

**Richmond
Valley
Council**



**Minutes
Ordinary Meeting
Tuesday, 16 May 2017**

Table of Contents

PRESENT	1
1	ACKNOWLEDGEMENT OF COUNTRY	1
2	PRAYER	1
3	PUBLIC ACCESS AND QUESTION TIME	1
4	APOLOGIES	1
5	MAYORAL MINUTE	2
6	CONFIRMATION OF MINUTES	2
	6.1 Ordinary Meeting Minutes - Tuesday, 18 April 2017	2
7	MATTERS ARISING OUT OF THE MINUTES	2
8	DECLARATION OF INTERESTS	2
9	PETITIONS	2
10	NOTICES OF MOTION	2
11	MAYOR’S REPORT	3
	11.1 Mayor's Attendances - 11 March to 12 May 2017	3
12	DELEGATES’ REPORTS	4
	12.1 Delegates' Reports submitted to the May 2017 Ordinary Meeting	4
13	MATTERS DETERMINED WITHOUT DEBATE	9
14	MATTERS FOR DETERMINATION	9
	14.1 Quarterly Budget Review of Richmond Valley Council as at 31 March 2017	9
	14.2 Financial Analysis Report - April 2017	15
	14.3 Variation to Minimum Lot Size - DA2017/0130 - Oasis Evans Head Unit Trust.....	20
	14.4 Mayoral Allowance/Councillor Fees 2017/2018	27

15	MATTERS FOR INFORMATION.....	30
15.1	Northern Rivers Livestock Exchange (NRLX) Bi-monthly Update	31
15.2	Community Financial Assistance Program.....	33
15.3	Regional Ports Strategy - Evans Head Boat Harbour	37
15.4	NSW Local Government Grants Commission Funding Allocations.....	39
15.5	Grant Application Information - April 2017	44
15.6	Reverse Auction for Supply of Electricity for Contestable Metered Sites and Street Lighting (Unmetered).....	48
15.7	Waste and Resource Recovery Business Update	51
15.8	Development Applications determined under the Environmental Planning and Assessment Act for the period 1 April 2017 to 30 April 2017.....	57
16	QUESTIONS ON NOTICE.....	60
17	QUESTIONS FOR NEXT MEETING (IN WRITING).....	60
17A	DECLARATION OF INTERESTS.....	60
17A.1	Declaration of Interests - Ordinary Meeting 16 May 2017	60
18	MATTERS REFERRED TO CLOSED COUNCIL.....	60
18.1	Water Consumption Write-off - Property ID 118060.....	61
18.2	Review of Development Consent to waive Section 64 Contributions - Property ID 163725.....	61
19	RESOLUTIONS OF CLOSED COUNCIL.....	63

**MINUTES OF THE ORDINARY MEETING OF RICHMOND VALLEY COUNCIL,
HELD IN THE COUNCIL CHAMBERS, CNR WALKER STREET AND
GRAHAM PLACE, CASINO, ON TUESDAY, 16 MAY 2017 AT 5.05 P.M.**

PRESENT

Crs Robert Mustow (Mayor), Sam Cornish, Robert Hayes (arrived at 5.17pm), Sandra Humphrys, Jill Lyons and Steve Morrissey.

Vaughan Macdonald (General Manager), Simon Adcock (Chief Operating Officer), Angela Jones (Director Infrastructure and Environment), Ryan Gaiter (Chief Financial Officer/Manager Mid-Richmond) 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 Pastor Craig Fraser (Ariseshine Fellowship).

3 PUBLIC ACCESS AND QUESTION TIME

Nil.

4 APOLOGIES

An apology was tendered on behalf of Cr Simpson.

160517/ 1 RESOLVED (Cr Morrissey/Cr Lyons)

That such apology be accepted and leave of absence granted.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Hayes, Cr Simpson

5 MAYORAL MINUTE

Nil.

6 CONFIRMATION OF MINUTES

6.1 ORDINARY MEETING MINUTES - TUESDAY, 18 APRIL 2017

A copy of the Minutes of the Ordinary Meeting, held on Tuesday, 18 April 2017, was distributed with the Business Paper.

RECOMMENDATION

Recommended that the Minutes of the Ordinary Meeting, held on Tuesday, 18 April 2017, be taken as read and confirmed as a true record of proceedings.

160517/ 2 RESOLVED (Cr Cornish/Cr Lyons)

That the Minutes of the Ordinary Meeting, held on Tuesday, 18 April 2017, be taken as read and confirmed as a true record of proceedings.

FOR VOTE - All Council members voted unanimously.
ABSENT. DID NOT VOTE - Cr Hayes, Cr Simpson

7 MATTERS ARISING OUT OF THE MINUTES

Nil.

8 DECLARATION OF INTERESTS

Nil at this stage, however a declaration of interest was submitted by Cr Hayes following his arrival later in the meeting.

9 PETITIONS

Nil.

10 NOTICES OF MOTION

Nil.

11 MAYOR'S REPORT

11.1 MAYOR'S ATTENDANCES - 11 MARCH TO 12 MAY 2017

RECOMMENDATION

Recommended that the Mayor's Report be received and noted.

160517/ 3 RESOLVED (Cr Mustow/Cr Morrissey)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.
ABSENT. DID NOT VOTE - Cr Hayes, Cr Simpson

Report

The Mayor attends a number of meetings/functions on behalf of Council.

The following information has been provided by the Mayor in regard to recent attendances.

March 2017

- 15th Weaving the Net Coraki
- 15th Rous County Council
- 16th TAFE Awards
- 17th Community Safety Precinct Committee
- 20th Casino Preview Event of NSW Service Centre
- 21st Ordinary Meeting
- 28th Black water research project presentation - Ballina
- 29th Black water research project presentation - Lismore
- 29th Co-opera event

April 2017

- 4th Soldiers' Runnymede Settlement Trust
- 4th Resident meeting
- 4th Councillor Information Session
- 5th Archery Club discussion
- 6th Casino Public School
- 7th Opening Service NSW Casino
- 7th Photographic Exhibition - Donna Maria Colbrelli Adams

May 2017

- 2nd Casino Drill Hall onsite visit
- 2nd Councillor Information Session
- 3rd Draft CSP Community Meeting Evans Head

- 4th Accessibility, Liveability and Aged Advisory Committee meeting
- 4th Draft CSP Community Meeting Rappville
- 5th NOROC Meeting Lismore
- 6th Casino Relay for Life 2017
- 6th Woodburn Charity Ball
- 7th Casino Poultry Show
- 8th Casino Chamber of Commerce meeting
- 9th Resident meeting
- 9th Aboriginal Interagency Meeting
- 9th Draft CSP Community Meeting Broadwater
- 11th Historical Museum meeting
- 11th CWA Branch morning tea
- 11th Aboriginal Medical Centre meeting
- 11th Draft CSP Community Meeting Coraki
- 12th St Marks Mothers' Day morning tea

12 DELEGATES' REPORTS

12.1 DELEGATES' REPORTS SUBMITTED TO THE MAY 2017 ORDINARY MEETING

RECOMMENDATION

Recommended that the Delegates' Reports be received and noted.

160517/ 4 RESOLVED (Cr Humphrys/Cr Mustow)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.
ABSENT. DID NOT VOTE - Cr Hayes, Cr Simpson

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.

Rous County Council Meetings 15 March and 19 April 2017

Cr Robert Mustow and Cr Sandra Humphrys have provided the attached summaries of the main items of business for Rous County Council Meetings held on 15 March and 19 April 2017.



**Summary of main items of business for
Rous County Council meeting
15 March 2017**

1. Notice of motion – Perradenya cycle path

Council considered a notice of motion from Cr Ekins in relation to the above and agreed that a report be prepared on:

- i). The costs of constructing a cycle path from Perradenya to the Caniaba primary school.
 - ii). Negotiations with Lismore City Council on construction standards.
 - iii). Opportunities to fund the cycle path construction within the next two years.
-

2. Proposed release of easement - Skinners Shoot

Council granted approval to the release of an easement for a water pipeline 5.03 wide over Lot 2 in DP252867, Skinners Shoot. Council no longer requires the easement as the pipeline has been decommissioned as part of the upgrade of the pipelines between St. Helena and Paterson Street reservoirs.

3. Creation of easement - Dorrroughby

Council granted approval to create an easement for a water supply pipeline 15 wide at Dorrroughby. The easement is required as part of the Nightcap Water Treatment Plant tunnel and pipework upgrade.

4. Supply of contestable electricity

Council has 11 electricity accounts where the provision of electrical energy is contestable. The current contract for those sites is between Rous County Council and Origin Energy with the contract expiring on 31 December 2017.

Regional Procurement Initiative, a division of Strategic Services Australia, has again offered to organise a reverse auction on Council's behalf with that auction being conducted by EnergyAction, an independent energy management company. The procurement of the supply of contestable electrical energy by reverse auction allows Council the opportunity to obtain competitive supply rates by utilising an established e-commerce process. It is expected that the process will result in favourable supply rates without undue risk to Council.

Council has agreed that Regional Procurement Initiative be engaged to organise a reverse auction for the supply of contestable electricity energy to Rous County Council with a report be provided to the April 2017 Council meeting setting out an evaluation of the quotes received through the reverse auction process and a recommendation provided to let the subject contract to the preferred tenderer.

RCC Council meeting summary 15 March 2017

5. Policies

- i). Public exhibition of proposed policy: Payment of expense and provision of facilities for chairperson and councillors

Council will undertake a period of public consultation in relation to the proposed policy with submissions closing 13 April 2017.

- ii). Revised Investment policy

Following the merger of Richmond River County Council and Far North Coast County Council with Rous County Council (RCC), a review of RCC's 'Investments' policy has been undertaken. The revised policy proposes to change the maximum amount to be invested with a single rated Authorised Deposit-taking Institution (ADI) from the existing fixed dollar amount (\$2M) to a percentage of total investment portfolio.

6. Information reports

- i). Investments - February 2017

This report outlined all of Council's investments and borrowings for February 2017. As at 31 February 2017, investments totalled \$30,933,239 which is an increase of \$1,417,800 compared to the January 2017 figure.

The weighted average return on funds invested for the month of February was 2.57% (a decrease of 7 basis points on the January 2017 result of 2.64%).

- ii). Water production and usage - February 2017

Total consumption by constituent councils has increased when compared to the same period last year. Low rainfall for February 2017 has seen a total source production regularly above 35ML during the reporting period.

Daily source usage during February 2017 averaged 36.317ML. This is increase from the January 2017 daily average of 32.555ML.

Rocky Creek Dam received 79mm of rainfall in February 2017. At the time of the report Rocky Creek Dam was below full capacity at 85.64%.

7. Risk and Audit Committee

Council adopted the minutes of the internal Risk and Audit Committee for its meeting of 14 February 2017, which provides an update on recent operations of the Committee and on progress of completion with action items.

For a copy of the draft minutes for this meeting and the business paper please go to Council's website www.rous.nsw.gov.au

RCC Council meeting summary 15 March 2017



**Summary of main items of business for
Rous County Council meeting
19 April 2017**

1. Supply of contestable electricity: letting of contract

Council agreed to letting of the contract for the supply of contestable electricity for the period 1 January 2018 to 31 December 2019 to ERM Power.

2. Quarterly Budget Review Statement (QBRS) as at March 2017

The result presented in the QBRS was noted and variations were authorised to the amounts from those previously estimated.

3. Policies

i). Payment of expense and provision of facilities for chairperson and councillors

Following public exhibition, Council adopted this policy as presented.

ii). Equal Employment Opportunity (EEO) policy and revocation of Bullying in the workplace and Workplace harassment policies

Council adopted the EEO policy as presented and agreed to revoke various policies as a result of that revocation.

4. Information reports

i). Investments - February 2017

This report outlined all of Council's investments and borrowings for March 2017. As at 31 March 2017, investments totalled \$30,685,944 which was a decrease of \$247,295 compared to the February 2017 figure.

The weighted average return on funds invested for the month of March was 2.62% (an increase of 5 basis points on the February 2017 result of 2.57%).

ii). Water production and usage - March 2017

Total consumption by constituent councils increased slightly when compared to the same period last year, but decreased from February 2017 due to the rainfall during the month. Daily source usage during March 2017 averaged 28.816ML. This is a decrease from the February 2017 daily average of 36.317ML.

Rocky Creek Dam received 822mm of rainfall in March and reached full capacity midway through the month. During the flood event approximately one metre of water was running over the spillway.

RCC Council meeting summary 19 April 2017

7. Perradenya estate – construction of Release 5 Stage 2 and associated matters

Council approved construction of Perradenya Release 5 Stage 2, including budget allocation and tender process; approval to proceed with obtaining a detailed civil design, relevant approvals and cost estimate for the Perradenya shared walking path/cycling track in accordance with condition 63; and noted the status of the environmental plantings.

For a copy of the draft minutes for this meeting and the business paper please go to Council's website www.rous.nsw.gov.au

13 MATTERS DETERMINED WITHOUT DEBATE

160517/ 5 RESOLVED (Cr Morrissey/Cr Humphrys)

That Item 14.2 be determined without debate.

FOR VOTE - All Council members voted unanimously.
ABSENT. DID NOT VOTE - Cr Hayes, Cr Simpson

14 MATTERS FOR DETERMINATION

14.1 QUARTERLY BUDGET REVIEW OF RICHMOND VALLEY COUNCIL AS AT 31 MARCH 2017**Responsible Officer:**

Ryan Gaiter (Chief Financial Officer / Manager Mid-Richmond)

RECOMMENDATION

Recommended that Council adopt the Quarterly Budget Review Statement as at 31 March 2017 and approve the variations thereto.

The Chief Financial Officer provided a presentation to the meeting on the 31 March 2017 Quarterly Budget Review Statement following which responses were provided to a number of questions.

Cr Hayes arrived at the meeting at this stage, the time being 5.17pm.

160517/ 6 RESOLVED (Cr Mustow/Cr Morrissey)

That the above recommendation be adopted.

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

Executive Summary

A detailed Quarterly Budget Review Statement for the third quarter of the 2016/2017 year has been circulated separately to each Councillor.

Council's projected operating surplus from continuing operations for 2016/2017 is \$3,172,414. This is a decrease from the revised budget operating surplus as at 31 December 2016 of \$4,225,324. This is mainly due to a reduction of \$750,000 in capital grants for the upgrade of the Northern Rivers Livestock Exchange (NRLX) based on a revised estimate of \$1,000,000 of works to be

completed in 2016/2017, along with the inclusion of \$525,500 in contract crushing works at Woodview Quarry. There is now a projected transfer to cash reserves of \$2,334,764, which is a reduction in reserve funding of \$3,075,114 from the revised budget as at 31 December 2016. This decrease is primarily due to a reduction in capital works budgets of \$5,362,204.

