seconded by Cr Sullivan

That:

1. Council not grant a concession to the owner of Property ID 161330.
2. A suitable and favourable payment plan over an extended period be entered into for the amount owing with no interest to accrue whilst the payment arrangement is being met.

The mover and seconder of the **Motion** sought and were granted the permission of the meeting to withdraw the **Motion**.

A **Motion** was moved by Cr Mustow and seconded by Cr Simpson

That:

1. Council grant a concession of \$614, being a maximum of 200kL, to the owner of Property ID 161330.
2. A suitable and favourable payment plan be entered into for the balance owing with no interest to accrue whilst the payment arrangement is being met.
3. No further concessions be granted for this property for the current owner.

An **Amendment** was moved by Cr Hayes

That:

1. Council write-off the first water consumption reading on Property ID 161330.
2. The owner be responsible for paying off the second water consumption reading on Property ID 161330.

The **Amendment lapsed** due to lack of a seconder.

The **Motion** was **carried** (as follows):

150316/ 10 RESOLVED (Cr Mustow/Cr Simpson)

That:

1. Council grant a concession of \$614, being a maximum of 200kL, to the owner of Property ID 161330.
2. A suitable and favourable payment plan be entered into for the balance owing with no interest to accrue whilst the payment arrangement is being met.
3. No further concessions be granted for this property for the current owner.

FOR VOTE - Cr Bennett, Cr Morrissey, Cr Mustow, Cr Simpson, Cr Sullivan

AGAINST VOTE - Cr Hayes

ABSENT. DID NOT VOTE - Cr Humphrys

Executive Summary

The owner of Property ID 161330 has incurred a large water consumption account due to a water leak located on the property that went undetected for a

period of time due to wet weather. The owner of the property is a pensioner and has requested consideration be provided due to the amount of consumption incurred and their current financial situation and the impact that paying such a high account would have on their circumstances.

Community Strategic Plan Links

Focus Area 7 Governance and Process - Long Term Goal 7.7 Customer Service.

Budget Implications

Depending on the outcome an amount could be written off the account which would affect the water consumption income budget.

Report

The owner of Property ID 161330 has incurred a large water consumption account due to a water leak located on the property that went undetected for a period of time due to wet weather. The leak has since been repaired and a number of pipes replaced by the owner. The owner of the property is a pensioner and has requested consideration be given due to their financial circumstances. The property owner has provided correspondence and a statutory declaration advising that they are a pensioner living from pension to pension. The amount of consumption incurred a total of \$6,654.32 which the property owner is unable to pay within their current financial position.

Council does have an operational policy titled “Granting of allowance for Customers with Concealed Water Leaks”, however this policy allows for a one-off concession to be granted with a maximum of 200kL. The property subject of this report has already been granted a one-off concession previously in June 2013, therefore they are ineligible to be granted a concession in accordance with the terms of the Council operational policy and their only avenue for further consideration is applying to Council for consideration outside of the policy.

Conclusion

Council could decide to grant a concession outside of the Council operational policy or it could grant any percentage concession it desires and/or offer a payment plan with no interest to be incurred whilst the payment arrangement is met. Council could also determine that no further water consumption concession will be issued for this property.

14.7 TENDER REGPRO281516 - SUPPLY AND DELIVERY OF STATIONERY**Responsible Officer:**Ryan Gaiter (Manager Finance and Procurement)

RECOMMENDATION

Recommended that:

1. Dolphin Stationery Pty Ltd be awarded the contract for supply and delivery of stationery to participating RTC member councils for the period 1 April 2016 to 31 March 2018.
2. Provision be allowed for a 12 month extension based on satisfactory supplier performance which may take this contract through to 31 March 2019.
3. The Common Seal of Council be affixed to any documentation where required.

150316/ 11 RESOLVED (Cr Morrissey/Cr Sullivan)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.
ABSENT. DID NOT VOTE - Cr Humphrys

Executive Summary

Richmond Valley Council is a member of Regional Procurement's Richmond Tweed Clarence (RTC) Group. Regional Procurement® runs tenders for regional local government member groups to aggregate the combined local tenders in order to attract greater supplier competition and lower pricing for member councils.

Regional Procurement® has called a single source by council tender for participating RTC member councils for the supply and delivery of stationery. Tenders closed 10.00am, Friday, 2 February 2016.

This tender was advertised in the following media:

- Tenderlink on 5 January 2016
- Sydney Morning Herald on 5 January 2016
- Western Magazine on 5 January 2016
- Gold Coast Bulletin on 5 January 2016

Three tenders in total were received from the following entities:

- Dolphin Stationery Pty Ltd
- Lyreco Pty Ltd
- Staples Australia Pty Limited

Community Strategic Plan Links

Focus Area 7 Governance and Process - Long Term Goal – 7.2 Drive efficiency and effectiveness throughout the operations of Council.

Budget Implications

This tender is for the ongoing supply of delivery of stationery. The stationery is purchased as part of specific projects within Council's adopted budgets.

Report

Richmond Valley Council is a member of Regional Procurement's Richmond Tweed Clarence (RTC) Group. Regional Procurement® runs tenders for regional local government member groups to aggregate the combined local tenders in order to attract greater supplier competition and lower pricing for member councils.

Participating councils in this tender which signed a Letter of Participation were:

Orana Group of Councils (OROC)

- | | |
|---------------------------|------------------------------|
| • Warren Shire Council | • Brewarrina Shire Council |
| • Gilgandra Shire Council | • Bogan Shire Council |
| • Cobar Shire Council | • Warrumbungle Shire Council |
| • Bourke Shire Council | • Wellington Council |
| • Coonamble Shire Council | • Dubbo City Council |
| • Walgett Shire Council | |

Richmond Tweed Clarence Group of Councils (RTC)

- Clarence Valley Council
- Richmond Valley Council

Namoi Group of Councils (Namoi)

- Gunnedah Shire Council

Contract Duration

This contract will run for two years from 1 April 2016 to 31 March 2018 (24 months). A one year option may be taken up based on satisfactory performance by the successful tenderer(s).

Probity

The tender has been conducted in accordance with Clause 166(a) of the *Local Government (General) Regulation 2005*.

