

**Richmond**  
**Valley**  
**Council**



## **Minutes**

### **Ordinary Meeting**

**Tuesday, 19 September 2017**

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**MINUTES OF THE ORDINARY MEETING OF RICHMOND VALLEY COUNCIL,  
HELD IN THE COUNCIL CHAMBERS, CNR WALKER STREET AND GRAHAM  
PLACE, CASINO, ON TUESDAY, 19 SEPTEMBER 2017 AT 5.04P.M.**

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**PRESENT**

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Crs Robert Mustow (Mayor), Steve Morrissey (Deputy Mayor), Sam Cornish, Robert Hayes, Jill Lyons and Daniel Simpson.

Vaughan Macdonald (General Manager), 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**

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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**

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The meeting opened with a prayer by Pastor Craig Fraser (Ariseshine Fellowship).

**3 PUBLIC ACCESS AND QUESTION TIME**

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Nil.

**4 APOLOGIES**

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An apology was tendered on behalf of Cr Humphrys.

**190917/ 1 RESOLVED** (Cr Simpson/Cr Morrissey)

That such apology be accepted and leave of absence granted.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

**5 MAYORAL MINUTE**

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Nil.

**6 CONFIRMATION OF MINUTES**

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**6.1 RESERVE TRUST MEETING MINUTES - TUESDAY, 15 AUGUST 2017**

A copy of the Minutes of the Reserve Trust Meeting, held on Tuesday, 15 August 2017, was distributed with the Business Paper.

**RECOMMENDATION**

Recommended that the Minutes of the Reserve Trust Meeting, held on Tuesday, 15 August 2017, be taken as read and confirmed as a true record of proceedings.

**190917/ 2 RESOLVED** (Cr Simpson/Cr Hayes)

That the Minutes of the Reserve Trust Meeting, held on Tuesday, 15 August 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 Humphrys

**6.2 ORDINARY MEETING MINUTES - TUESDAY, 15 AUGUST 2017**

A copy of the Minutes of the Ordinary Meeting, held on Tuesday, 15 August 2017, was distributed with the Business Paper.

**RECOMMENDATION**

Recommended that the Minutes of the Ordinary Meeting, held on Tuesday, 15 August 2017, be taken as read and confirmed as a true record of proceedings.

**190917/ 3 RESOLVED** (Cr Lyons/Cr Morrissey)

That the Minutes of the Ordinary Meeting, held on Tuesday, 15 August 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 Humphrys

**6.3 EXTRAORDINARY MEETING MINUTES - FRIDAY, 1 SEPTEMBER 2017**

A copy of the Minutes of the Extraordinary Meeting, held on Friday, 1 September 2017, was distributed with the Business Paper.

**RECOMMENDATION**

Recommended that the Minutes of the Extraordinary Meeting, held on Friday, 1 September 2017, be taken as read and confirmed as a true record of proceedings.

**190917/ 4 RESOLVED (Cr Simpson/Cr Lyons)**

That the Minutes of the Extraordinary Meeting, held on Friday, 1 September 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 Humphrys

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**7 MATTERS ARISING OUT OF THE MINUTES**

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**7.1 NORTHERN RIVERS LIVESTOCK EXCHANGE (NRLX) (EXTRA-ORDINARY MEETING - ITEM 4.1 - MINUTE 010917/2 - PAGES 2-7)**

Cr Simpson sought an update on the sales at the NRLX, the relationship with agents and the payment of outstanding moneys.

The General Manager advised that the sales had recommenced. The first week there were just over 800 head of cattle on the Wednesday sale and last week there were around 1400 head for the Wednesday sale with just over 600 head at a store sale on Friday. The figures were consistent with trends for this time of year.

As far as the relationship goes, the saleyards advisory group meeting held on Monday was opened up to all agents to allow them to have a representative attend, with discussions focusing on stage 2 planning for the project. The General Manager also advised that David O'Reilly is the new president of the Casino Auctioneers Association. He would be meeting with David later this week and giving him a tour of stage 1 construction to date.