Income from continuing operations has increased by \$109,398 from the revised budget as at 31 December 2016, with total income now projected to be \$58,665,117. This is mainly due to increases of \$882,993 in sewerage private works and \$105,000 in Economic Development grants, offset by decreases of \$750,000 in NRLX capital grants and \$194,505 in Emergency Management income.

Expenses from continuing operations have increased by \$1,162,308 from the revised budget as at 31 December 2016, with total operating expenses now projected to be \$55,492,703. \$884,993 of this relates to Sewerage Private Works. A further \$525,500 is due to the inclusion of the budget for crushing of aggregates and flood blend at Woodview Quarry. These increases have been offset by reductions of \$171,865 in Emergency Management expenditure and \$160,000 in Information Technology Services expenditure.

Council's Capital Works program has decreased by \$5,362,204 to a projected total of \$15,412,576. This decrease is mainly due to a reduction of \$2,500,000 in the NRLX upgrade budget, \$1,130,820 in Waste Management capital works, \$683,757 in Roads and Transport Services and \$520,650 in Sports Grounds, Parks and Reserves budgets. A number of these reductions are due to works not being completed during 2016/2017 and these projects have subsequently been included in the Draft 2017/2018 Operational Plan Financial Estimates.

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 budget review for the third quarter of the 2016/2017 financial year has seen Council's operating surplus from continuing operations decrease to a projected surplus of \$3,172,414. This is a decrease of \$1,052,910 from the revised budget as at 31 December 2016 of \$4,225,324. This is partly due to a decrease of \$750,000 in capital grants associated with the upgrade of the NRLX based on estimated works of \$1,000,000 being completed by 30 June 2017. In addition, the operating expenditure budget has increased by \$525,500 due to the approved tender for crushing of aggregates and flood blend at Woodview Quarry.

Council's estimated budget result (unrestricted cash result) has decreased slightly, from \$124,825 to a projected surplus of \$100,005. This is mainly due to

a net increase of \$22,640 in costs of the Emergency Management program. This is due to the New South Wales Rural Fire Service (NSW RFS) revising their methodology for calculating statutory contributions which are now based on a 20 year average of funding allocations. Previously, statutory contributions were linked to a percentage of the allocated budget on a year to year basis, including capital works. As a result, statutory contributions were subject to significant fluctuations but will now be a fixed amount, subject to CPI increases only. In the 2016/2017 financial year, this has resulted in a net increase in cost of \$22,640.

In overall cash terms, there is now an estimated increase in cash of \$2,434,769 for the 2016/2017 financial year. This has improved from a projected decrease of \$615,525 in the revised budget as at 31 December 2016. This improvement is predominately due to a reduction in capital works of \$5,362,204.

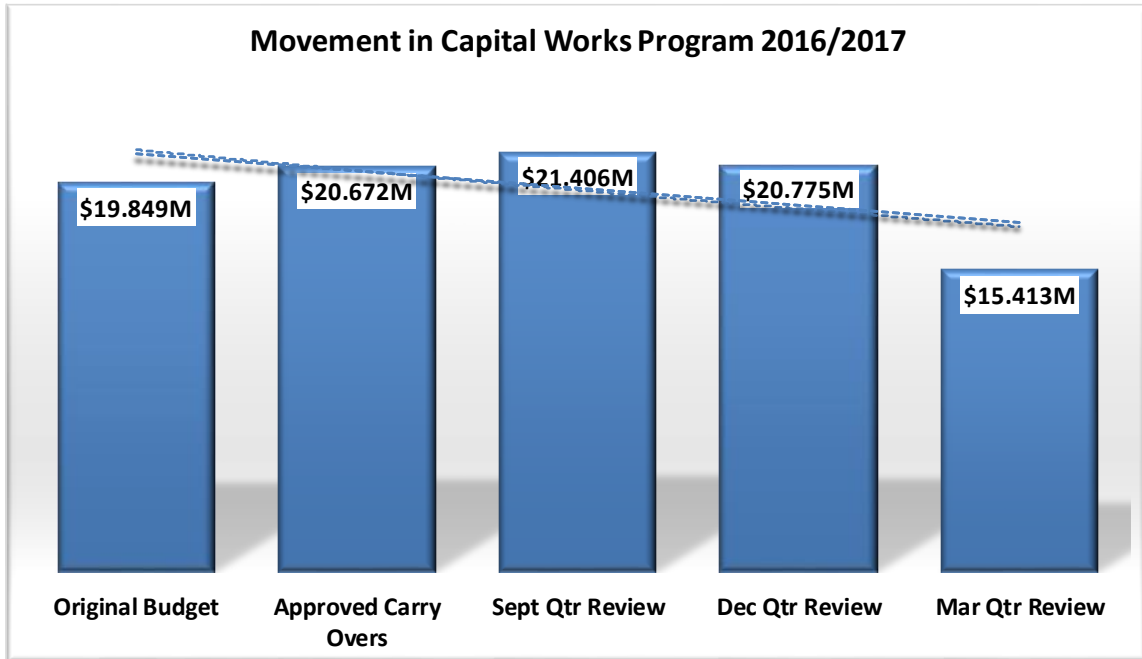
Income from continuing operations has increased by \$109,398 from the revised budget as at 31 December 2016, with total income now projected to be \$58,665,117. This is partially due to an increase of \$882,993 in private works income associated with the relocation of sewerage rising mains at Woodburn and Broadwater as part of the Pacific Highway upgrade. Offsetting this increase, is a reduction of \$750,000 in capital grants associated with the NRLX upgrade based on the estimated level of works to be completed in the 2016/2017 financial year as being \$1,000,000. All recommended changes for Council resolution of \$109,398 are disclosed by Focus Area on page 4 of the Quarterly Budget Review Statement and detailed explanations are provided on pages 9-12.

Expenses from continuing operations have increased by \$1,162,308 from the revised budget as at 31 December 2016, with total operating expenses now projected to be \$55,492,703. \$884,993 of this relates to Council undertaking private works associated with the relocation of sewerage rising mains at Woodburn and Broadwater as part of the Pacific Highway upgrade. A further \$525,500 relates to the contract for crushing of aggregates and flood blend at Woodview Quarry, with the tender being accepted by Council at its Ordinary Meeting 21 February 2017. These increases have been offset by a reduction of \$171,865 in Emergency Management expenditure which is attributable to the revised methodology used by the NSW RFS in determining the statutory contributions payable by NSW Councils. There has also been a reduction of \$160,000 in Information Technology Services expenditure which has been carried forward to 2017/2018 to complete the upgrade of Council's electronic records management system. All recommended changes for Council resolution of \$1,162,308 are disclosed by Focus Area on page 5 of the Quarterly Budget Review Statement and detailed explanations are provided on pages 9-12.

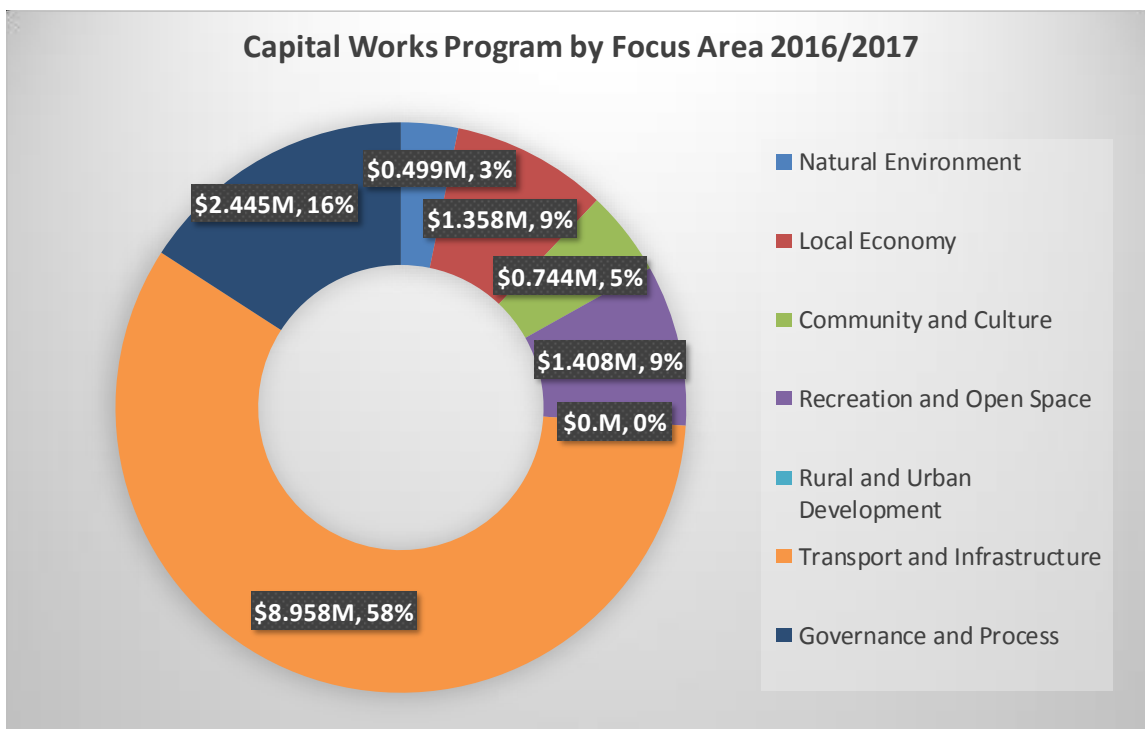
Council's Capital Works program has decreased by \$5,362,204 to a projected total of \$15,412,576. This decrease is mainly due to a reduction in the NRLX upgrade budget of \$2,500,000, with an amount of \$1,000,000 projected to be complete by 30 June 2017. Other significant reductions in capital works budgets include \$1,130,820 in Waste Management, \$683,757 in Roads and Transport Services, \$520,650 in Sports Grounds, Parks and Reserves, \$343,116 in Water Supplies and \$121,874 in Stormwater Drainage. A number of projects that have been removed have been included in the Draft 2017/2018 Operational Plan Financial Estimates however, some projects will need further adjustments as part of Council's budget submissions prior to final adoption of the 2017/2018 Budget

at its Ordinary Meeting 27 June 2017. All recommended changes to the capital works program are disclosed by Focus Area on page 6 of Council's Quarterly Budget Review Statement and detailed explanations are provided on pages 9-12.

The following graph tracks the movement in Council's Capital Works program for 2016/2017 from the original budget, after the adoption of approved carry over works and other approved changes up to the March Quarterly Budget Review.



The following graph provides a summary of the capital works program by Focus Area:



Council's projected budget position and recommended changes for Council resolution are summarised in the table below with detailed explanations contained in the attachment to the Business Paper:

Quarterly Budget Review Statement for the quarter ended 31 March 2017	Revised Budget 31-Dec-16	Recommended Changes for Council Resolution	Projected Year End Result 2016/2017
Income from Continuing Operations	58,555,719	109,398	58,665,117
Expenses from Continuing Operations	54,330,395	1,162,308	55,492,703
Operating Result from Continuing Operations	4,225,324	(1,052,910)	3,172,414
Operating Result before Capital Income	(1,882,377)	(313,062)	(2,195,439)
Add: Non-Cash Expenses	12,747,045	0	12,747,045
Add: Non-Operating Funds Employed	5,037,300	(1,259,000)	3,778,300
Less: Capital Expenditure	20,774,780	(5,362,204)	15,412,576
Less: Loan Repayments	1,850,414	0	1,850,414
Estimated Funding Result – Surplus/(Deficit)	(615,525)	3,050,294	2,434,769
Restricted Funds – Increase/(Decrease)	(740,350)	3,075,114	2,334,764
Unrestricted Funds – Increase/(Decrease)	124,825	(24,820)	100,005

Pages 9 to 12 of the attached Quarterly Budget Review Statement contain the budget variation explanations. A summary of the main contributing factors within each Focus Area is as follows:

Natural Environment

- Decrease in Waste Management capital works budget of \$1,130,820. This includes a reduction of \$520,000 for Bora Ridge cell capping and \$86,000 for the Bora Ridge Transfer Station (both carried forward to 2017/2018), as well as reduction at Nammoona Landfill of \$181,320 for Cell 6 planning and preparation (carried forward to 2017/2018) as well as reductions of \$260,000 for cell capping and \$80,000 for capping plans at Nammoona.

Local Economy

- Increase in Economic Development income of \$105,000 due to Future Towns Programs grants for Casino and Coraki (\$50,000 each) and \$5,000 for Back to Business Week programs.
- Reduction in NRLX capital works budget of \$2,500,000, with an estimated \$1,000,000 to be spent on the upgrade by 30 June 2017.
- Reduction of \$750,000 in NRLX capital grant associated with the reduction in capital works.

Community and Culture

- Emergency Management program decreased income of \$194,505, offset by reduction in operating expenditure of \$171,865 which is due to the revised methodology used by the NSW RFS for calculating statutory contributions payable by NSW Councils.

Recreation and Open Space

- Increase in income of \$30,152 being a capital grant of \$15,000 towards Woodburn Oval playground upgrade works and \$15,152 in capital contributions from the Casino Soccer Club towards light pole replacements.
- Reduction of \$520,650 in capital works. This is mainly due to the carry forward of \$550,000 to 2017/2018 for the Casino Drill Hall and Riverside Precinct project, offset by increases in other capital projects.

Rural and Urban Development

No significant changes recommended.

Transport and Infrastructure

- Decrease of \$121,874 in Stormwater Drainage capital works budgets.
- Decrease of \$683,757 in Roads and Transport Services capital works budgets, mainly due to the carry forward to 2017/2018 of \$200,000 for Spring Grove Road and \$320,000 for Manifold Road rehabilitation works.
- Increase in operating income and expenditure of \$884,993 due to Council undertaking private works involving the relocation of sewerage rising mains at Woodburn and Broadwater as part of the Pacific Highway upgrade.
- Reduction of \$343,116 in Water Supplies capital works budgets, mainly due to carry forward to 2017/2018 of \$182,040 in water main replacement works as well as savings of \$160,000 in the Jabour Weir Fishway project.
- Increase in operating expenditure of \$525,500 due to contract for crushing of aggregates and flood blend at Woodview Quarry.

Governance and Process

- Reduction in Information Technology Services operating expenditure budget of \$160,000 to be carried forward to 2017/2018 to enable completion of the upgrade of Council's electronic records management system.