Conflict of Interest Declarations were signed by all participating evaluation panel members including the Regional Procurement® facilitator. The declarations are available to be viewed if required.

All tenderer insurance records were checked against tender requirements and potential non-conformities were noted in the Evaluation Matrix for the consideration of the panel.

The evaluation was conducted in accordance with the Local Government Tendering Guidelines, Regional Procurement® Tendering Code of Conduct and Tendering Evaluation Principles and Process. Confidentiality and probity were maintained throughout the process.

Tender Analysis

The RTC tender evaluation was conducted on 3 March 2016 by:

- Colin Carey - Richmond Valley Council
- Ian McDonald - Clarence Valley Council
- Trevor Pate - Clarence Valley Council

The tender evaluation was facilitated by Craig Wade, Account Executive Regional Procurement®.

Evaluation Results

		Dolphin Stationery Pty Ltd	Lyreco Pty Ltd	Staples Australia Pty Limited
Criteria				
Referees	15	14.5	13.00	13.30
Guaranteed Delivery Time	20	15	20.00	20.00
Customer Service	10	10	10.00	10.00
Tender Price	55	51.03	55.00	41.06
Total Combining all criteria	100	90.53	98.00	84.36

No late tenders were received and all tenders received were deemed compliant.

Although Lyreco Pty Ltd scored the highest in the evaluation matrix, the company is not a local supplier. Craig Wade contacted Lyreco Pty Ltd and it was revealed they don't actually supply any New South Wales councils at this stage, therefore Council would be the first if it was decided to accept Lyreco Pty Ltd's tender. The other contributing factor in recommending Dolphin Stationery Pty Ltd is that they have an office in Richmond Valley Council Local Government Area which is locally operated.

Conclusion

Dolphin Stationery Pty Ltd is the recommended tenderer to be awarded this contract for Richmond Valley Council. This company is locally operated in the NOROC Local Government Area with stores in Casino, Lismore, Ballina and Murwillumbah.

14.8 COMMUNITY NEWSLETTERS

Responsible Officer:

Vaughan Macdonald (General Manager)

RECOMMENDATION

Recommended that Council:

1. Notes the current methods used and cost incurred in communicating with its customers and stakeholders.
2. Considers any increase in expenditure on communications in the 2016/17 budget process.

150316/ 12 RESOLVED (Cr Hayes/Cr Simpson)

That:

1. Council notes the current methods used and cost incurred in communicating with its customers and stakeholders.
2. Council considers any increase in expenditure on communications in the 2016/17 budget process.
3. A report come back to Council on the preparation and distribution of a fortnightly or monthly newsletter by predominantly using electronic media.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

(It was noted that the Report section made reference to a hard copy community newsletter being distributed to about 10,000 homes twice a month; this should have stated "every two months" as stated in the Executive Summary.)

Executive Summary

Like other local government authorities in our region, Richmond Valley Council faces the challenges of communicating with its various audiences within a finite budget. Council has a small but active Communications team, with a strong connection to the Customer Service area. This is critical in ensuring that what

Council says about itself is consistent with the customer experience. The Communications team also supports the rest of the organisation to increase awareness, confidence and satisfaction in services provided by Council.

Council's community report is delivered to 10,000 residential households through Australia Post's unaddressed mail service every two months. The community report is complemented by a monthly full-page advertisement in the Express Examiner, as well as the issuing of regular media releases, Mayoral columns, a series of targeted e-newsletters, as well as articles and news items being posted frequently to Council's website and Facebook page.

Community Strategic Plan Links

Focus Area 7 Governance and Process – Long Term Goal 7.3 Communication (Strategy 7.3.3 Ensure Council meets an appropriate level of information expected by its stakeholder agencies).

Budget Implications

An increase in the distribution timeline of a hard copy newsletter will have a significant impact on the Communications budget.

Report

Like other local government authorities around NSW, Richmond Valley Council faces the challenges of meeting the increasing expectations of its various audiences within a finite budget.

At the same time, rapidly evolving technology has transformed the way councils communicate and engage with their communities. These changes bring both opportunities and risks as new and cost-effective tools allow instant and interactive communication.

There is a growing number of our community embracing technology and more recently emerged forms of communication, however, a large proportion of our audience is attached to traditional communication techniques.

Council's Communications team continually investigates actions to improve consistency to ensure Council is communicating and engaging on the issues of highest priority to the community.

Council presently distributes a hard copy community newsletter to about 10,000 homes twice a month, at a cost of \$5,255 per issue, or about \$26,275 a year. This newsletter features articles and photos on a range of Council-specific topics, including key projects. Regrettably, Australia Post has strict guidelines for unaddressed mail, which results in most of the stories being a month old. For example, bookings are made three weeks in advance, with lodgement required one week in advance of distribution. This means final artwork must be sent to the printery two weeks prior to the lodgement date.

Moving to a fortnightly distribution would increase current costs to about \$126,120 per annum and increase workload for the Communications team.

The community report is complemented by a monthly full-page advertisement in the Express Examiner at a cost of \$1,100, or \$13,200 per annum, as well as the issuing of regular media releases, Mayoral columns, and advertisements. Articles are also posted regularly to Council's website and Facebook page. Council also publishes posters and flyers for special community events. Mail outs on key issues and planned roadworks are also distributed across the local government area on an as-needs basis.

Council also has in place an online communications portal to assist with the distribution of news via email, such as its internal weekly staff newsletter and a series of targeted e-newsletters such as the monthly Library and Developer news. Costs associated with this portal average \$650 per month, of approximately \$8,000 per annum.

Council is already actively exploring new technology while maintaining its presence across traditional channels and has a proactive approach to communication and engagement. It is in a position of strength when it comes to communication, however, its challenges lie in harnessing its many activities into one consistent approach which reflects the priorities of the community.

Conclusion

This report responds to the question submitted by Cr Hayes to the 16 February Ordinary Meeting.