In relation to the outstanding moneys, not all moneys have been paid. Invoices have been reissued last week and Council is continuing with issuing the monthly invoices to the agents. Council will be following up with agents to ensure back payments are made. In addition, an NRLX newsletter currently being prepared will also include a message that all producers should expect a refund or credit on any fees that they paid for cattle that had gone through the facility from 1 July to the point at which there weren't any sales for a couple of weeks.

## 8 DECLARATION OF INTERESTS

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### 8.1 DECLARATION OF INTERESTS - ORDINARY MEETING 19 SEPTEMBER 2017

Cr Mustow declared a pecuniary interest in Item 14.4 - Rural Residential General Rate Increase for the 2017/2018 Financial Year (Rural residential land owner).

Cr Simpson declared a pecuniary interest in Item 14.4 - Rural Residential General Rate Increase for the 2017/2018 Financial Year (Rural residential land owner).

## 9 PETITIONS

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Nil.

## 10 NOTICES OF MOTION

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### 10.1 NOTICE OF MOTION (CR ROBERT HAYES) - NORTHERN RIVERS LIVESTOCK EXCHANGE (NRLX) FACILITY

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Cr Hayes submitted the following Notice of Motion.

#### **Notice of Motion**

That the Northern Rivers Livestock Exchange (NRLX) facility be listed in all Council records and advertising as a "**community business facility**" and not referred to as a "**community recreational facility**" such as swimming pools, play grounds, sporting facilities, libraries and the like.

**190917/ 5 RESOLVED** (Cr Hayes/Cr Morrissey)

That the Northern Rivers Livestock Exchange (NRLX) facility be listed in all Council records and advertising as a "**community business facility**" and not referred to as a "**community recreational facility**" such as swimming pools, play grounds, sporting facilities, libraries and the like.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys



**11 MAYOR'S REPORT**

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**11.1 MAYOR'S ATTENDANCES - 6 AUGUST TO 10 SEPTEMBER 2017**

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**RECOMMENDATION**

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

**190917/ 6 RESOLVED** (Cr Mustow/Cr Simpson)

That the above recommendation be adopted.

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

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**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.

***August 2017***

- 7<sup>th</sup> Bentley Art Show - Acquisition prize picture
- 8<sup>th</sup> Netball Schools Cup Far North Coast Regional finals
- 9<sup>th</sup> Homelessness Connect Day
- 14<sup>th</sup> Meeting discussion NRLX
- 14<sup>th</sup> Meeting with Ben Franklin MLC
- 15<sup>th</sup> Casino Platypus RSL Day Club 5th birthday
- 15<sup>th</sup> Ordinary Meeting
- 16<sup>th</sup> Rous County Council meeting
- 17<sup>th</sup> Accessibility, Liveability and Aged Advisory Committee Meeting
- 17<sup>th</sup> Northern Rivers Joint Planning Panel
- 18<sup>th</sup> Community Safety Precinct Committee
- 19<sup>th</sup> Casino Public School will be showing vintage motor cycles
- 19<sup>th</sup> Woodburn Wolves Soccer club visit
- 19<sup>th</sup> Casino Campdraft
- 19<sup>th</sup> Vietnam Veterans Wreath Laying and walk
- 19<sup>th</sup> Casino Baptist Church Community Preschool - 40 years' service
- 20<sup>th</sup> Rosie Batty presentation
- 21<sup>st</sup> Attend meeting with Pacific Highway General Manager
- 21<sup>st</sup> Achieve Australia afternoon tea with the Board and CEO
- 22<sup>nd</sup> Regional Growth Funds Workshop
- 23<sup>rd</sup> Coraki Campbell HealthOne - Morning tea
- 24<sup>th</sup> Broadwater Public School Book Week
- 25<sup>th</sup> Legume to Woodenbong Road - Key Stakeholders Group