Conclusion

As at the end of the third quarter Council's projected financial position at year end remains satisfactory. The estimated budget result (unrestricted cash result) has decreased slightly but is still projected to finish the year with a surplus of \$100,005. The cash position is projected to be strong at the end of the 2016/2017 financial year, with the improvement due to a significant reduction in the capital works program. A number of projects that have been removed are included in the Draft 2017/2018 Operational Plan Financial Estimates, however some projects will need further adjustments as part of Council's budget submissions prior to final adoption of the 2017/2018 Budget at its Ordinary Meeting 27 June 2017.

Note: A copy of the adopted Quarterly Budget Review Statement as at 31 March 2017 was attached to the archived Minutes of this Meeting.

14.2 FINANCIAL ANALYSIS REPORT - APRIL 2017**Responsible Officer:**

Ryan Gaiter (Chief Financial Officer/Manager Mid-Richmond)

RECOMMENDATION

Recommended that Council adopt the Financial Analysis Report detailing investment performance for the month of April 2017.

160517/ 7 RESOLVED (Cr Morrissey/Cr Humphrys)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Hayes, Cr Simpson

(Note: This item was determined in "Matters Determined without Debate" prior to Cr Hayes' arrival at the meeting.)

Executive Summary

The Financial Analysis Report gives an overview 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's investment balance as at 30 April 2017 is shown below:

Period	Investment Portfolio
30 April 2017	\$31,538,526.88

The rate of return on Council's investments for April 2017 was 2.48% which is above the 90 Day Bank Bill Index of 1.75%.

Community Strategic Plan Links

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

Budget Implications

As at 30 April 2017, Council had earned \$292,245.24 in interest and \$334,104.37 in fair value gains for total investment revenue of \$626,349.61 against a budget of \$878,540.00 (which equates to 71.29%).

Report

The Financial Analysis Report aims to disclose information regarding Council's investment portfolio in accordance with the *Local Government Act 1993* (Section 625), *Local Government (General) Regulations 2005* (Clause 212) and Council's Investment Policy.

This report includes the provision of Fair Value for all of 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 Reserve Bank of Australia left the cash rate unchanged at its April 2017 meeting therefore the cash rate in Australia remained at 1.50% per annum as at 30 April 2017.

Council's cash and term deposit investment portfolio has maturity dates ranging from same day up to 181 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 does give investment preference to financial institutions which do not support the fossil fuel industry, if the investment rate quoted is equal to or greater than the most beneficial rate quoted for that investment. Council had a term deposit portfolio of \$12,000,000.00 representing 38.05% of the total portfolio as at 30 April 2017. Council made one new term deposits for the period which was with Beyond Bank which doesn't support the fossil fuel industry. This term deposit was chosen as it offered the highest available return after diversification principles were applied. Two term deposits matured within the period and all investments are in accordance with Council's Investment Policy.

Average interest rates available for investments decreased from March 2017 to April 2017 from 2.60% to 2.48%.

Council had \$16,000,000 in longer term investments being the Cash Facility Trusts with NSW Treasury Corporation as at 30 April 2017. The investment value as at 30 April 2017 is shown below:

Period	Hourglass Cash Facility Trust	Hourglass Strategic Cash Facility Trust
As at 30 April 2017	\$8,312,119.08	\$8,331,587.14

The value of Council's Investment Portfolio as at 30 April 2017 as well as our General Bank Accounts and Trust Funds is shown below:

Period	Investment Portfolio	Face Value	General Bank Accounts	Trust Funds
30 April 2017	\$31,538,526.88	\$30,894,820.66	\$994,908.43	\$120,994.55

Council staff continually look for ways to increase and improve Council's investment performance, both on a returns basis and in the way of environmentally and socially responsible investments.

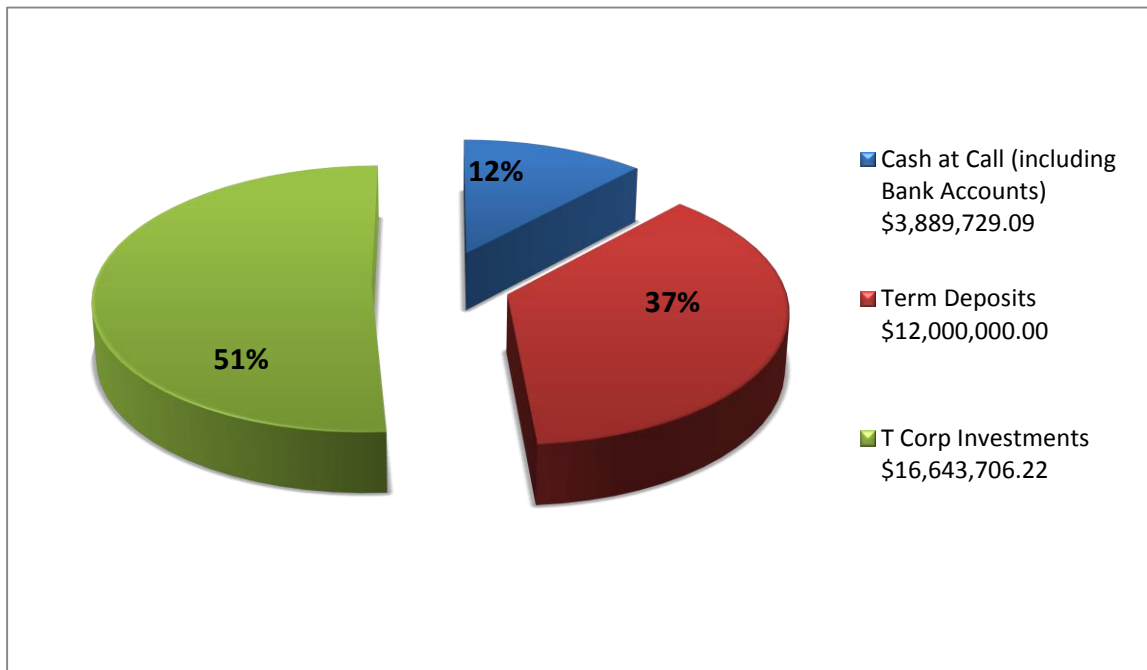
Conclusion

Interest rates on investments have decreased marginally. 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 invested with New South Wales Treasury Corporation in the Hourglass Cash Facility Trust and Hourglass Strategic Cash Facility Trust with the aim of achieving higher returns.

Further information has been included in this report below providing an in-depth breakdown of Council's performance.

The following graph shows a breakup of Council's investment portfolio as at 30 April 2017:



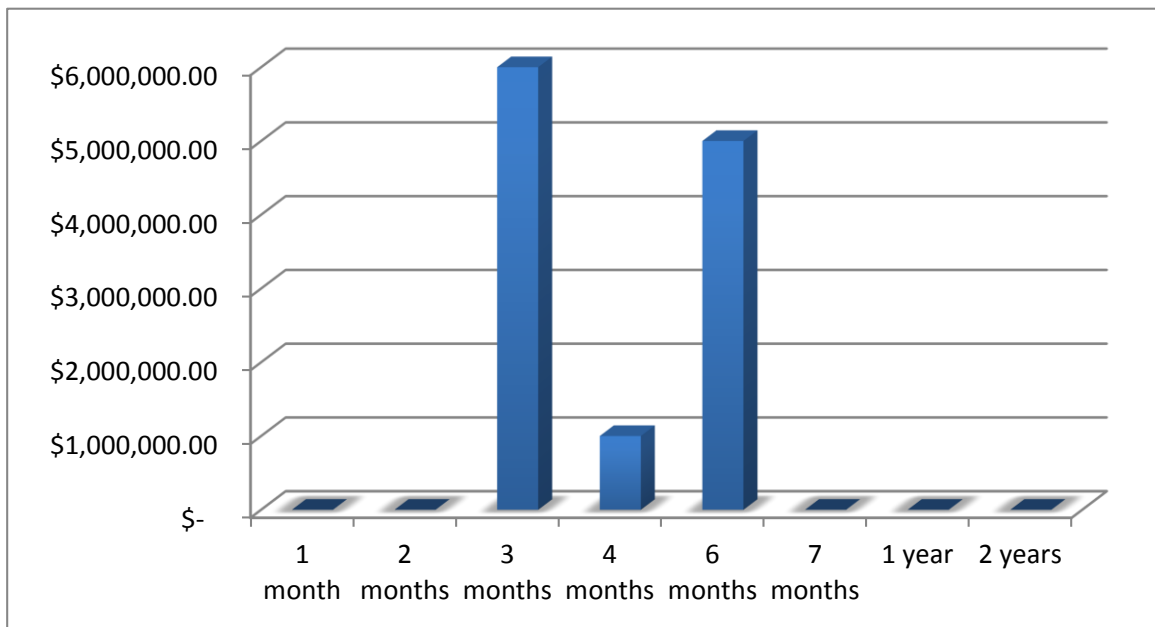
Council made one new term deposit during the month of April 2017 as shown in the following table:

Financial Institution	Investment Amounts (\$)	Maturity Date	Investment Rate per annum (%)	Days Invested
Beyond Bank	1,000,000.00	6/07/2017	2.67	90

Total term deposit maturities during the month of April 2017 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 (\$)
Beyond Bank	1,000,000.00	3/04/2017	2.65	6,657.54
Members Equity Bank	1,000,000.00	4/04/2017	2.78	9,139.73

The following graph shows the length of time of Council's term deposit maturities as at 30 April 2017:



RICHMOND VALLEY COUNCIL FINANCIAL ANALYSIS REPORT AT 30 APRIL 2017													
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
Cash at Call													
CBA Business Online Saver	Commonwealth Bank	At Call	A1+/AA	At Call	Variable		Monthly	0.05%	N/A	2,894,820.66	30/04/2017	9.18%	No
Total Cash at Call										2,894,820.66		9.18%	
Term Deposits													
Term Deposit	Bank of QLD	Term Deposit	A2/BBB	9/11/2016	9/05/2017	Fixed for Term	Maturity	0.23%	N/A	1,000,000.00	30/04/2017	3.17%	Part
Term Deposit	Auswide Bank	Term Deposit	A2/BBB	29/11/2016	29/05/2017	Fixed for Term	Maturity	0.24%	N/A	1,000,000.00	30/04/2017	3.17%	Part
Term Deposit	Auswide Bank	Term Deposit	A2/BBB	1/12/2016	31/05/2017	Fixed for Term	Maturity	0.24%	N/A	1,000,000.00	30/04/2017	3.17%	Part
Term Deposit	Members Equity	Term Deposit	A2/BBB+	5/01/2017	5/05/2017	Fixed for Term	Maturity	0.23%	N/A	1,000,000.00	30/04/2017	3.17%	Part
Term Deposit	Beyond Bank	Term Deposit	A2/BBB+	27/02/2017	29/05/2017	Fixed for Term	Maturity	0.22%	N/A	1,000,000.00	30/04/2017	3.17%	Part
Term Deposit	National Australia Bank	Term Deposit	A1+/AA-	27/02/2017	29/05/2017	Fixed for Term	Maturity	0.21%	N/A	1,000,000.00	30/04/2017	3.17%	Part
Term Deposit	AMP Ltd	Term Deposit	A1/A+	1/03/2017	29/08/2017	Fixed for Term	Maturity	0.23%	N/A	1,000,000.00	30/04/2017	3.17%	Part
Term Deposit	National Australia Bank	Term Deposit	A1+/AA-	2/03/2017	1/06/2017	Fixed for Term	Maturity	0.21%	N/A	1,000,000.00	30/04/2017	3.17%	Part
Term Deposit	Westpac	Term Deposit	A1+/AA-	6/03/2017	5/06/2017	Fixed for Term	Maturity	0.22%	N/A	1,000,000.00	30/04/2017	3.17%	Part
Term Deposit	Westpac	Term Deposit	A1+/AA-	13/03/2017	12/06/2017	Fixed for Term	Maturity	0.23%	N/A	1,000,000.00	30/04/2017	3.17%	Part
Term Deposit	AMP Ltd	Term Deposit	A1/A+	16/03/2017	13/09/2017	Fixed for Term	Maturity	0.23%	N/A	1,000,000.00	30/04/2017	3.17%	Part
Term Deposit	Beyond Bank	Term Deposit	A2/BBB+	3/04/2017	6/07/2017	Fixed for Term	Maturity	0.22%	N/A	1,000,000.00	30/04/2017	3.17%	Part
Total Term Deposits										12,000,000.00		38.05%	
Fixed Interest Securities													
Total Fixed Interest Securities										0.00	0.00		
NSW Treasury Corporation Hourglass Investments													
Cash Facility Trust	NSW Treasury Corporation	Trust		Various	N/A		Monthly	0.17%	8,000,000.00	8,312,119.08	30/04/2017	26.36%	
Strategic Cash Facility Trust	NSW Treasury Corporation	Trust		Various	N/A		Monthly	0.17%	8,000,000.00	8,331,587.14	30/04/2017	26.42%	
Total Fixed Interest Securities										16,000,000.00	16,643,706.22		52.77%
Total Investment Portfolio at Face Value									30,894,820.66				
Total Investment Portfolio at Fair Value										31,538,526.88			
Overall Average Interest Rate for month - Portfolio											0.21%		
Total Bank Account Portfolio										1,115,902.98			
Total Portfolio										32,654,429.86			

Bank Accounts	
Account Name	Balance \$ 30-Apr-17
General Fund Bank Account	982,621.24
Trust Fund Bank Account	120,994.55
NAB Cheque Account	-20.00
Evans Head Memorial Areodrome Fund	12,307.19
Total	1,115,902.98

14.3 VARIATION TO MINIMUM LOT SIZE - DA2017/0130 - OASIS EVANS HEAD UNIT TRUST**Responsible Officer:**Andrew Hanna (Manager Development and Environment)

RECOMMENDATION

Recommended that the written request, received with DA2017/0130, for a variation to the 9 hectare minimum lot size be supported pursuant to clause 4.6 of the *Richmond Valley Local Environmental Plan 2012*.

160517/ 8 RESOLVED (Cr Morrissey/Cr Hayes)

That the above recommendation be adopted.

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

Executive Summary

Oasis Evans Head Unit Trust has lodged a Development Application (DA2017/0130) with Council for a four lot subdivision at 17 Memorial Airport Drive being Lot 1 DP1193927.