14.9 WASTE AND RESOURCE RECOVERY - BORA RIDGE

Responsible Officer:

Vaughan Macdonald (General Manager)

RECOMMENDATION

Recommended that Council:

1. Close the Bora Ridge Landfill site and accept \$200,000.00 in grant funding from the NSW Environment Protection Authority (EPA) to assist in the closure of the site.
2. Note that post closure service options will be provided to Council's Ordinary Meeting on 19 April 2016 for consideration prior to consultation with the current users of the Bora Ridge Landfill.

150316/ 13 RESOLVED (Cr Mustow/Cr Hayes)

That Council:

1. Close the Bora Ridge Landfill site and accept \$200,000.00 in grant funding from the NSW Environment Protection Authority (EPA) to assist in the closure of the site.

2. Note that post closure service options, including alternative sites and/or services, be provided to Council's Ordinary Meeting on 19 April 2016 for consideration prior to consultation with the current users of the Bora Ridge Landfill. Further, that Council accept the \$200,000.00 grant for this purpose.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

Executive Summary

An extensive review of the Bora Ridge Landfill operation and its associated environmental compliance costs was recently conducted and it was determined by Council staff that the ongoing operation of the landfill is untenable. The site handled approximately 800 tonnes of waste (700 domestic) in 2014/2015 and is on track to do similar in 2015/2016.

Previously identified issues by the EPA, both last year and again in January of this year, independent consultant reports and internal reviews all identify a high degree of financial and environmental risk in maintaining what is an old site in a rapidly advancing and modern environmental landfill world.

An opportunity arose to accept a grant of \$200,000.00 from the EPA to assist with the closure which, together with existing provisions, will not financially disadvantage Council.

Management is aware of the need to continue servicing the community and is currently working on options for Council to consider at its April meeting and to then consult with the community that use the Bora Ridge Landfill.

Community Strategic Plan Links

Focus Area 1 Natural Environment – Long Term Goal 1.3 Environmental Protection – Strategy 1.3.2 Provide services and programs which protect and enhance our natural and built environment.

Budget Implications

Nil.

Report

In general, ratepayers want to see less waste and more recycling and to be seen as environmentally good citizens. Council's current Community Strategic Plan reflects this. The need for service delivery at an acceptable cost and accessibility to the community together with long term capital planning, new and emerging technologies and the ever increasing demands of regulatory compliance are just some of the challenges that confront Council if it is to effectively manage waste not only from an environmental perspective but one that is also economically sustainable over the long term.

For Council, waste is a multi-million dollar service delivery business which it has to finance via its operations, considerable capital requirements on an ongoing basis in addition to maintaining and/or upgrading regulatory compliance needs and keeping up with advances in technology. The balance between what is acceptable to the community in both cost and excellence in service delivery and the environmental and financial sustainability of the “business” is a delicate one.

In the case of the current Bora Ridge Landfill site, it is reaching capacity and trying to extend its life will increase the risk on Council's current and future liabilities. The costs associated with continuing to operate and dealing with known environmental problems is untenable.

The challenge for Council and the community is to reduce the amount of waste going into landfill and to that end management has been working on strategies to educate, encourage and assist the community to do just that. These will be communicated to the community over coming months.

Currently, less than 18% of waste going to landfill actually needs to end up there. In other words there is an opportunity to divert 82% away from landfill.

In the case of Bora Ridge, Council is operating a landfill to service a need for domestic waste that should not be any greater than 126 tonnes per annum (18% of 700 tonnes) which even without the liabilities previously mentioned, is unsustainable. By contrast the Nammoona Landfill accepted almost 10,000 tonnes of domestic waste last year.

Council under its plans to proactively support the aspirations of the community on the financial sustainability of managing waste, together with environmental responsibility as per the Community Strategic Plan, is now targeting actions and measures across the following six major areas in concert with the NSW Waste Avoidance and Resource Recovery Strategy (WARR) 2014-2021:

1. Avoid and reduce waste generation,
2. Increase recycling,
3. Divert more waste from landfill,
4. Better manage ‘problem waste’,
5. Reduce litter, and
6. Reduce illegal dumping.

Conclusion

Waste and Resource Recovery is a complex and expensive business made even more so by increasing levels of compliance. Collectively we desire cleaner environmental outcomes for that of ourselves and future generations.

It is worth noting that whilst Council currently receives domestic waste at four landfill and/or transfer sites, neighbouring Councils Ballina and Byron have one and Lismore two (Lismore and Nimbin) and that any additional demand can be met by Nammoona. Council is currently tendering for a new cell at the Nammoona Waste Facility.

Community service expectations and Council's obligations to deliver them are understood and respected and need to be balanced by both fiscal and environmental realities, which in the case of Bora Ridge means landfill closure.

Council will be consulting with current users of Bora Ridge to ensure alternative landfill options are available.

14.10 BROADWATER SKATE PARK PROPOSAL

Responsible Officer:

Andrew Leach (Manager Asset Planning)

RECOMMENDATION

Recommended that Council consider the inclusion into future budgets for the construction of a skate park facility in the township of Broadwater following detailed investigations to refine estimates and scope of project. Further, that Council approve the use of savings from Crawford Square Skate Park extension to provide shade structures at Coraki, Woodburn and Casino Skate Parks.

A **Motion** was moved by Cr Hayes and seconded by Cr Simpson

That Council use the \$110,000 saved on Casino Skate Park extension for construction of a skate park in Broadwater.

An **Amendment** was moved by Cr Mustow and seconded by Cr Sullivan

That Council include in the 2016/17 budget the construction of a skate park facility in the township of Broadwater following detailed investigations to refine estimates and scope of the project. Further, that Council approve the use of savings from Crawford Square Skate Park extension to provide shade structures at Coraki, Woodburn, Evans Head and Casino Skate Parks.

The **Amendment** was **carried**.