- 26<sup>th</sup> Evans Head Museum - 4th anniversary dinner
- 29<sup>th</sup> Chris Gulaptis funding announcements
- " Broadwater
- " Drill Hall
- " St Mary's College
- " Bentley Hall
- 31<sup>st</sup> Legacy Week Civic Reception

**September 2017**

- 1<sup>st</sup> Extraordinary meeting
- 2<sup>nd</sup> Junior Soccer presentation
- 2<sup>nd</sup> My Mayor Rules Cook-off Bangalow
- 4<sup>th</sup> 2017 NSW Volunteer of the Year Awards, South Grafton
- 5<sup>th</sup> Touch Football Promotion
- 5<sup>th</sup> Internal Audit Committee
- 5<sup>th</sup> Councillor Information Session
- 5<sup>th</sup> Photographic Exhibition "Casino 1840 to 1920" launch
- 8<sup>th</sup> Official opening Coraki Health One facility

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**12 DELEGATES' REPORTS**

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**12.1 DELEGATES' REPORT SUBMITTED TO THE SEPTEMBER 2017 ORDINARY MEETING**

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**RECOMMENDATION**

Recommended that the Delegates' Report be received and noted.

**190917/ 7 RESOLVED** (Cr Mustow/Cr Morrissey)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

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**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 Meeting 16 August 2017***

Cr Robert Mustow and Cr Sandra Humphrys have provided the attached summary of the main items of business for the Rous County Council Meeting held on 16 August 2017.



## Summary of main items of business for Rous County Council meeting 16 August 2017

### 1. Review of Council issued delegations

In accordance with requirements under the *Local Government Act 1993*, Council is required to review its delegations within 12 months of each term of office. The merger of the three counties and recent legislative changes (including the introduction of the *Biosecurity Act 2015*) has resulted in the proposal to revoke all existing Council issued delegations and replace them with one delegation for the General Manager.

Council adopted the report and delegation with Council to determine:

- i). acceptance of tenders to provide services currently provided by members of staff of the council, and
- ii) tenders greater than \$150,000.

### 2. Release of easement for water supply – Tandy's Lane Brunswick Heads

Council was requested by the owner to release an existing easement for supply affecting property Lot 18 DP881230, located at Tandy's Lane, Brunswick Heads. Council no longer requires the easement on this property as the pipeline has been decommissioned since 2001 as part of the upgrade of the Pacific Highway between Ewingsdale and Brunswick Heads.

### 3. Policy: Information Technology (IT) general controls internal audit: revocation of policy

At its June 2017 meeting Council's Risk and Audit Committee considered a proposal that IT risk mitigation be managed under Council's 'Risk management' policy as opposed to a separate 'Information communication and technology' policy. This action was connected to a recommendation arising from the internal audit of IT General Controls. The Committee's recommendation was:

1. *Endorse the proposed approach to revoke and not replace the current 'Information communication technology' policy (as per attachment 1) and as an alternate, implement a suite of operational standards.*
2. *In addition, assessment of IT standards and controls be a part of future internal audit strategies/processes (including reporting to the Risk and Audit Committee).*

Council adopted the recommendation to revoke the existing 'Information communication and technology' policy and endorsed the principle that information technology risk mitigation be managed under Council's 'Risk management' policy and the use of operational IT standards.

RCC Council meeting summary 16 August 2017

#### 4. Information reports

##### i). Investments June and July 2017

- **Total closing funds for June 2017 was \$30,769,442**

Interest earned compared to the adjusted budget was \$125,509 in surplus of the 2016/17 forecast budget. Total interest revenue for the 2016/17 financial year was \$807,609. The average return of funds for the 12-month period was 2.66%.

- **Total funds invested for July 2017 was \$29,946,653**

This is a decrease of \$849,947 compared to the May 2017 figure. This is primarily due to processing invoice payments relating to last financial year.

The weighted average return on funds invested for the month of July was 2.64%, a decrease of 1 basis point compared to the May result (2.65%). This rate of return is 94 basis points above Council's benchmark, the average 90 day BBSW rate of 1.70%.