The purpose of the subdivision is to facilitate the staged purchase of the site to enable the development of the 20 Torrens title allotments approved on the site under DA2011/0223 and the Manufactured Home Estate currently being assessed by Council. The proposed lots vary in size from 1.469 hectares to 3.360 hectares. Clause 4.1 of the *Richmond Valley Local Environmental Plan 2012* (LEP) designates a 9 hectare minimum lot size for the land.

The division of the site into separate lots will be temporary and will not involve any works on the site. Upon completion of the staged development of the Manufactured Home Estate under DA 2017/0054, proposed Lots 1, 2 and 3 will be consolidated back into a single allotment.

The applicant has requested, pursuant to *clause 4.6 of the LEP*, a variation to the minimum lot size to permit the temporary proposed lots.

The purpose of this report is to provide commentary and seek the concurrence of Council to approve the variation request whilst the application is being assessed by Council officers. This will facilitate the assessment process and assist in reducing assessment timeframes.

Community Strategic Plan Links

- Focus Area 5 Rural and Urban Developments - Strategy 5.1.2 Ensure planning controls for development deliver high-quality urban design which reflects and encourages appropriately scaled development in our towns and villages
- Focus Area 5 Rural and Urban Developments - Long Term Goal 5.2 Establish simpler, easier development processes (Strategy 5.2.3).

Budget Implications

Nil.

Report

The subject site is legally described as Lot 1 in DP 1193927 and more commonly referred to as 17 Memorial Airport Drive, Evans Head. The site has a total area of 9.553 hectares and is currently a vacant site (see Figure 1). The site is zoned R1 – General Residential pursuant to the *Richmond Valley Local Environmental Plan 2012*.

Figure 1- Site Plan showing existing structures on site.



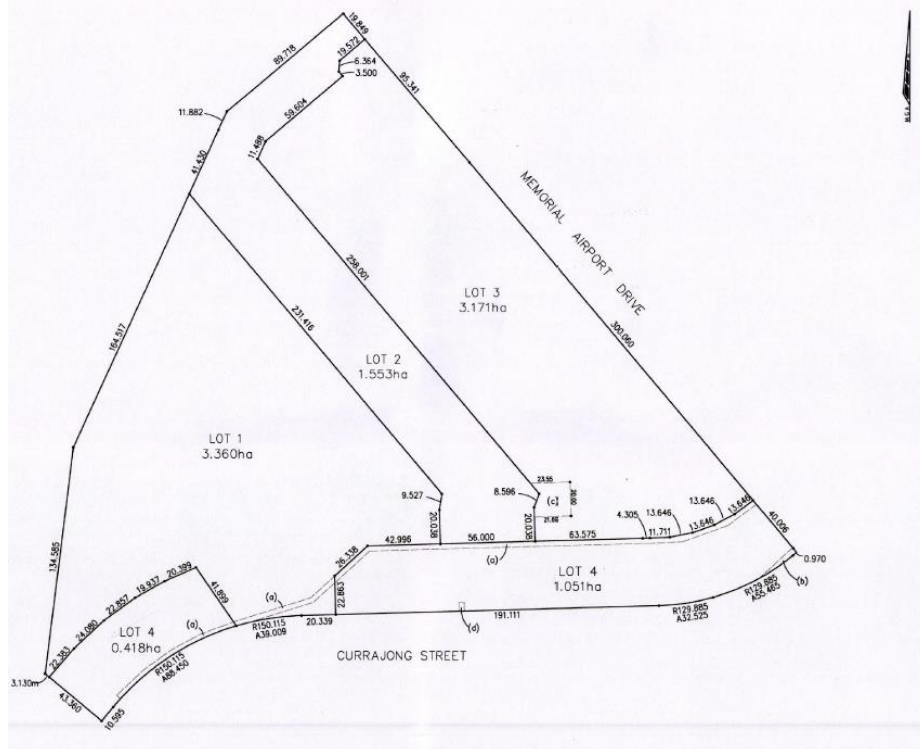
The proposal seeks to create four (4) allotments as follows:

- Lot 1 – 3.360ha
- Lot 2 – 1.553ha
- Lot 3 – 3.171ha
- Lot 4 – 1.469ha

Upon completion of the staged development of the Manufactured Home Estate proposed under DA2017/0054, proposed lots, 1, 2 and 3 will be consolidated back into a single allotment consisting of 8.084ha. Proposed Lot 4 would be further subdivided into 20 residential allotments as part of development consent DA2011/0223. The net result being the creation of no additional allotments under this development consent.

No building work is proposed as part of this subdivision application. All building works on the site will be constructed in accordance with the requirements of DA2011/0223 and DA2017/0054.

Figure 2 – Plan Showing Proposed Lot Configuration



Minimum Lot Size Restrictions

The *Richmond Valley LEP 2012* contains *Clause 4.1 Minimum Subdivision Lot Size* and a *Lot Size Map*. These provisions restrict the subdivision of this land unless the lots created have a minimum lot size of 9 hectares.

4.1 Minimum subdivision lot size

- (1) *The objectives of this clause are as follows:*
 - (a) *to ensure that lot sizes have a practical and efficient layout to meet their intended use,*
 - (b) *to prevent the fragmentation of rural lands.*
- (2) *This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.*
- (3) *The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.*
- (4) *This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.*
 - (4A) *Despite subclause (3):*

- (a) *land within Zone RU5 Village may be subdivided to create lots of at least 600 square metres, but only if the consent authority is satisfied that each lot is, or will be, serviced by a water reticulation system and sewerage system, and*
- (b) *development consent may be granted to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land, but only where that lot comprises the entire residue of a subdivision under clause 4.2 or 4.2A.*

As can be seen in Figure 2, each of the proposed lots do not comply with the minimum lot size of 9 hectares. Despite this, the proposed lots comply with the objectives of *Clause 4.1* as the lot configuration has been designed in accordance with the intended use of the land. Proposed Lot 4 has been designed to accommodate the 20 Torrens Title residential allotments fronting Currajong Street. Proposed Lots 1, 2 and 3 have been configured to align with the construction stages of the Manufactured Home Estate that is currently going through the assessment process in a separate Development Application (2017/0054).

Variations to Development Standards

Clause 4.6 of the LEP provides a relative degree of flexibility by allowing certain development standards to be varied if the circumstances of the case demonstrate that compliance to be unreasonable or unnecessary; there are sufficient environmental planning grounds to justify contravention; and the variation would be consistent with the objectives of the standard.

The concurrence of the Director-General of the Department of Planning and Environment is required prior to consenting to the Development Application. Notwithstanding, the Director has notified Councils that they may assume concurrence subject to the requirements contained within *Planning Circular PS08-003 Variations to Development Standards* and *Planning Circular PS08-014 Reporting Variations to Development Standards*. These Circulars and assumed concurrence are further discussed later in this report.

4.6 Exceptions to development standards

- (1) *The objectives of this clause are as follows:*
 - (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
 - (b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*
- (2) *Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*
- (3) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
 - (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*
- (4) *Development consent must not be granted for development that contravenes a development standard unless:*
 - (a) *the consent authority is satisfied that:*

- (i) *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
- (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
- (b) *the concurrence of the Director-General has been obtained.*
- (5) *In deciding whether to grant concurrence, the Director-General must consider:*
 - (a) *whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*
 - (b) *the public benefit of maintaining the development standard, and*
 - (c) *any other matters required to be taken into consideration by the Director-General before granting concurrence.*
- (6) *Not relevant to this application.*
- (7) *After determining a Development Application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).*
- (8) *This clause does not allow development consent to be granted for development that would contravene any of the following:*
 - (a) *a development standard for complying development,*
 - (b) *a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,*
 - (c) *clause 5.4,*
 - (ca) *clause 6.1.*

Assumed Concurrence of the Director-General

Planning Circular PS08-003 Variations to Development Standards, issued on 9 May 2008, contains notification to Councils of which arrangements for the Director-General's concurrence can be assumed in respect of any environmental planning instrument that adopts *clause 4.6 of the Standard Instrument LEP*. This assumed concurrence is conditional upon reporting all such variations, made under *clause 4.6*, to the Department on a quarterly basis.

Further requirements to those in PS08-003 were distributed in *Planning Circular PS08-014 Reporting Variations to Development Standards*, issued on 14 November 2008. They require Councils to keep a public register of all Development Applications granted variations, with a report of those applications to go to each Council meeting. They also require that variations greater than 10% shall be determined by full Council. It is the latter requirement that has prompted the preparation of this report.

Clause 4.6 Request to vary the Minimum Lot Size.

As reported above, a request has been received with DA2017/0130 to vary the 9 hectare minimum lot size required for the site.

The request is to allow for lots to be created ranging in size from 1.469 hectares to 3.360 hectares. This represents a variation from the development standard of

between 62% and 83%. As the variations exceed 10%, the variations must be determined by the full Council if the Director's assumed concurrence is to be utilised.

Consideration of the Variation Request

Having regard to the variation request and the provisions of *clause 4.6*, the following comments are made:

1. ***Is Clause 4.1 Minimum Subdivision Lot Size excluded from the operation of clause 4.6?*** – No. The only exclusions are for complying development standards, standards from the BASIX SEPP, standards within Clause 5.4 Controls relating to miscellaneous permissible uses, and standards within Clause 6.1 Acid Sulfate Soils.
2. ***Has a written request been received from the applicant seeking to justify the contravention by demonstrating compliance with the development standard is unreasonable or unnecessary, and there are sufficient planning grounds to justify the contravention?*** – Yes. A written request and justification to vary Clause 4.1 was included in Appendix B of the Statement of Environmental effects lodged with the Development Application.
3. ***Has the written request been considered by the consent authority?*** – Yes. This report has been written expressly to consider the variation and assess whether it should be supported and granted Director-General's concurrence under assumed delegation per Planning Circular PS08-003.
4. ***Is compliance with the minimum lot size development standard unreasonable or unnecessary in the circumstances of the case?*** – Yes. The proposed lots are a temporary measure to allow the staged purchase and efficient, economic release of the land. Once construction of all approved buildings on the land is completed, Lots 1, 2 and 3 will be consolidated back into a single allotment.

Furthermore, the objectives of clause 4.1 provide that the minimum lot size restrictions are to ensure that lot sizes have a practical and efficient layout to meet their intended use. The proposal will not change the intended use of the land.

5. ***Are there sufficient environmental planning grounds to justify the minimum lot size contravention?*** – Yes. The subdivision will not affect the approved and proposed building works on the site, but rather has been designed to facilitate the development of the site in appropriate stages. The proposal is considered to have minimal environmental impacts as it does not involve any physical works. The provision of services (such as sewerage, stormwater and water supply) has been included in separate Development Applications for the Torrens Title lots and the manufactured home estate.

6. ***Is the Applicant's written request adequate?*** – Yes.
7. ***Is the proposed development in the public interest because it is consistent with the objectives of the particular standard and the objectives for development in the zone in which it is proposed?*** – Yes.
The objectives of Clause 4.1 Minimum Subdivision Lot Size are to ensure that lot sizes have a practical and efficient layout to meet their intended use, and to prevent the fragmentation of rural lands. The proposed subdivision has been designed in accordance with the intended use of the site. Furthermore, the site is zoned for residential purposes in the Evans Head village area and therefore will not result in the fragmentation of rural lands.
- The land is contained within Zone R1 General Residential. The zone objectives are to provide for the housing needs of the community; to provide for a variety of housing types and densities; to enable other land uses that provide facilities or services to meet the day to day needs of residents; to ensure that housing densities are generally concentrated in locations accessible to public transport, employment, services and facilities and to minimise conflict between land uses within the zone and within adjoining zones. The proposal is consistent with these objectives.
8. ***Has the Director concurred with the variation?*** – No, however, Planning Circular PS08-003 grants all Councils assumed concurrence to determine variations under clause 4.6, subject to requirements. These require a variation greater than 10% be determined by full Council, which is the purpose of this report. They also require, reporting of all variations on a quarterly basis, and the keeping of a public register of development granted variations. Council's development register is compliant with this requirement and a quarterly report is issued to the Department.

Consultation

DA2017/0130 was required to be advertised and notified and was on public exhibition from 11 January 2017 to 10 February 2017. One submission has been received regarding this application. This submission was not an objection to the proposed subdivision but was notifying Council of noise generating activities generated by their business activities in the adjacent industrial estate that should be considered in the assessment of the application.

The application is an Integrated Development pursuant to *Section 91 of the Environmental Planning and Assessment Act 1979*. The application has been referred the Heritage Division of the Office of Environment and Heritage (OEH) and the NSW Rural Fire Service (RFS). Council received general terms of approval from the RFS on 8 February 2017. Council are awaiting general terms of approval from OEH.

Determination of the application has not yet been completed and the application is currently being assessed by Council officers pending the granting of OEH's general terms of approval. Notwithstanding, this report only addresses whether

a variation to the minimum lot size should be supported and does not pre-empt whether the Development Application will be granted consent. The purpose of the report is to expedite the assessment process to enable the procedure to vary the minimum lot size to proceed concurrently with the development assessment process.

Conclusion

DA2017/0130 proposes to subdivide Lot 1 DP 1193927 into four lots to permit the staged purchase of the subject site. Each of the proposed lots do not comply with the minimum lot size of 9 hectares established by Clause 4.1 of the *Richmond Valley Local Environmental Plan 2012*. A written request has been submitted by the applicant (under *clause 4.6 of the LEP*) that seeks a variation to the minimum lot size to permit the proposed lots. The request appears to be satisfactory given that the division of the site into separate lots will be temporary and will not involve any works on the site. Upon completion of the staged development of the Manufactured Home Estate under DA 2017/0054, proposed Lots 1, 2 and 3 will be consolidated back into a single allotment.

Because the variation request exceeds 10% it must be determined by full Council, if the Director's concurrence is to be assumed. If Council resolves to support the variation, the application can continue to be processed under *Section 79C of the EP&A Act* and determined under delegation.

14.4 MAYORAL ALLOWANCE/COUNCILLOR FEES 2017/2018

Responsible Officer:

Ryan Gaiter (Chief Financial Officer / Manager Mid-Richmond)

RECOMMENDATION

Recommended that:

1. Council set the Mayoral Allowance for the 2017/2018 financial year effective from 1 July 2017 at \$42,120.00 per annum or \$3,510.00 per month, being the maximum remuneration allowable for a Regional Rural Council.
2. Council set the Councillor Fee for the 2017/2018 financial year effective from 1 July 2017 at \$19,310.00 per annum or \$1,609.16 per month, being the maximum remuneration allowable for a Regional Rural Council.

160517/ 9 RESOLVED (Cr Humphrys/Cr Hayes)

That the above recommendation be adopted.