The **Amendment** then became the **Motion** and was **carried** (as follows):

150316/ 14 RESOLVED (Cr Mustow/Cr Sullivan)

That Council include in the 2016/17 budget the construction of a skate park facility in the township of Broadwater following detailed investigations to refine estimates and scope of the project. Further, that Council approve the use of savings from Crawford Square Skate Park extension to provide shade structures at Coraki, Woodburn, Evans Head and Casino Skate Parks.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

Executive Summary

Council resolved at its Ordinary Meeting held on 16 February 2016 *"that a report come back to Council on the possibility of bringing forward the construction of a skate park at Broadwater into this year's budget utilising funds of \$110,000 anticipated to be saved on the Casino concrete skate park extension project."*

Council had also resolved at its 22 December 2015 Ordinary Meeting, following consideration of a Notice of Motion, *"that a report come to Council on the possibility of a skate park being constructed at Broadwater, including a preferred site and the financial avenues available."*

Council staff have investigated the feasibility and conservatively estimated costs associated with such a project to be \$150,000 to \$170,000 for a standalone site. Planning and community consultation will need to be undertaken to ensure acceptance of design and location prior to any project commencing. It is suggested that savings in the Casino Skate Park extension budget could first be used to improve the facilities at Woodburn, Coraki and Casino by installing shade structures and seating to encourage use at those sites. Remaining funds can then be used as a basis for a proposal at Broadwater.

Community Strategic Plan Links

Focus Area 4 Recreation and Open Spaces - Long Term Goal 4.1 Improved Sporting Facilities.

Budget Implications

There is currently no allocation in the 10 year plan for any funding for this proposed project. There is a budget allocation of \$240,000 for an extension of the Crawford Park Skate Park in Casino this financial year and the contract for this extension has been awarded at \$130,000. A determination can be made if all or part of these first principle savings can be re-assigned to Broadwater for a separate project.

Report

Council Officers have been asked to investigate the possibility of using savings identified in the Crawford Square project to construct a skate park in Broadwater. This report identifies a number of elements which contribute to the possibility of the project, including but not least, the financial implications.

Siting

The possible location of the proposed skate park has a key site of the parkland on the corner of the Pacific Highway and Little Pitt Street and/or the land adjacent to the Broadwater Hall and tennis courts. Both these parcels of land are owned or controlled by Council. Consultation would need to be undertaken with other users to determine their acceptance of such a facility in the same location. There are benefits of multi usage recreational precincts.

An aerial photograph of the proposed sites is included below.



Planning

While this land is under control of the Council, there would still need to be a planning process to work through to ensure that the proposal is suitable to the surrounding environment and acceptable to adjoining land holders.

Consultation

There remains a need to confirm the demand for such a facility in Broadwater and the suitability to the proposed site and surrounds. It is proposed that Council's Coordinator Community Projects and Social Planning compile social demographic information as well as undertakes a survey of schools and community groups within the Broadwater area to establish the demand. This process should identify any suggested design features which are most likely to be utilised in a small scale skate park.

Financial

A conservative estimate derived from officer's experience in construction of similar structures within the Council area recently is \$150,000 to \$170,000 for a green field's site. This price may also be affected by site drainage and run off, location of existing services and the need to relocate these, access pathways and shade shelters. While the costs may fluctuate with function, it is vital that where possible, any proposed structure includes features that were identified during the consultation stage. The estimate above assumes that the project is built on Council controlled land, therefore eliminating land costs. This will naturally increase if any land has to be purchased.

Further to the above points, prior to the construction of a new facility, Council staff have received feedback that there is a need to improve existing facilities at Woodburn, Coraki and Casino. Currently there is limited or no sun shade at these facilities which discourages usage on warm days. Staff are suggesting that funding be made available for these sites to improve their usage prior to a new facility being constructed.

Conclusion

Council staff estimate that the \$110,000 suggested initially in this report would not be sufficient to undertake the project properly. It is proposed that some of this funding be allocated to the consultation, site confirmation and design process, which will then be able to establish an accurate estimate for future reference. The process of consultation and planning development approval will take time, and needs to be thorough. It is also proposed that savings from the Casino Skate Park extension budget be utilised in shade structures at the Woodburn, Coraki and Casino Crawford Square facilities. Any remaining funds can be carried forward to support the Broadwater site works in upcoming budgets.

14.11 RICHMOND DAIRIES - JABIRU GENEEBEINGA WETLANDS PROJECT

Responsible Officer:

Mike Pearce (Economic Development – Business)

RECOMMENDATION

Recommended that Council:

1. Consult with Richmond Dairies and all stakeholders, including Crown Lands, to assess and investigate the options, opportunities and any issues arising from the Richmond Dairies proposal for the Jabiru Geneebeinga Wetlands project.
2. Grant access to Southern Cross University for baseline studies.
3. Assess any potential financial and management responsibilities that may fall to Council to fund and/or manage as and when identified.

150316/ 15 RESOLVED (Cr Morrissey/Cr Sullivan)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

Executive Summary

Richmond Dairies aim is to expand and restore the Jabiru Geneebeinga Wetlands using water from their processing plant. The wetlands will “polish” the treated water used to regenerate the natural wetland.

Richmond Dairies currently lease 25.9 hectares of Crown Land that was drained for grazing and originally part of the Jabiru Geneebeinga Wetlands. It provided Crown Lands with a comprehensive submission in 2014 and seeks in-principal support for the project from Council, as the manager of the Wetlands and adjacent Crown Lands.

If agreed to, negotiations would commence with Crown Lands and all stakeholders given an opportunity to become involved and/or contribute as roles are identified.

Southern Cross University, working together with Richmond Dairies, is seeking permission from Council for physical access to the Wetlands to conduct flora, fauna and groundwater studies with resultant research opportunities for under and post graduate students.

Any activities that may involve Council and/or requiring Council consent over and above the working assessments agreed to would be sought at subsequent meetings with Council.

Community Strategic Plan Links

Focus Area 2 Local Economy – Long Term Goal 2.3 Tourism and Promotion and Focus Area 4 Recreation and Open Spaces – Long Term Goal 4.2 Improved Recreational Facilities.

Budget Implications

Nil.

Report

The expansion and regeneration of the Jabiru Geneebeinga Wetlands is a project that is anticipated to have major benefits for the Casino community.

Richmond Dairies and Southern Cross University envisage the expansion of the wetland will not only be an innovative and sustainable reuse of treated water, but create a number of opportunities for projects in a variety of important and relevant research opportunities for undergraduate and postgraduate students. This collaboration fits into Southern Cross University's “Live Ideas” network which seeks to form partnerships within the community that are mutually beneficial to businesses and university students.