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

Executive Summary

Each financial year, the Local Government Remuneration Tribunal determines the minimum and maximum remuneration payable to Mayors and Councillors for carrying out their duties. The determination by the Local Government Remuneration Tribunal is pursuant to Sections 239 and 241 of the *Local Government Act 1993*.

Council has received notification by way of publication in the NSW Government Gazette No. 51 dated 21 April 2017, that the Local Government Remuneration Tribunal has determined that the Mayoral and Councillor Fees are to increase by 2.5% for the 2017/2018 financial year. The only way a Council can increase the fees payable by more than this percentage is if the Local Government Remuneration Tribunal re-categorises that Council.

Richmond Valley Council has in previous years been categorised as a Rural Council, this year however the Local Government Remuneration Tribunal has re-categorised Richmond Valley Council as a Regional Rural Council. The minimum and maximum fees set by the Tribunal for the 2017/2018 financial year for Regional Rural Councils are as follows:

	Minimum Fee	Maximum Fee
Councillor Annual Fee	\$8,750.00	\$19,310.00
Mayoral Additional Annual Fee	\$18,630.00	\$42,120.00

Community Strategic Plan Links

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

Budget Implications

The 2017/2018 draft budget includes an approximate 1.5% increase on the 2016/2017 budget, this equates to \$24,999 for the Mayoral Allowance and \$11,459 for each Councillor Fee. Accordingly, changes to the budget of an additional \$72,076 will be required if the recommended fees are adopted.

Report

Council has received notification by way of publication in the NSW Government Gazette No. 51 dated 21 April 2017, that the Local Government Remuneration Tribunal has determined that the Mayoral and Councillor Fees are to increase by 2.5% for the majority of New South Wales Councils for the 2017/2018 financial year. The Tribunal's Report is attached. In making its determination, the Local Government Remuneration Tribunal considered the following:

- Submissions and comments made by Associations and individual Councils,
- Key Economic Indicators,
- Categorisation,
- Workload,
- Training and Development, and
- Attracting high quality candidates to nominate for election to Local Government.

A review of the categorisations of Councils for determining the remuneration has also been completed by the Local Government Remuneration Tribunal for the 2017/2018 financial year. In this regard, Richmond Valley Council has had its categorisation changed from a Rural Council to a Regional Rural Council. Re-classification is recognition for the performance of Council in being assessed as Fit for the Future and the fact that its Councillors are responsible for a business with a turnover in excess of \$50 million.

Richmond Valley Council considered making a submission, however given the changes to the structure of councils across NSW following the Fit for the Future reforms it was decided to await the outcome of the Tribunal's assessment this year.

Councils categorised as Regional Rural will typically have a minimum population of 20,000. Other features which distinguish them from other non-metropolitan councils include:

- a major town or towns with the largest commercial component of any location in the surrounding area
- a significant urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages or may be located on or close to the coast with high levels of population and tourist facilities.
- provide a full range of higher-order services including business, office and retail uses with arts, culture, recreation and entertainment centres.
- regional services to the wider community through principal referral hospitals, tertiary education services and major regional airports.
- these councils may also attract large visitor numbers to established tourism ventures.

The remuneration band set for 2017/2018 for a Regional Rural Council by the Local Government Remuneration Tribunal is as follows:

	2017/2018 Minimum Annual Fee	2017/2018 Maximum Annual Fee
Councillor Annual Fee	\$8,750.00	\$19,310.00
Mayoral Additional Annual Fee	\$18,630.00	\$42,120.00

As an example, if Council adopts the maximum remuneration for a Regional Rural Council, the remuneration for 2017/2018 will be as follows:

	2017/2018 Annual Fee	2017/2018 Monthly Fee
Councillor Annual Fee	\$19,310.00	\$1,609.16
Mayoral Additional Annual Fee	\$42,120.00	\$3,510.00

Note: Total remuneration for the Mayor is the Mayoral Allowance plus the Councillor Fee, i.e. for 2017/2018, assuming the maximum is set, the amount would be \$61,430.00 per annum or \$5,119.16 per month.

While this is a significant increase, the Independent Local Government Review Panel's report identifies that the decisions of the remuneration tribunal appear to under-value the decision making responsibilities of Councillors. Councillors invest significant amounts of time in preparing for and attending Council meetings, information/briefing sessions, meetings with community groups and since the 2016 election an intensive consultation program across the Valley's towns and villages has been completed.

Councillors also attend community events and are available to discuss issues with the community at all times. The reports that have been provided at Council meetings since the 2016 election by the Mayor highlight the time that goes into the Civic duties of a Mayor in a Council of this size. Experience also is that the majority of Councils in NSW set the Mayor/Councillor fees at the maximum level for its category.

Conclusion

The determination of fees for Councillors and Mayors by the Local Government Remuneration Tribunal has been determined as indicated in this report. Historically, Council has set its remuneration at the maximum allowable for the Rural category as set by the Local Government Remuneration Tribunal. The exception to this was the 2010/2011 year when Council resolved to not increase the Mayoral Allowance or Councillor Fees for the financial year. This year the Council has been re-classified as a Regional Rural Council, which entitles the Mayor/Councillors to be paid a higher fee than the Mayors/Councillors in a Rural Council due to increased responsibility.

On this basis, it is recommended that Council set the Mayoral Allowance/Councillor Fee at the maximum level, however Council has the discretion to determine the appropriate range of remuneration for the Mayor and Councillors provided it is within the minimum/maximum range for a Regional Rural Council as set by the Local Government Remuneration Tribunal.

15 MATTERS FOR INFORMATION

RECOMMENDATION

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

160517/ 10 RESOLVED (Cr Morrissey/Cr Lyons)

That the above recommendation be adopted.

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

15.1 NORTHERN RIVERS LIVESTOCK EXCHANGE (NRLX) BI-MONTHLY UPDATE

Responsible Officer:

Vaughan Macdonald (General Manager)

Report

At Council's Ordinary Meeting held on Tuesday, 17 May 2016 it was resolved that Council *"receive a bi-monthly report on the NRLX upgrade and operational issues identified in the report"* which it had considered at that meeting.

The last update provided to Council was on 21 March 2017 which outlined the tender process and the early stages of design work for the NRLX upgrade.

Wiley & Co, Council's design and construction partner for the project, provided a set of upgrade design drawings which formed the basis of the Development Application which was lodged on 22 March. The estimated cost of the upgrade for the Development Application was registered as \$6.4 million.

The Development Application consisted of a Statement of Environmental Effects report, a stormwater management plan and various design drawings such as existing and proposed site and floor plans, walkway cross sections, elevations, and demolition plans.

The application went on public exhibition on 1 April and in the required 28 days, no submissions were made. Council's planners are currently assessing the application and writing the necessary reports before approval. As the total cost of the development proposal exceeds \$5 million, a referral has been made to the Joint Regional Planning Panel who will conduct their own assessment and is planning a determination at its meeting on 21 June 2017.

As the high-level proposal is being assessed, Council's Project Manager has been working with Wiley & Co on the specific details of the upgrade and finalising the options to be included within the \$7 million budget. Items of interest include the design of drafting systems, the number of selling pens, upgrades to the weighbridge area and the selection of soft flooring material.

Wiley & Co are also close to finalising the 'masterplan' for the whole site for future stages to complete a full upgrade of the NRLX. These stages will be costed so that Council can apply for funding opportunities in the knowledge that the full project is 'shovel ready'. Council's intention is to submit a Development Application for future stages as soon as the masterplan is received.

As a direct result of issues raised in Stakeholder meetings held in February, Council has commissioned Wiley & Co to address the quality of the delivery pens on the northern side of the site. Concerns were raised about the effect of the rocky ground and aging gates and rails on the welfare of cattle and staff in these pens.

Council set aside a portion of the budget for this work which consisted of scraping away 150mm of the surface of the pens and then adding 300mm of locally sourced compacted road base back on, followed by repeated rolling. This work was started on 18 April and is progressing well.



On completion of the ground work in these pens, new fences, rails and gates will be constructed up to a quality that will fit in with future stages of a full upgrade.

Community Strategic Plan Links

Focus Area 2 Local Economy - Long Term Goal 2.1 Business, Industry and Agriculture (Strategy 2.1.2 Promote a broad agricultural base while ensuring our current position as the beef capital of NSW is maintained).

15.2 COMMUNITY FINANCIAL ASSISTANCE PROGRAM

Responsible Officer:

Vaughan Macdonald (General Manager)

Report

Council allocates an amount of financial assistance each year for requests from individuals, groups and organisations seeking financial assistance. Council's Policy 1.2 Community Financial Assistance Program provides for two rounds of funding allocations each year. The policy also sets out the method of determining allocations in accordance with the strategies, eligibility and selection criteria outlined in the policy.

Council has allocated \$70,000 in the 2016/17 budget for financial assistance funding. The policy provides for two approximately equal funding rounds. There is currently \$33,286.05 worth of funding available. The second round of funding was advertised in March 2017 and Council received 25 applications.

All of the applications received have been reviewed in accordance with the policy. Of these, all but two applications fit the eligibility requirements and selection criteria. The total amount of funding requested in Round 2 applications was \$71,138.40. Nineteen of these were able to be partially or fully funded.

In determining eligibility, consideration has been given to Council's Community Strategic Plan and the deliverables in the Delivery Program and Operational Plan, as well as eligibility requirements and selection criteria.

A Councillor Workshop was held on 2 May 2017 and applications were assessed, with the General Manager approving the allocation of funds for Section 356 Community Financial Assistance funds as indicated in the following tables under delegation from Council as resolved at Council's 15 November 2016 Ordinary Meeting.

Community Strategic Plan Links

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

Budget Implications

Council has allocated \$70,000 in the 2016/17 budget for financial assistance. The total amount of current funds available is \$33,286.05. The policy provides for two rounds of funding in the budget period. The proposed allocation of \$33,252.00 is within budgetary constraints.

Summary of Applications

The following table summarises the applications which did meet the eligibility criteria and have been partially or fully funded.

Organisation	Requested allocation \$	Proposed Use	Amount allocated \$
2nd Casino Scout Group	2,229.00	Purchase shade structure for protection of youth and volunteers, as well as hike packs and sleeping mats for disadvantaged youth to use on camps.	920.00
Broadwater Rileys Hill Community Hall	627.00	Replace the current old and worn stage carpet at the Hall with a new piece of tacking board, underlay and new carpet.	627.00
Casino & District Historical Society Inc.	3,050.00	Conduct a public exhibition showcasing photos from the 1840s to 1920s from the Casino area.	2,000.00
Casino Community Men's Shed Inc	2,289.00	Purchase a public address system for our meetings and guest speaker slots (a significant number of our members have hearing difficulties) and a suitable multifunction laser printer to support general administration.	1,500.00
Casino Little Athletics Inc.	1,700.00	Purchase our own line marking equipment, to mark the lanes of our 400m track ourselves. Currently being marked by a contractor who is paid for by Council. This is quite an expensive task (\$2706 this year) that we would like to take on ourselves.	1,700.00
Casino Poultry Club Incorporated	4,500.00	To build and paint 48 extra show pens to be located at Casino Showground.	1,000.00
Casino RSM Junior Cricket Club	2,097.00	Purchase of shade shelter for use at junior games and replacement of junior cricket equipment	2,097.00
Community Radio Coraki Association Incorporated (88.9 FM, Richmond Valley Radio)	958.00	Purchase two extra Intelligent Batteries (they are little computers with big batteries) for our DJI Phantom 4 Pro camera drone. The battery supplied with the aircraft last only 30 minutes in flight and needs an hour and a half to recharge. We also need to replace three of our studio microphones.	958.00
Dirawong Reserve Trust	1,883.40	Prepare artwork and printing of an A4 brochure, triple folded, which will outline the walking tracks available on the Reserve, and give insights into some of the history of the area. Green shirts embroidered with the Reserve name and logo will be purchased so that Trust members will be easily identifiable when undertaking duties on the Reserve and interacting with visitors.	1,450.00
Half Tide Boardriders Club Inc	4,000.00	Purchase a new 8 X 5 box trailer with a pantec roof enclosure. The trailer is	1,000.00

Organisation	Requested allocation \$	Proposed Use	Amount allocated \$
		enclosed so it can house our gazebos, judging chairs, BBQ, competition flags, singlets, stationary and running equipment for each event.	
Keep Our Freedom Youth Indigenous Corporation - KOFY	4,900.00	Over the course of the next 3 months the recently hired (January 2016) workshop/shop in 112 Walker Street, Casino has to be renovated and adjusted to apply with Work, Health and Safety requirements. Especially sanitary and kitchen facilities need attention, and an office has to be built and provided with the most necessary equipment. Timber and paint is needed to produce the wooden toys like trucks, rockets, kangaroos, frogs etc. We will sell the toys in the shop.	4,300.00
Northern Rivers Drag Racing Association	3,609.00	Purchase of a UV custom printed gazebo that provides full protection from the sun and weather at our events for the Ambulance, fire fighters and all track volunteers.	1,200.00
Northern Rivers Life Education Action Group	5,000.00	To subsidise students at primary schools in Richmond Valley Shire, which will enable them to participate in Life Education Programs.	5,000.00
Our Two Hands	10,000.00	Cook for and feed the homeless. Also provide phone home services, hygiene products and clothing to refugees. Pregnancy support. Advocacy services. Winter - provide beanies, scarves, hot soup and blankets (hopefully swags). Summer - cold water, ice blocks, sun hats, sunscreen, etc .	2,000.00
Richmond Valley Swim Club	3,000.00	\$2000 to develop more community involvement and incentives for kids to attend and join. Reward program for number of swim clubs attended and for competing in carnivals. This will increase the swimming capabilities of our kids and also their health. \$800 towards two labelled Gazebos for sun safety. \$200 for new stopwatches to run swim club.	1,000.00
UnitingCare Casino Transport Team	5,000.00	Fund transport costs of people who are Aged, Disabled and Disadvantaged in our communities to Medical appointments.	3,000.00
Windara Communities Ltd	2,600.00	Construct a covered area with raised garden beds suitable for our ageing staff with disabilities to work in. These raised	1,000.00

Organisation	Requested allocation \$	Proposed Use	Amount allocated \$
		garden beds will supply the kitchen with vegetables and herbs for their hospitality work.	
Woodburn Amateur Boxing Club Inc	1,000.00	To provide extra boxing equipment, cover part of the cost of our public liability cover and travel costs to national and regional championships.	1,000.00
Woodview Piora Community Hall	1,500.00	Purchase electric oven, cooktop and rangehood as part of current kitchen renovation.	1,500.00
TOTAL			\$33,252.00

The following table summarises the four applications which did meet the eligibility criteria but were not funded.