Southern Cross University has already identified a number of studies related to the Jabiru Geneebeinga Wetlands that can be updated as part of its data collection process. This could include studies of flora and fauna and ground and surface water quality.

Southern Cross University is seeking initial permission from Council to be able to gain physical access to the Jabiru Geneebeinga Wetlands. Any activity by the University in the existing Jabiru Geneebeinga Wetlands would involve consultation with all relevant stakeholders. Council and Southern Cross University may choose to form their own partnership as part of the "Live Ideas" initiative.

The University sees the project as being essentially about the development of a new discovery destination for the region that would result in the creation of a new education facility focused around wetland ecology. The facility would be designed to extend and enhance the existing wetland as a critical cultural and environmental asset and create added opportunity for economic impact associated with a significant regional attraction for visitors and locals alike.

Richmond Dairies recognises that the full potential of its plans to expand and regenerate the Jabiru Geneebeinga Wetlands will not be known until negotiations commence with Crown Lands.

Richmond Dairies commenced work on this project in 2012 and provided a detailed submission to Crown Lands in 2014. A letter of in-principle support for the project is sought from Council, as the manager of the Jabiru Geneebeinga Wetlands and the Crown land adjacent to the Richmond Dairies lease, which would assist in commencing negotiations with Crown Lands. The expectation is that all stakeholders (e.g. Richmond Dairies, Southern Cross University, Council, Crown Lands, Environment Protection Authority, Casino Golf Club, etc.) will formalise their role, level of support/concern and involvement in the ongoing project, as part of this process. (Note: A letter of support is not requested of Council at this meeting, refer recommendation.)

Richmond Dairies and Southern Cross University believe the project has the potential to create an asset with enormous public and community benefit as can be seen by the concept plan included below.



Consultation

Consultation is the outcome of the recommendation and includes the neighbouring Casino Golf Club.

Conclusion

The proposed extended wetlands project will put Richmond Dairies at the forefront of environmental initiatives and investment, on a project they have been working on for four years. For Council, it is the opportunity to not only consider supporting the initiative but ultimately help deliver environmental outcomes for the community.

The potential for Council, working with Richmond Dairies, Southern Cross University and all stakeholders is to make the wetlands a major ecological, educational and recreational attraction for the community as well as a major regional tourism asset.

Whilst the extended wetlands project will reduce flows into Council's sewerage treatment plant, the potential impacts of any reduction on the potential useage of the treatment plant should be further investigated.

14.12 SUMMARY OF THE EXHIBITION OF PLANNING PROPOSAL PP2016.02 - SEVERAL REZONINGS TO CORRECT ZONING ERRORS WITHIN THE RICHMOND VALLEY LOCAL ENVIRONMENTAL PLAN 2012**Responsible Officer:**

Angela Jones (Director Infrastructure and Environment)

RECOMMENDATION

Recommended that:

1. The report be received and noted; and
2. Council proceed with preparing the Local Environmental Plan (LEP) Amendment under Ministerial Delegation.

150316/ 16 RESOLVED (Cr Mustow/Cr Morrissey)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.
ABSENT. DID NOT VOTE - Cr Humphrys

Executive Summary

Planning Proposal PP2016/02 seeks to correct three Land Zoning errors which were found in the Richmond Valley LEP 2012. These errors relate to zoning of

land as IN1 General Industry, RU3 Forestry (each to be returned to Zone RU1 Primary Production), and SP2 Infrastructure (Waste and Resource Management Facility) (to be zoned E1 National Parks and Nature Reserves).

Council resolved on 20 October 2015 to prepare the Planning Proposal. A Gateway Determination was obtained from the Department of Planning and Environment on 27 November 2015, which was conditional upon Agency consultation and community engagement, and included Ministerial Plan making delegations.

These conditions have been met and both National Parks and Wildlife Service and NSW Rural Fire Service raised no issues. The Planning Proposal was publicly exhibited from 27 January 2016 to 12 February 2016 with no submissions being received.

Council should now progress the matter by having Parliamentary Counsel draft a LEP Amendment; and for the General Manager to endorse that LEP Amendment, before having it notified on the Legislation Website.

Community Strategic Plan Links

Focus Area 5 Rural and Urban Development - Long Term Goal 5.1 Land use development should be appropriate for the retention of a country atmosphere and village lifestyle.

Budget Implications

Nil.

Report

Planning Proposal PP2016/02 seeks to correct several Land Zoning errors that were found in the Richmond Valley LEP 2012. The proposed corrections involve:

- Lot 475 DP755624 – 760 Woodburn-Evans Head Road, Evans Head
To change Land Zone from Zone IN1 General Industry to RU1 Primary Production; and at the same time change the Minimum Lot Size from 750m² to 40ha, and apply a dwelling opportunity;
- Lot 11 DP777379 – 3280 Busbys Flat Road, Busbys Flat
To change Land Zone from RU3 Forestry to RU1 Primary Production; and at the same time apply a 100ha Minimum Lot Size; and
- Broadwater National Park
To change Land Zone from SP2 Infrastructure (Waste and Resource Management Facility) (where applying) to Zone E1 National Parks and Nature Reserves.

Council resolved at the Ordinary Meeting held on 20 October 2015, to support the preparation of a Planning Proposal incorporating the above amendments, and to seek a Gateway Determination.

Since Council's resolution, a conditional Gateway Determination was granted on 26 November 2015. The Determination authorises Council and the General Manager to assume Ministerial delegations to make the LEP Amendment. It also requires:

- engagement with the Office of Environment and Heritage (National Parks and Wildlife Service), and the NSW Rural Fire Service (pursuant to Section 117 Direction 4.4 Planning for Bushfire Protection), and
- public exhibition of the Planning Proposal for a minimum of 14 days.

Consultation

Agency Consultation

The Gateway Determination required consultation with two public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant Section 117 Directions. Each of the nominated Agencies was to be provided with a copy of the Planning Proposal and any relevant support material, and given at least 21 days to comment. Referral of the Planning Proposal occurred on 17 December 2015.

- National Parks and Wildlife Service (submission dated 24 December 2015)

Advising that NPWS has no issues with the rezoning to E1 as depicted in the Planning Proposal as this is consistent with the current boundary of the Broadwater NP.

- NSW Rural Fire Service (submission dated 13 January 2016)

Advising that the Service has reviewed the plans and documents received for the proposal and subsequently raises no concerns or issues in relation to bush fire.

Community Engagement

The Planning Proposal was publicly exhibited from 27 January 2016 to 12 February 2016 (17 Days). Notices were displayed in the Express Examiner on 27 January 2016; and on Council's website as well as at each of Council's Customer Service Centres, in Casino and Evans Head, for the duration of the exhibition.

Immediately adjoining neighbours were notified by letter, and the owners of land affected by the proposal were informed.

No submissions were received during the public consultation period.

Conclusion

A conditional Gateway Determination was granted by the Department of Planning and Environment on 26 November 2015. Conditions included

consultation with the National Parks and Wildlife Service (NPWS) and NSW Rural Fire Service (RFS), before undertaking community consultation for a minimum period of 14 days. These conditions have been met and both the NPWS and RFS raised no concerns with the proposal, and no submissions were received when the proposal was exhibited between 27 January 2016 and 12 February 2016.

Council should now progress the Planning Proposal by having Parliamentary Counsel draft the LEP Amendment, and for the General Manager to use his Ministerial Plan making delegations to endorse the Plan and cause it to be published on the Legislation Website.

15 MATTERS FOR INFORMATION

RECOMMENDATION

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

150316/ 17 RESOLVED (Cr Morrissey/Cr Sullivan)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

Cr Hayes enquired in relation to Item 15.3 Development Applications determined under the Environmental Planning and Assessment Act for the period 1 February to 29 February 2016, requesting information regarding the demolition of the amenities building (DA2016/0136) in the public reserve at Evans Head and, in particular, enquiring whether this was a public use building.

The General Manager advised that following a check of the details the information would be provided.

15.1 DISABILITY AND AGED ADVISORY COMMITTEE AND TRANSPORT AND INFRASTRUCTURE ADVISORY COMMITTEE

Responsible Officer:

Vaughan Macdonald (General Manager)

Report

As part of community engagement efforts, Council adopted the Community Engagement Strategy at its May 2015 meeting. Advisory Committees are part of this strategy.

Councillors agreed to review the Advisory Committee structures at the October and November 2014 Council workshops, and resolved to continue the Aboriginal Advisory Committee, Disability and Aged Advisory Committee and the Transport and Infrastructure Advisory Committee at the February 2015 Ordinary Meeting of Council. Council also resolved to declare committee positions vacant, invite Expressions of Interest for membership and adopt new Terms of Reference for each committee. The Terms of Reference for the Disability and Aged Advisory Committee and the Transport and Infrastructure Advisory Committee were adopted by Council at the Ordinary Meeting on 18 August 2015.

The Transport and Infrastructure Advisory Committee and the Disability and Aged Advisory Committee have now held their third formal meeting for the 2015/16 financial year. Each of these Committees will have one more formal meeting during this financial year.

At the August 2015 Ordinary Meeting, Councillors did not nominate individual Councillor(s) to attend meetings. However, Council resolved *“that all Councillors be advised of the dates of meetings of the Disability and Aged Advisory Committee Meeting and the Transport and Infrastructure Advisory Committee and that any available Councillor may attend.”*

Disability and Aged Advisory Committee

The Disability and Aged Advisory Committee met at the Casino Cultural and Community Centre on Tuesday, 9 February, 2016.

At this meeting, the Committee discussed the following issues, objectives and project outcomes for the 2015/16 financial year:

- Update on the process to create a Disability Inclusion Action Plan for Richmond Valley Council, as required by the *Disability Inclusion Act 2014*.
- Accessible park benches throughout Richmond Valley.
- Suggestion to hold another Scooter Information Day, October 2016, Casino.
- Members to write a letter to the Australian/New Zealand Standards Committee regarding size and design of accessible car parks.

Further detail may be found in the Meeting Minutes, a copy of which has been circulated separately to each Councillor.

The next formal meeting of the Disability and Aged Advisory Committee will be at 10am, Tuesday, 3 May, 2016, Casino Cultural and Community Centre.

The Disability and Aged Advisory Committee cordially invites available Councillors to attend this meeting. Committee members are keen to work with Councillors in order to fulfil the purpose of the Committee as a Section 355 Committee and assist Council to carry out its functions.

Transport and Infrastructure Advisory Committee

The Transport and Infrastructure Advisory Committee met at the Casino Cultural and Community Centre on Tuesday, 23 February, 2016.

At this meeting, the Committee discussed the following issues, objectives and project outcomes for the 2015/16 financial year:

- Position of Ben Riley made redundant with new representative for Transport NSW potentially based in Coffs Harbour.
- Participating in Seniors Week activities with stalls at Casino RSM's Richmond Valley Council-supported event, midday, Thursday, 7 April 2016.
- Potential to apply for Country Passenger Transport Infrastructure Grants Scheme to upgrade bus shelters.

Further detail may be found in the Meeting Minutes, a copy of which has been circulated separately to each Councillor.

The next formal meeting of the Transport and Infrastructure Advisory Committee will be at 10am, Tuesday, 17 May 2016, Casino Cultural and Community Centre.

The Transport and Infrastructure Advisory Committee cordially invites available Councillors to attend this meeting. Committee members are keen to work with Councillors in order to fulfil the purpose of the Committee as a Section 355 Committee and assist Council to carry out its functions.

Community Strategic Plan Links

Focus Area 3 Community and Culture - Long term Goal 3.3 Community Health and Wellbeing and Social Inclusion (Strategy 3.3.1 - Partner with the community to build social capacity and Strategy 3.3.2 - Seek to improve services for the aged, early childhood and youth, disability, disadvantaged and multicultural sectors).

Budget Implications

Advisory Committees provide feedback, specialised advice and recommendations to Council relating to their area of expertise. They may also agree to undertake projects. Where required, funds are included in project budgets.

15.2 GRANT APPLICATION INFORMATION - FEBRUARY 2016

Responsible Officer:

Ryan Gaiter (Manager Finance and Procurement)

Report

This report provides information on grant applications submitted, grants that have been approved and/or received and grant applications that were unsuccessful for the month of February 2016.