Organisation	Requested allocation \$	Proposed Use	Comments
Casino Eagle Archers Inc.	4,000.00	Connect Council supplied lights to power pole for outdoor target range, so members can shoot at night instead of in full sun during warmer months.	Council will work with Casino Eagle Archers to find alternative support solutions
Casino Pony Club	8,272.00	Constructing 32 horse yards and removal of old yards. The current horse holding yards are dilapidated with approximately 90% deemed unusable due to safety concerns. The other 10% are in poor condition. There are no other horse holding yards at the Showgrounds that are accessible to any of the user groups.	Council will work with Casino Pony Club to find alternative support solutions. Crown Reserve or Showground Trust grant funding may be appropriate
Leeville P&C Association	1,300.00	Purchase computer and printer, to be in custody of the secretary, to allow us to have a single point of contact with our P&C will enable us to move forward and expand our fundraising activities.	Projects with strong community benefit are given priority.
Pacific Coast Railway Society Inc. (Casino Miniature Railway and Museum).	1,500.00	Restoration or rebuild of the "bunker" (secure storage shed) at Old Casino Station.	Not recommended. Statement provided instead of budget/quote. Not clear what funding will be spent on. Professional fees are not eligible under guidelines.

The following table includes the two applications which did not meet the eligibility criteria.

Organisation	Requested allocation \$	Proposed Use	Comments
Mid Richmond Neighbourhood Centre Inc. "Armistice Day Program"	5,000.00	A Multi Media Production celebrating the centenary of the Armistice Treaty at the end of WW1.	Not recommended. More clarity required on budget and use. Budget for project totals \$60,040 and includes over \$35,000 in professional fees which are not eligible under guidelines.
Northern Rivers Dirty Wheels Mountain Bike Club Incorporated	4,224.00	Engage a qualified contractor to undertake two rounds of maintenance throughout 2017. We will continue to undertake community volunteer maintenance and trail building to support day to day use.	Not recommended. Funding is for professional fees - employment not eligible under guidelines.

15.3 REGIONAL PORTS STRATEGY - EVANS HEAD BOAT HARBOUR

Responsible Officer:

Vaughan Macdonald (General Manager)

Report

Richmond Valley Council's Coastal Zone Management Plan recognises that the Evans Head Boat Harbour is currently at risk from estuarine inundation during severe storms, which is expected to get worse in the future as the area develops.

The NSW Government has recently funded the Evans Head boat ramp pontoon upgrade and carried out recent works on the Evans Head Boat Harbour unloading pontoon (used for emergency access) and the Evans River southern breakwater under the Coastal Infrastructure Program.

Council and the community have been given an opportunity to provide feedback during a recent consultation process which concluded on 28 April 2017. Those wishing to provide feedback were encouraged to think about the most important opportunities for the future of the port and ideas to help with planning for future investment and the management of the port.

Council has responded to the recent community consultation on the Regional Ports Strategy by providing a letter dated 27 April 2017 to the Department of Industry-Lands, a copy of which is included below.

The letter outlines the importance of Evans Head's Boat Harbour in terms of its historical, industrial, environmental and tourism significance, and suggested future directions for the use of the Port, including tours and incorporation into a museum, as well as suggestions for infrastructure work for its preservation.

Community Strategic Plan Links

Focus Area 1 - Natural Environment - Long term Goal 1.1 Preservation of Waterways



Telephone Enquiries to:
Vaughan Macdonald 66600312

27 April 2017

NSW Department of Industry – Lands
GPO Box 5477
SYDNEY NSW 2001

To whom it may concern,

I write as General Manager of Richmond Valley Council to confirm the importance of the Evans Head Boat Harbour including its river entrance and breakwater for tourism, recreation, environmental heritage and historical significance, specifically in relation to the Regional Ports Strategy.

Community feedback is clear that the Boat Harbour is important for Evans Head. The first commercial prawning port in Australia, the harbour is still in daily use by individuals and businesses. A community proposal has been put forward that there is an excellent opportunity to repurpose the port as a museum to protect its heritage in the region. This would complement the continued existence of the Fishermen's Co-op and the sale of fresh seafood to the local community, businesses, tourists and visitors.

Overall, priorities are to maintain current assets (wharf, pontoon, slipway), have better access for commercial vehicles, have opportunities for small business, maintain and improve community facilities (parks, toilets, bins), promote tourism opportunities and maintain a safe riverway entrance.

The NSW Government has recently funded the Evans Head boat ramp pontoon upgrade and carried out recent works on the Evans Head Boat harbour unloading pontoon (used for emergency access) and the Evans River southern breakwater under the Coastal Infrastructure Program.

I look forward to working with the State Government on behalf of our community to maintain and improve Evans Head's Boat Harbour into the future.

Yours sincerely

A handwritten signature in black ink, appearing to read "Vaughan Macdonald".

Vaughan Macdonald
General Manager

15.4 NSW LOCAL GOVERNMENT GRANTS COMMISSION FUNDING ALLOCATIONS**Responsible Officer:**Vaughan Macdonald (General Manager)

Report

On 15 November 2016 Council resolved at its Ordinary Meeting that the General Manager write to the NSW Local Government Grants Commission to raise concern with a rural Council receiving a reduction in Financial Assistance Grant funding allocations.

A copy of Council's letter to the NSW Local Government Grants Commission dated 9 January 2017 and a copy of the Commission's response dated 28 April 2017 are included below.

Community Strategic Plan Links

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



Richmond
Valley
Council



Telephone Enquiries to:
Vaughan Macdonald

9 January 2017

The Hon Jennifer Gardiner
Chair
NSW Local Government Grants Commission
Locked Bag 3015
Nowra NSW 2541
Email: grants@olg.nsw.gov.au

Dear Ms Gardiner

Richmond Valley Council resolved at its November 2016 meeting to write to you to raise concerns with the downward trend in Council's annual allocation of the Federal Government's Financial Assistance Grants. Council's allocation has declined in each of the last two years. While the reductions are at the lower end of the scale compared to some councils, it is important to note that Richmond Valley Council is currently classified as a Rural Council with a population of just over 23,000 and is in the top 10 of the most socio-economically disadvantaged local government areas according to the SEIFA index.

Council is committed to improving the prosperity of our community by focusing on economic development opportunities, promoting tourism and actively supporting the Northern Rivers region to grow. We were assessed as 'fit' under the Fit for the Future reforms and are focussed on implementing our Improvement Proposal which includes initiatives to expand our revenues and achieve efficiencies.

Key to our improved financial position was our hard fought approval of a 5 year special variation that we are now midway through, which provides a 39% cumulative rate increase, investing an additional \$7.3M in infrastructure improvements for our community. However, impacts on our revenue like cuts in grant funding slow our path to achieving long term financial sustainability.

The efforts of the Commission to refine the assessment model to better reflect councils' relative needs as outlined in your Annual Report are noted and acknowledged. We are also aware that the extent of reductions have been contributed to by the Federal Government freeze on the indexation of the total pool of funds.

On reviewing some of the funding allocations for councils across NSW, it is interesting to note that some of the beneficiaries of increased allocations are councils that are significantly better placed socio-economically, as well as being in a position to develop a more diverse revenue raising portfolio. I am aware that the current methodology takes into account other factors; however it appears to indicate that it still has scope for improvement.

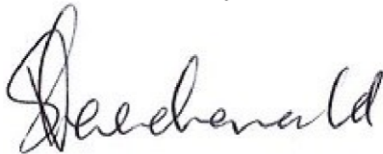
-2-

While the Information Paper provided with Circular GC143 is useful, we would welcome a visit by the Commission to enable us to gain a better understanding of the allocation methodology in our own context so that where possible we can make adjustments to ensure our community receives an equitable allocation of this important funding source for Rural Councils over the medium-long term.

We note with interest that a new allocation model has been developed for your consideration by Ernst & Young. Council looks forward to hearing how the NSW Government and the Grants Commission plan to respond to it so that continued improvements to the allocation of funding to those councils in most need can be achieved.

Thank you for the work that the Commission does to support councils with this valuable funding source. I look forward to your response regarding this matter and if you would like to discuss it further please contact me on 6660 0312 or email vmacdonald@rvc.nsw.gov.au

Yours sincerely



Vaughan Macdonald
General Manager

Cc Minister for Local Government, the Hon Paul Toole MP



28 APR 2017
**Local Government
Grants Commission**

NSW Local Government Grants Commission
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541

Doc. No.

OUR REFERENCE: A539443

YOUR REFERENCE:

CONTACT:

Helen Pearce
(02) 4428 4131
helen.pearce@olg.nsw.gov.au

Mr Vaughan Macdonald
General Manager
Richmond Valley Council
Locked Bag 10
CASINO NSW 2470

Dear Mr Macdonald

Vaughan

Thank you for your letters of 9 January 2017 to the then Minister for Local Government, the Hon Paul Toole MP, and the NSW Local Government Grants Commission (the Commission), about Richmond Valley Council's level of financial assistance grants.

The Commission is an autonomous statutory body constituted under Section 613 of the *NSW Local Government Act 1993*. The principal function of the Commission is to make recommendations on the allocation of federally funded grants paid to local governing bodies under the provisions of the *Local Government (Financial Assistance) Act 1995* (Cwlth).

As you are aware, the Commonwealth Government's 2014 Budget decision to pause indexation on the financial assistance grants is having a significant impact on councils. Instead of the usual four per cent or so annual increases in the overall grants, the allocations to NSW since 2013-14 have gone down by over \$500,000. The cumulative effect of the forgone increases during this period of paused indexation would be well over \$75 million.

Since 2013-14 the Commission has focused its attention on refining its assessment modelling to better reflect councils' relative needs. The Commission has achieved some success with smaller, rural and remote councils (those with the poorest capacity to raise revenue and most relative disadvantage), receiving steady increases in recent years. This is despite the pausing of indexation.

The Commission is very much aware that with a closed funding system there will be councils both positively and negatively impacted. Accordingly, the Commission has decided to limit movements in the general purpose component grant to maximum variations on the previous year's grant of -5% and +10%. This is aimed at moderating decreases for those councils with grants that are trending down on the one hand, while allowing funds to move to the more disadvantaged councils on the other.

T 02 4428 4131 F 02 4428 4199 TTY 02 4428 4209
E grants@olg.nsw.gov.au
W <http://www.olg.nsw.gov.au>
(follow the "Commissions & Tribunals" links)



The Commission continues to remind councils that the grants will fluctuate as it makes its annual assessments of relative need. In a climate of paused indexation this means more councils will receive reduced grants than would ordinarily be the case. Therefore, the Commission urges all councils to exercise extreme caution with their financial assistance grant budget forecasts. Council may have noted the Australian Council of Local Government Website at: alga.asn.au, which has information about the campaign to restore CPI indexation to the grants for 2017-18.

With regard to the grants for 2015-16 and 2016-17 I can advise that Council received reductions in the following expenditure functions:

2015-16

- Isolation allowance (no Council data changed – the per capita allowance reduced from \$38.50 to \$37.60)
- Pensioner adjustment (relatively better off in that year so resulted in reduction)

2016-17

- Stormwater Drainage and Flood Control (reduced standard cost)
- Roads and Bridges (no change in Council's data - state standard for urban local roads reduced from \$11.17 to \$11.11.)

I should add that, after the necessary adjustments were made to match Council's assessed allocation to the available funds, Council was to receive a modest increase in the grants. Then, however, a further adjustment had to be applied, namely, the "per capita minimum", a safety net amount based on 30% of the general purpose pool. The amount of increase before the application of the per capita minimum was \$28,095 (1%) between 2014-15 and 2015-16, and \$69,841 (2%) between 2015-16 and 2016-17. The application of the per capita minimum reduced the grants in 2015-16 from 2014-15 by \$26,932 and in 2016-17 from 2015-16 by \$39,803.

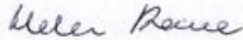
I have noted your interest in the grants model being developed by Ernst and Young. Any changes in the methodology must comply with the Federal Legislation and this model is still currently under review by the Commission. Councils will be notified of any changes to the current model should this occur, however no change is anticipated for the 2017-18 grants.

The Commission has considered Council's request for a meeting to discuss its Financial Assistance Grants and believes that the information as outlined above explains the reasons for the variations in Richmond Valley Councils allocation. You would be aware that the Commission aims to visit all councils in NSW based on about a four to five year cycle. According to the meeting schedule Council is due to meet with the Commission in approximately one to two years. While the Commission would like to accommodate Council's meeting request, meeting with Council earlier would hold up other council meetings in the schedule. Also, as the Commissioners travel from various locations it is not considered practical to hold ad-hoc Commission meetings. Therefore a visit at this stage is not considered appropriate. However, if you need to further discuss the grants prior to Council's scheduled meeting, the Executive Officer, Mrs Helen Pearce can be contacted by telephone on (02) 4428 4131.

Page 3 of 3

Thank you for bringing your concerns to the Commission's attention.

Yours sincerely



Helen Pearce
Executive Officer

15.5 GRANT APPLICATION INFORMATION - APRIL 2017

Responsible Officer:

Ryan Gaiter (Chief Financial Officer/Manager Mid-Richmond)

Report

This report provides information on grant applications that have been approved, grants that have been received, grant applications that were unsuccessful and grant applications submitted for the month of April 2017.