Council received funding for four grants during the period totalling \$1,138,975.25. No grant projects were approved during the period.

Unsuccessful Grant Applications

Council wasn't notified as being unsuccessful with any grants during the month of February 2016.

Grant Applications Submitted

Council didn't apply for any grants during the month of February 2016.

Grants that have been approved and/or received

Project ID	10199
Funding Body	NSW Roads and Maritime Services
Funding Name	Natural Disaster Funding
Government Level	State
Project Name	Flood Event of April-May 2015/Restoration Works
Project Value (excl GST)	\$1,606,655.00
Grant Amount (excl GST)	\$1,577,655.00
Council/Other (excl GST)	\$ 29,000.00
Date Application Submitted	17 August 2015
Comment (if required)	N/A
Date Approved/Received	\$131,000.00 received 8 February 2016
Total Funds Received To Date	\$320,000.00

Project ID	N/A
Funding Body	NSW Roads and Maritime Services
Funding Name	Regional Roads Block Grant 2015/2016
Government Level	State
Project Name	Regional Roads Block Grant 2015/2016
Project Value (excl GST)	\$856,000.00
Grant Amount (excl GST)	\$856,000.00
Council/Other (excl GST)	\$ 0.00
Date Application Submitted	N/A – Annual allocation
Comment (if required)	N/A
Date Approved/Received	\$214,000.00 received 8 February 2016
Total Funds Received To Date	\$642,000.00

Project ID	N/A
Funding Body	N/A
Funding Name	NSW Local Government Grants Commission
Government Level	2015/2016 Financial Assistance Grant
Project Name	Federal
Project Value (excl GST)	\$4,633,094.00
Grant Amount (excl GST)	\$4,633,094.00
Council/Other (excl GST)	\$ 0.00
Date Application Submitted	N/A
Comment (if required)	Approved 17 August 2015
Date Approved/Received	\$576,511.25 received 16 February 2016 (General Purpose Component \$391,036.75, Local Roads Component \$185,474.50)
Total Funds Received To Date	\$4,056,582.75

Project ID	N/A
Funding Body	Department of Infrastructure and Regional Development
Funding Name	Roads to Recovery Program
Government Level	Federal
Project Name	Roads to Recovery Program 2015-2019
Project Value (excl GST)	\$4,207,632.00
Grant Amount (excl GST)	\$4,207,632.00
Council/Other (excl GST)	\$ 0.00
Date Application Submitted	N/A – annual allocation
Comment (if required)	3 rd Instalment 2015/2016
Date Approved/Received	\$217,464.00 received 26 February 2016
Total Funds Received To Date	\$2,113,745.00

Community Strategic Plan Links

Focus Area 7 Governance and Process – Long term Goal 7.1 Generate Revenue to Fund the Operations of Council.

Budget Implications

All Council funding required regarding the grants in this report has been included in the Richmond Valley Council budget.

15.3 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 FEBRUARY 2016 TO 29 FEBRUARY 2016

Responsible Officer:

Angela Jones (Director Infrastructure and Environment)

Report

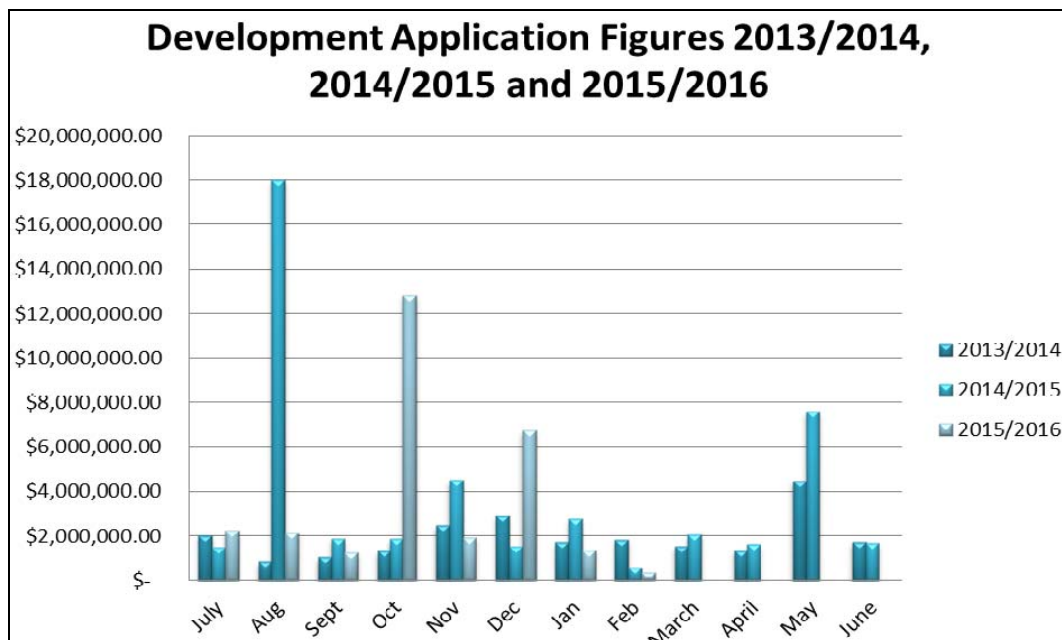
This report provides a summary of development activity on a monthly basis. All Development Applications determined in the month are outlined in this report, including Section 96 approvals, applications that are refused and withdrawn, and applications with no development value such as subdivisions.

Council receives a weekly summary of the status of applications (including all received). Council notifies all determinations of Development Applications in the local newspaper pursuant to Clause 101 of the Environmental Planning and Assessment Act 1979 (as amended) on a monthly basis.