One grant project was approved and Council received funding for four grants during the reporting period totalling \$353,450.00. Council was notified as being unsuccessful with two grant applications and applied for four new grants during April 2017. The details of these grants are provided below:

Grants that have been approved

Project Connect - Expansion of Internet Equipment Access at Casino, Evans Head and Kyogle Libraries (RUCRL Library Submission)

Project ID	10231
Funding Body	State Library NSW
Funding Name	Public Library Infrastructure Grants 2016/17
Government Level	State
Project Value (excl GST)	\$129,589.00
Grant Amount (excl GST)	\$113,243.00
Council/Other (excl GST)	\$ 16,346.00
Date Application Submitted	27 October 2016
Comment (if required)	N/A
Date Approved	6 April 2017

Grants that have been received***Regional Roads Block Grant 2016/2017***

Project ID	N/A
Funding Body	Roads and Maritime Services
Funding Name	Regional Roads Block Grant 2016/2017
Government Level	State
Project Value (excl GST)	\$871,000.00
Grant Amount (excl GST)	\$871,000.00
Council/Other (excl GST)	\$ 0.00
Date Application Submitted	N/A – Annual allocation
Comment (if required)	N/A
Date Received	\$217,750.00 received 28 April 2017
Total Funds Received To Date	\$871,000.00 (total funding received)

Traffic Route Lighting Subsidy 2016/17

Project ID	N/A
Funding Body	Roads and Maritime Services
Funding Name	Traffic Route Lighting Subsidy 2016/17
Government Level	State
Project Value (excl GST)	\$88,000.00
Grant Amount (excl GST)	\$88,000.00
Council/Other (excl GST)	\$ 0.00
Date Application Submitted	N/A – Annual allocation
Comment (if required)	N/A
Date Received	\$88,000.00 received 28 April 2017
Total Funds Received To Date	\$88,000.00 (total funding received)

Flood Event of April-May 2015/Restoration Works

Project ID	10199
Funding Body	NSW Roads and Maritime Services
Funding Name	Natural Disaster Funding
Government Level	State
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 Received	\$18,700.00 received 28 April 2017
Total Funds Received To Date	\$1,507,680.00

MR145 Casino-Coraki Road 2016-17 - Ranns Road (Reconstruction and realignment of road pavement)

Project ID	N/A
Funding Body	NSW Roads and Maritime Services
Funding Name	Regional Road Repair Program 2016/17
Government Level	State
Project Value (excl GST)	\$314,322.00
Grant Amount (excl GST)	\$156,161.00
Council/Other (excl GST)	\$156,161.00
Date Application Submitted	N/A
Comment (if required)	Council contribution funded from Regional Roads Block Grant
Date Approved/Received	\$29,000.00 received 28 April 2017
Total Funds Received To Date	\$37,000.00

Unsuccessful Grant Applications

Digital Promotions at Casino, Evans Head and Kyogle Libraries (Kyogle Library Submission)

Project ID	10230
Funding Body	State Library NSW
Funding Name	Public Library Infrastructure Grants 2016/17
Government Level	State
Project Value (excl GST)	\$39,087.00
Grant Amount (excl GST)	\$35,247.00
Council/Other (excl GST)	\$ 3,840.00
Date Application Submitted	27 October 2016
Comment (if required)	N/A
Date Advised Unsuccessful	6 April 2017

Makerspace for Creative Community Programs (Casino Library Submission)

Project ID	10232
Funding Body	State Library NSW
Funding Name	Public Library Infrastructure Grants 2016/17
Government Level	State
Project Value (excl GST)	\$43,809.00
Grant Amount (excl GST)	\$39,609.00
Council/Other (excl GST)	\$ 4,200.00
Date Application Submitted	28 October 2016
Comment (if required)	N/A
Date Advised Unsuccessful	6 April 2017

Grant Applications SubmittedWoodburn Riverside Tourism Precinct

Project ID	10244
Funding Body	NSW Government Department of Industry
Funding Name	Regional Growth - Environment and Tourism Fund
Government Level	State
Project Value (excl GST)	\$1,556,000.00
Grant Amount (excl GST)	\$ 856,000.00
Council/Other (excl GST)	\$ 700,000.00
Date Application Submitted	20 April 2017
Comment (if required)	N/A

Richmond Valley Reconciliation Week Ball and Awards

Project ID	10245
Funding Body	Department of Prime Minister and Cabinet
Funding Name	Indigenous Advancement Strategy - National Reconciliation Week 2017
Government Level	State
Project Value (excl GST)	\$6,000.00
Grant Amount (excl GST)	\$5,000.00
Council/Other (excl GST)	\$1,000.00
Date Application Submitted	28 April 2017
Comment (if required)	N/A

Australia's Legendairy Capital 2017

Project ID	10246
Funding Body	Dairy Australia
Funding Name	Australia's Legendairy Capital 2017
Government Level	N/A
Project Value (excl GST)	\$2,500.00
Grant Amount (excl GST)	\$2,500.00
Council/Other (excl GST)	\$ 0.00
Date Application Submitted	28 April 2017
Comment (if required)	This private funding will be granted to the competition winner in each of the eight diary regions in the country. These winners will then have the chance to compete at a national level for a further \$7,500.00 and the title of Australia's Legendairy Capital for 2017.

Elsa Dixon Aboriginal Employment Program – School Based Element x 5

Project ID	10247
Funding Body	NSW Government Department of Industry
Funding Name	Elsa Dixon Aboriginal Employment Program
Government Level	State
Project Value (excl GST)	\$50,000.00
Grant Amount (excl GST)	\$50,000.00
Council/Other (excl GST)	\$ 0.00
Date Application Submitted	19 March 2017
Comment (if required)	N/A

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 Council's budget.

15.6 REVERSE AUCTION FOR SUPPLY OF ELECTRICITY FOR CONTESTABLE METERED SITES AND STREET LIGHTING (UNMETERED)

Responsible Officer:

Ryan Gaiter (Chief Financial Officer/Manager Mid-Richmond)

Report

At its Ordinary Meeting on 21 March 2017 Council resolved as follows:

"That:

- 1. Regional Procurement conduct a reverse auction on behalf of Richmond Valley Council for the large contestable sites and street lighting to obtain the best price for Council. This contract would run for 24 months commencing on 1 January 2018 ending on 31 December 2019.*
- 2. Council's General Manager is given delegation to sign and approve this contract with the most advantage cost to Council.*
- 3. The Common Seal of Council be affixed to any documentation where required."*

Regional Procurement in association with Energy Action has conducted a series of reverse auctions on behalf of Council. The auctions are for the single source supply and delivery of electricity for both Contestable Metered Sites and Street Lighting. Council's Contestable Sites are the Sewerage Treatment Plants (Evans

Head and Casino), the Water Treatment Plant at Casino and the Casino Administration Building.

Registrations for the auctions closed at 11:00am on 11 April 2017 with the reverse auctions beginning at 11:10am on the same day. This Reverse Auction was advertised in the following media:

- Uploaded to TenderLink on 28 February 2017
- Sydney Morning Herald on 28 February 2017

Two separate reverse auctions were conducted, one for Contestable Metered sites (1 x 24 month term) and another for Street Lighting (1 x 24 month term).

The following energy retailers provided bids in the Contestable Sites reverse auction:

- Pacific Hydro
- Origin Energy
- Energy Australia
- AGL

The following energy retailers provided bids in the Street Lighting reverse auction:

- Pacific Hydro
- Origin Energy
- Energy Australia
- AGL

In relation to the Street Lighting auction, the submitted rates from Pacific Hydro, Origin Energy and Energy Australia were deemed as Non-Conforming as each of these retailers offer provided peak, shoulder and off peak pricing (which is not applicable to street lighting). This resulted in a skewed outcome that gave the impression of a lower overall offer than AGL which was not the case.

The reverse auction evaluation was conducted via teleconference on 11 April 2017 with the following representatives participating:

- Simon Adcock – Chief Operating Officer
- Colin Carey – Coordinator Purchasing & Stores
- Charlene Reeves – Managerial Assistant
- Peter Salafia – Regional Procurement (facilitator)
- Lauren Pearce – Energy Action (via teleconference)

The East Coast Retail Electricity Market has significantly changed over the past two years with marked increases in costs. This has come about for a number of reasons but effectively, is representative of the decline in cheaper coal-fired electricity generation and a higher reliance on cleaner but more expensive forms of power generation.

In response to the electricity pricing, reverse auctions have also previously been conducted for the following Councils (for Street Lighting and/or Contestable Sites) to ensure best value for money:

- Bellingen Shire,
- Coffs Harbour City,
- Dungog Shire (street lighting only),
- Maitland City,
- MidCoast Water (contestable sites only),
- Mid-Western Regional,
- Muswellbrook Shire,
- Nambucca Shire,
- Rous Water (contestable sites only),
- Singleton,
- Upper Hunter Shire, and
- Wingecarribee Shire.

The results achieved for Richmond Valley Council are in line with the other Councils results plus/minus 1 c/Kwh based on total consumption variations.

Over the last three years 15% of all coal fired generation in the National Electricity Market (NEM) has either closed or is about to close with the most recent example of this being the Hazelwood Power Station in Victoria. Such a large reduction in supply also means upward pressure on price.

With so much coal fired plant closing this has opened the way for gas fired generation to step in during peak times. With the price to gas fired generators having increased from around \$3/GJ in the early years of this decade to around \$9/GJ today the flow on impact to electricity prices is substantial.

Despite the onward march of rooftop solar, renewable generation has not come on as fast as was expected. Currently there is barely sufficient renewable generation to meet the government's target this year and with the target increasing annually until the end of the decade we are expecting to be in shortfall at least until then.

With all of these forces acting together, the result has been a steady increase in prices from their near all-time lows of mid-2014. In more recent months the market appears to have taken fright, possibly at the closure of Hazelwood, or possibly due to fears of an even worse summer for prices in the first quarter of 2018 with the Hazelwood closure also acting to promote concerns about higher prices.

At the conclusion of the reverse auction, AGL has been deemed best value to Council for the supply and delivery of electricity to Contestable Sites and Street Lighting. As a result of this, the General Manager on behalf of Council has entered into a 24-month contract from 1 January 2018 until 31 December 2019.

Community Strategic Plan Links

Focus Area 2 Local Economy - Long term Goal 2.1 Business, Industry and Agriculture (Strategy 2.1.1)

Budget Implications

A new contract commences 1 January 2018 for Contestable Sites and Street Lighting. The estimated annual increase of the new contract is \$250,000. With the contract commencing 1 January 2018, the estimated impact on the 2017/2018 budget is \$125,000 and \$250,000 in the 2018/2019 financial year. As the budget for these years is currently out on public exhibition, these adjustments can be made before final adoption by Council.

Consultation

Consultation has taken place between Regional Procurement, Energy Action and Council throughout this process.

15.7 WASTE AND RESOURCE RECOVERY BUSINESS UPDATE

Responsible Officer:

David Timms (Manager Infrastructure Services)

Report

Waste and resource recovery education is a vital component of the Waste Business. In July 2016 Council employed an Education Officer, Justine Clarke to deliver a number of waste educational projects in line with the NSW Environment Protection Authority (EPA) Better Waste and Recycling non contestable grant funding and to supplement post FOGO education and contamination management.

The summary below provides an update on the waste education projects.

Project updates

1. Business/Commercial FOGO Trial

Aim: Trial a sample of commercial businesses with a FOGO bin.

Diverting food organics from landfill will reduce global environmental effects, save on landfill disposal costs; reduce pressure on limited landfill space; divert valuable resources from landfill to a range of higher resource value applications i.e. compost for farming and soil improvements for agriculture.

Duration: Trial to run for 3 months.

All participating businesses will be supplied with a 20 litre bucket (for in-house collection), compostable liners and a 240 litre green recycling bin. Individual businesses in conjunction with the education officer will assess the number of bins required after the introduction of the trial and adjustments will be made if required.

List of participants:

- Rod and Reel - Confirmed
- RSL Evans Head - Confirmed
- Casino RSM - Pending
- TAFE Casino - Pending
- Illawong Evans Head - Confirmed
- Caravan Park Broadwater Sunrise - Pending
- Commercial Hotel Casino – Pending

Note: Still waiting confirmation from 5 other potential businesses

Supporting items:

- Expression of interest letter sent out, phones calls and face to face conversations
- Visits to commercial businesses
- 20 litre buckets ordered and received
- Compostable liners: pending
- Decision on bin size and frequency of collection: pending
- Educational material: What can and can NOT go into the Green organics bin is completed.

Issues slowing the project:

- A full 240 litre bin with food organics only is too heavy for a side arm truck to lift. A suggestion and a possible solution would be to provide 120 litre bins for food organics only.
- Businesses have advised they would not choose to have the service after the trial if there was an increase in fees or a fee was charged.
- Business owners are concerned about odours and pest issues with the green bin.
- Most businesses that the education officer spoke to preferred a twice weekly service.
- Some businesses are concerned about storing the bin, as space is a constraint.

Project Commencement

Planned roll out of commercial trial: End of May / start of June.



Bins and liners for the business FOGO trial

2. Street Bin Recycling Trial

Aim: Increase recycling collection in public place bins and increase diversion from landfill. Success of the project will determine the viability of street bin recycling and provide valuable information about how we might manage street bin waste into the future.

Duration: Trial to run for 2-3 months

Project Outline:

Eighteen (18) areas have been identified as locations to place recycling bins. All recycling bins will be paired with a waste bin (they will sit side by side) to avoid contamination and increase recycling capture. The bins need to be in a kerbside collection area:

- Woodburn: 4 recycling bins
- Evans Head: 6 or possibly 7 recycling bins, depending on final survey of locations
- Coraki: 1 recycling bin near the river
- Casino: 6 recycling bins (2 in the main street and 4 in parks and a Side Street)

Yellow recycling bins will be lined with a clear plastic bag. The Truck Driver will collect the clear bag and zip-tie it to the black waste bag (accompanying bin) and place it in the truck. The waste and recycling will be taken back to Nammoona and Evans Head transfer stations for sorting and data capture.

Data:

- Each site will be given a site code
- Each clear bag and black bag will be visually assessed for the percentage of recyclables/general waste that it contains
- An example of what might be found:
- Clear bag: 50% recyclables (30% of which are Container Deposit Scheme (CDS) eligible containers), 50% general waste
- Black Bag: 20% recyclables (10% of which are Container Deposit Scheme (CDS) eligible containers), 80% general waste

Project progress:

- Clear bags order: arrived
- Recycling bin lids: arrived
- Data worksheet: Created
- Map of bin locations: Created
- Engage operational staff: Evans Head staff have been engaged by the Education Officer. The Education Officer and Waste Management Overseer have spoken to the Nammoona staff.
- An issue raised by staff is the additional time needed to carry out the extra work.

Project commencement - End of May

New lids purchased for the street bin recycling trial

3. Contamination Management

Snap Send Solve (SSS) procedure has been created and delivered, just waiting to have a meeting with all the drivers. Non-collection tags have been created, quotes obtained for printing and printing is pending. A database/register has been created for non-compliant residents. Education material will be sent as well as face to face education visits and phone calls. Letters sent will outline non-

compliance and provide warnings. Enforcement action on reoccurring offenders will take place.

Truck Driver consultation is taking place, few issues regarding transparency around 'over full bins'. Procedures have been updated so all directions are clear to all drivers.

Ongoing management is needed in this area:

- Database needs updating daily;
- Liaising with drivers and customer service needs to happen daily;
- Generation of hard copy list needs to be sent to drivers each week and;
- Analysis of data needs to be looked at daily so letters and actions are put into place straight away.