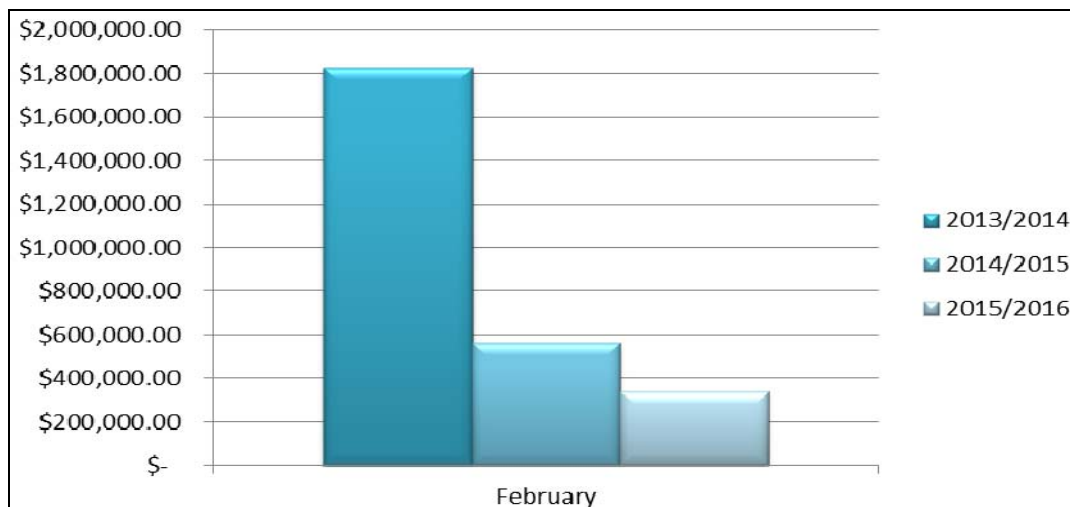
The total number of Development Applications and Complying Development Applications determined within the Local Government Area for the period 1 February to 29 February 2016 was 12, with a total value of \$338,500.00.

To ensure transparency, any Development Applications which Council officers are aware of that are directly related to Councillors are highlighted on the Summary of Development Applications included below.

In order to provide a better understanding of the value of Development Consents issued by Council over a 12 month period, a graph is set out below detailing this information.



The following graph provides a closer look at the value of Development Consents issued by Council for the reporting month of February.



Activity for the month of February

General Approvals (excluding Subdivisions, Section 96s)	8
Section 96	2
Subdivision	2
Refused	0
Withdrawn	0
Complying Development (Private Certifier Approved)	0
TOTAL	12

Community Strategic Plan Links

Focus Area 5 Rural and Urban Developments – Long Term Goal 5.1 (Strategy 5.1.1).

Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 February to 29 February 2016							
Application ID	Applicant	Owners	Location	Parcel Description	Development	Determination Date	Estimated Cost
DA2016/0107	All Steel Garages & Sheds Pty Ltd	CG Marsh ET Marsh	15 Tomki Drive, Casino	Lot 51 DP 845660	Washbay Extension and Mezzanine Floor	18/02/2016	33,000.000
DA2016/0108	Ardill Payne & Partners	Icdgi Pty Ltd	1-3 Terrace Street, Evans Head	Lot 1 Sec 36 DP 758403	Subdivision to Create 3 Residential Lots	4/02/2016	0.000
DA2016/0111	AGS Commercial Pty Ltd	GD Savins SA Savins	74 Hare Street, Casino	Lot 1 DP 39234	Shed	11/02/2016	8,000.000
DA2016/0124	James Hurford & Co Pty Ltd	James Hurford & Co Pty Ltd	3220 Bruxner Highway, Casino	Lot 6 Sec 43 DP 758236	Covered Timber Storage Area	4/02/2016	9,500.000
DA2016/0130	RL & VE Layton	Estate of Late V E Layton RL Layton	3 Teak Street, Casino	Lot 22 DP 248990	Demolition of Existing Shed & Installation of New Shed	5/02/2016	11,000.000
DA2016/0132	DG & S McAnally	DG McAnally S McAnally	115 Richmond Terrace, Coraki	Lot 3 DP 524459	Shed	17/02/2016	27,000.000
DA2016/0133	CR Pearse	CR Pearse	10 McDonald Street, Broadwater	Lot 1 DP 842106	Dwelling and Shed	11/02/2016	200,000.000
DA2013/0100.02	Casino Neighbourhood Centre Incorporated	Casino Neighbourhood Centre Incorporated	138 Canterbury Street, Casino	Lot 22 DP 828774	Change of Use - office fitout	11/02/2016	Standard 96 Fee
DA2016/0134	Richmond Valley Council	Richmond Valley Council	Summerland Way, Casino	Lot 2 DP 1091888	Subdivision to Create Two (2) Lots being Lot 1 (3.4ha) and Lot 2 (9.73ha)	23/02/2016	0.000
DA2016/0121.01	GJ Hansen & JR Slade	GJ Hansen JR Slade	66-68 Richmond Street, Woodburn	Lot 2 DP 1025101	Subdivision to Create Two (2) Lots	17/02/2016	Standard 96 Fee
DA2016/0136	Silver Sands Kiosk	Evans Head Public Recreation Reserve Trust	Park Street, Evans Head	Lot 549 DP 1091080	Demolition of Amenities Building	18/02/2016	20,000.000
DA2016/0140	GT Parry	Proprietors of SP 32399	25-31 Sunderland Street, Evans Head	Lot 8, 9 & 10 SP 41353	Retaining Wall (Masonry)	23/02/2016	30,000.000

16 QUESTIONS ON NOTICE

Nil.

17 QUESTIONS FOR NEXT MEETING (IN WRITING)

17.1 RESPONSE TO QUESTION ASKED AT THE LAST ORDINARY MEETING

A response to the Question for Next Meeting (in writing) asked at the Ordinary Meeting on 16 February 2016 is as follows:

Cr Robert Hayes asked:

Can Council prepare a report on producing and circulating to all residents a fortnightly newsletter to fully inform all residents on such matters that are relevant at the time and where previous matters are up to? Information in this newsletter could contain such things as, what is in the current Shout publication, Development Application summaries, beach reports, library news, press releases.

General Manager's response:

Refer to the report titled "Community Newsletters" provided under Agenda Item 14 Matters for Determination.

No questions were asked for next meeting.

18 MATTERS REFERRED TO CLOSED COUNCIL

Nil.

19 RESOLUTIONS OF CLOSED COUNCIL

Nil.

The Meeting closed at 6.22 pm.

CONFIRMED - 19 April 2016

CHAIRMAN