Project commencement - Commenced and will continue to evolve and be refined.



New Tags to place on wheelie bins if there is a problem.

4. Truck Decal Promoting FOGO and Recycling

Aim: to promote our collection services:

- Two (2) trucks complete
- Two (2) trucks pending



New decal

Project commencement: Commenced. Project to be completed before end of June 2017

5. Collection Calendars 2017/2018

Aim: to provide our kerbside collection customers with the next financial years bin collection days:

- Design – drafted for approval
- Quotes – to be sought following final design approval

Information pack/education will also be created to go out with collection Calendars. The information pack including the calendars is proposed to be issued middle of June 2017 via letter drop.

Project commencement - Commenced

6. Signage

Aim: to update old signage and add new information for our customers at all our waste and resource recovery facilities.

Signage includes:

- Work Health & Safety (no scavenging) - Nammoona (completed and installed) and Evans Head (completed, waiting to be installed)
- Material Recovery & Waste Facility - Nammoona (created, waiting to be installed), Evans Head (waiting to be installed)
- Tip shop – completed and installed
- CRC – Printed, delivered, waiting for installation
- Illegal dumping – designed, printed, delivered and waiting for installation

Project Commencement – Commenced



New signage for Nammoona Material Recovery and Waste Facility.

Community Strategic Plan Links

Focus Area 1.2 Respond to Climate Change - Long term Goal 1.2.2 Reduce Council's carbon footprint.

15.8 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 APRIL 2017 TO 30 APRIL 2017

Responsible Officer:

Andrew Hanna (Manager Development and Environment)

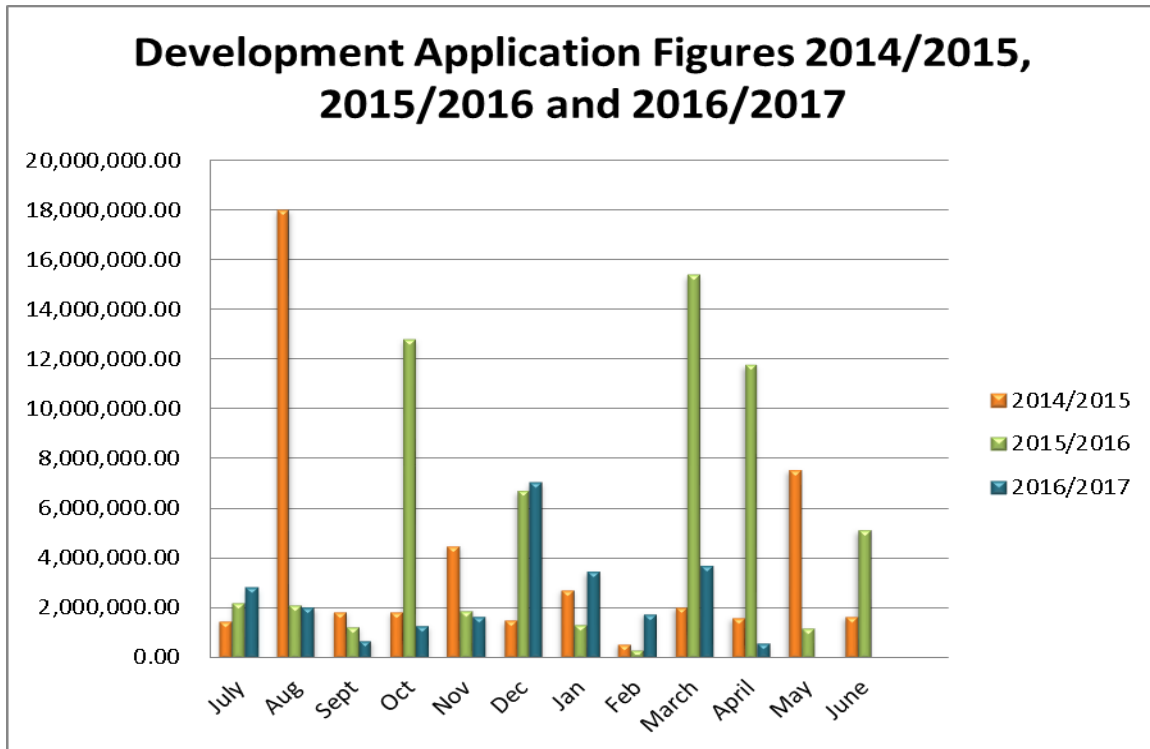
Report

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.

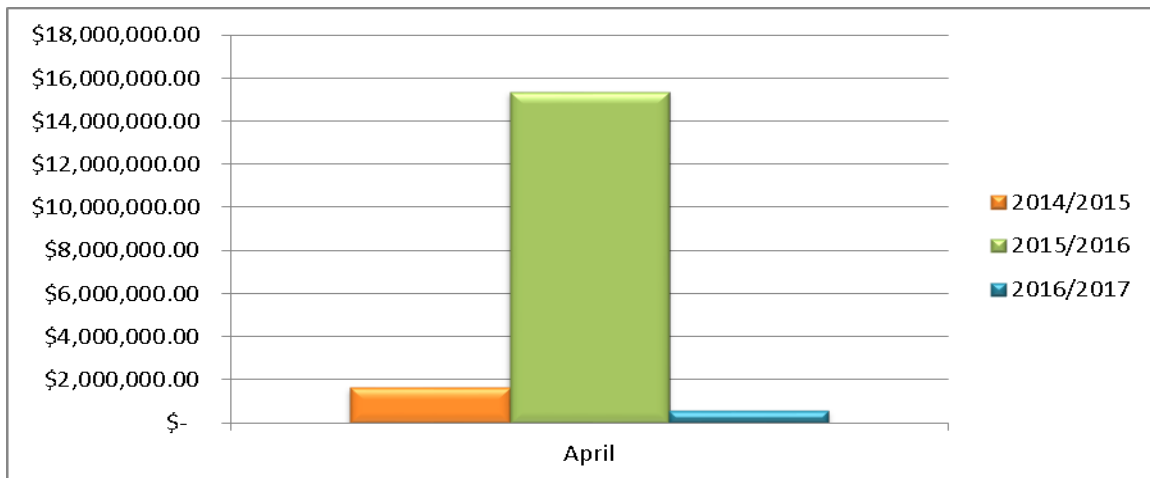
Council receives a weekly summary of the status of applications (including all received). Council notifies all determinations of Development Applications in the local newspaper pursuant to Clause 101 of the Environmental Planning and Assessment Act 1979 (as amended) on a monthly basis.

The total number of Development Applications and Complying Development Applications determined within the Local Government area for the period 1 April 2017 to 30 April 2017 was 14, with a total value of \$577,221.00.

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 April.



Activity for the month of April

General Approvals (excluding Subdivisions, Section 96s)	9
Section 96 amendments to original consent	3
Subdivision	2
Refused	0
Complying Development (Private Certifier Approved)	0
TOTAL	14

Community Strategic Plan Links

Focus Area 5 Rural and Urban Developments – Long term Goal 5.1 Land use Development should be appropriate for the retention of a Country Atmosphere and Village Lifestyle.

Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 April 2017 to 30 April 2017							
Application ID	Applicant	Owners	Location	Parcel Description	Development	Determination Date	Estimated Cost
DA2017/0155	BV Galvan-Hall JW Dunn	Mr J T Dunn Ms B V Galvan-Hall	35 Ivory Circuit, Casino	Lot 2 DP 1167260	Shed with awning	5/04/2017	\$ 12,000.00
DA2017/0156	Newton Denny Chapelle	Mrs R J Keep Ms J P Ridley Mr N C Bennett Mr D W Bennett Mr I R Bennett	950 Bennis Road, Shannon Brook	Lot 18 DP 755602	Subdivision to create 3 lots being Lot 1 (8.68Ha), Lot 3 (24.61Ha) – Rural Subdivision Lot and Lot 4 (31.41Ha)	11/04/2017	\$ -
DA2017/0160	Professional Planning Group	Ms J L Costello	12 Blackwood Road, Naughtons Gap	Lot 17 DP 1176405	Dwelling	19/04/2017	\$ 295,889.00
DA2017/0168	JJ Carter	Mr J J Carter Mrs M C Carter	57 Heath Street, Evans Head	Lot 10 Sec 31 DP 758403	Shed	4/04/2017	\$ 19,385.00
DA2017/0170	Newton Denny Chapelle	Mr D W Bennett Mr N C Bennett	55 Ainsworth Road, Mongogarie	Lot 95 DP 5059 Lot 96 DP 5059 Lot 97 DP 5059	Subdivision to create three (3) lots being Lot 1 (54.9Ha), Lot 2 (65Ha) and Lot 3 (66Ha)	11/04/2017	\$ -
DA2017/0172	LS Trezise	Ms L S Trezise	35 Richmond Terrace, Coraki	Lot 3 DP 5157 Lot 4 DP 5157 Lot A DP 391477	Shed	12/04/2017	\$ 19,840.00
DA2017/0176	BD & EWT Hicks	Mrs B D Hicks Mr E W T Hicks	40 Bridge Street, Coraki	Lot 21 DP 805220	Demolition of existing shed and erection of new garage	20/04/2017	\$ 45,107.00
DA2017/0177	DM & R Duignan	Mrs R Duignan Mr D M Duignan	33 Bottlebrush Crescent, Evans Head	Lot 87 DP 1018226	Swimming Pool and Associated Fencing	11/04/2017	\$ 25,000.00
DA2017/0179	Narellan Pools Northern Rivers	Mr M J Hunter Mrs K Hunter	555 Tatham Ellangowan Road, Tatham	Lot 22 DP 734847	Fibreglass Swimming Pool and Associated Fencing	26/04/2017	\$ 42,000.00
DA2017/0180	Hayes Building Consultancy	Mrs C D Ware Mr R A Ware	22 Cypress Street, Evans Head	Lot A DP 365373	Dwelling Extensions and Granny Flat	26/04/2017	\$ 90,000.00
DA2017/0150.01	LJ & R Endres	Mr L J Endres Mrs R Endres	83 Hickey Street, Casino	Lot A DP 438127	Section 96 Modification Dwelling Extensions plus Carport and Shed	4/04/2017	\$ -
DA2017/0182	KG McDermott	Mrs K G McDermott	38A Cumberland Street, Casino	Lot 3 DP 817038	Patio extension	21/04/2017	\$ 28,000.00
DA2017/0019.01	MT & PA Bracks	Mr P A Bracks Ms M T Bracks	3925 Bruxner Highway, Woodview	Lot 7 DP 581715	Section 96 Modification Subdivision to Create Three (3) lots being Lot 1 (40ha), Lot 2 (37.06ha Clause 4.6(6) RVLEP 2012) and Lot 3 (40ha)	20/04/2017	\$ -
DA2017/0163.01	Hayes Building Consultancy	Ms A M Smith	30 Heath Street, Evans Head	Lot 1 Sec 15 DP 758403	Section 96 Modification Inground Fibreglass Swimming Pool and Associated Fencing	12/04/2017	\$ -

16 QUESTIONS ON NOTICE

Nil.

17 QUESTIONS FOR NEXT MEETING (IN WRITING)

Nil.

17A DECLARATION OF INTERESTS

17A.1 DECLARATION OF INTERESTS - ORDINARY MEETING 16 MAY 2017

Cr Hayes declared a non-pecuniary (significant conflict) interest in Item 18.1 - Water Consumption Write-off Property ID 118060 (Friend of the applicant). Cr Hayes had advised that he would be leaving the meeting for that item.

18 MATTERS REFERRED TO CLOSED COUNCIL

Set out below is section 10A(2) of the *Local Government Act 1993* in relation to matters which can be dealt with in a closed part of a meeting.

The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than councillors)
- (b) the personal hardship of any resident or ratepayer
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret
- (e) information that would, if disclosed, prejudice the maintenance of law
- (f) matters affecting the security of the council, councillors, council staff or council property

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (i) alleged contraventions of any code of conduct requirements applicable under section 440.

In accordance with the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*, the following business is of a kind as referred to in section 10A(2) of the Act and should be dealt with in a part of the meeting closed to the media and public.

18.1 WATER CONSUMPTION WRITE-OFF - PROPERTY ID 118060

Reason for Confidentiality

This matter is classified CONFIDENTIAL under section 10A(2)(b) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (b) the personal hardship of any resident or ratepayer.

This matter is classified confidential because it contains personal matters relating to the hardship of a ratepayer.

It is not in the public interest to reveal the personal details of a ratepayer's financial position and private matters.

18.2 REVIEW OF DEVELOPMENT CONSENT TO WAIVE SECTION 64 CONTRIBUTIONS - PROPERTY ID 163725

Reason for Confidentiality

This matter is classified CONFIDENTIAL under section 10A(2)(b) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (b) the personal hardship of any resident or ratepayer.

This matter is classified confidential because it contains personal matters relating to the hardship of a ratepayer.

It is not in the public interest to reveal the personal details of a ratepayer's financial position and private matters.

RECOMMENDATION

Recommended that:

1. Council resolve into Closed Council to consider the business identified in Items 18.1 and 18.2, together with any late reports tabled at the meeting.
2. Pursuant to section 10A(1)-(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
3. The correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993*.

Section 10A(4) of the Local Government Act 1993 provides that members of the public be allowed to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

In addition, Council's Code of Meeting Practice provides for any written representations to be read to the meeting by the General Manager.

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

The Mayor called for verbal representations from the gallery.

There were no representations from the gallery.

160517/ 11 RESOLVED (Cr Humphrys/Cr Morrissey)

That:

1. Council resolve into Closed Council to consider the business identified in Items 18.1 and 18.2, together with any late reports tabled at the meeting.
2. Pursuant to section 10A(1)-(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
3. The correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993*.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Simpson

Council closed its meeting at 5.34pm. The public and media left the Chamber.

The Open Council Meeting resumed at 5.47 pm.

(Note: Cr Hayes having previously declared an interest in Item 18.1 was absent from the Closed Council Meeting during consideration of that item.)

19 RESOLUTIONS OF CLOSED COUNCIL

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

18.1 WATER CONSUMPTION WRITE-OFF - PROPERTY ID 118060

That Council write off water consumption rates to the amount recommended in the report.

18.2 REVIEW OF DEVELOPMENT CONSENT TO WAIVE SECTION 64 CONTRIBUTIONS - PROPERTY ID 163725

That developer contributions required to be paid under condition 20 DA2017/0107 be varied in accordance with Option 2 as outlined in the report.

The Meeting closed at 5.48 pm.

CONFIRMED - 27 June 2017

CHAIRMAN