##### ii). Water production and usage June and July 2017

Total consumption by constituent councils in June and July 2017 increased when compared to the same period last year. Byron Shire Council area increased due to the commissioning of a new 10ML reservoir at Coopers Shoot and a new 1.35ML reservoir at Bangalow. The increased water consumption at Broadwater is due to the commencement of the sugarcane crush.

Rocky Creek Dam received 390mm of rainfall in June and 11mm in July. Rocky Creek dam has fallen below full capacity to 98.98%.

Daily source usage during July 2017 averaged 29.776ML. This is an increase from the June 2017 daily average of 28.306ML.

##### iii). Delivery program: Progress report January to June 2017

Council noted the report on the achievement of the performance targets prescribed in the Integrated Planning and Reporting Delivery Program for the period January to June 2017. The result was: *94% Acceptable* (achieved or on track according to schedule) and *6% Monitor* (in progress but behind schedule).

#### 5. Risk and Audit Committee: meeting update

Council noted the minutes of the Risk and Audit Committee for its meeting of 28 June 2017, which provided an update on recent operations of the Committee and on progress of completion with action items.

#### 6. Compensation from RMS for the Woodburn bores: Woolgoolga to Ballina Pacific Highway upgrade project

Council resolved to accept from RMS an amount as compensation for the Woodburn bores for the impacts associated with the Woolgoolga to Ballina Pacific Highway Upgrade project.

RCC Council meeting summary 16 August 2017

**7. Ductile iron cement lined pipes and associated fittings – panel of providers**

Council resolved to accept Cadia Group Pty Ltd and Iplex Pipeline Australia Pty Ltd as the panel source for the supply and delivery of ductile iron cement lined pipes and associated fittings for the period from 1 July 2017 to 30 June 2019, with provision for a 12-month extension based on satisfactory supplier performance, which may extend through to 30 June 2020.

**8. Selection of recruitment provider for General Manager**

Council noted the resignation of the General Manager, with regret, and appointed Local Government Management Solutions to conduct the recruitment for a new General Manager.

*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](http://www.rous.nsw.gov.au)*

**12A ELECTION OF DEPUTY MAYOR**

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**12A.1 ELECTION OF DEPUTY MAYOR****Responsible Officer:**Deborah McLean (Manager Governance and Risk)

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**RECOMMENDATION**

Recommended that:

1. Council elect a Deputy Mayor for a one year period.
2. Nominations for the position of Deputy Mayor be submitted in accordance with the Local Government (General) Regulation 2005, Schedule 7.
3. The method of conduct for the election of Deputy Mayor be by open voting.
4. Following declaration of the election result, nomination forms be destroyed.

**190917/ 8 RESOLVED** (Cr Hayes/Cr Cornish)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

The General Manager, as Returning Officer for the election, advised that he had received one nomination for the position of Deputy Mayor and called for further nominations from the floor, however none were submitted. He advised that the nomination he had received was a valid nomination and it was from Cr Steve Morrissey.

As there was one nomination only, Cr Steve Morrissey was declared elected as Deputy Mayor for the next 12 months.

The Mayor congratulated Cr Morrissey on his election as Deputy Mayor and thanked Cr Simpson for his support in his role as Deputy Mayor during the past 12 months.

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**Executive Summary**

Section 231 of the *Local Government Act 1993 (The Act)* provides that the Councillors may elect a deputy mayor for the mayoral term or for a shorter term. The deputy mayor may exercise any function of the mayor at the request of the mayor, or if the mayor is prevented by illness, absence or otherwise from exercising the function, or if there is a casual vacancy in the office of mayor.

Schedule 7 of the *Local Government (General) Regulation 2005 (The Regulations)* provides for the method of conduct for the election of Deputy Mayor. The methods of conduct for the election, if more than one Councillor is nominated, are by preferential ballot, by ordinary ballot or by open voting.

It is recommended that the Deputy Mayor be elected for a 12 month term and that the method of conduct for the election of Deputy Mayor be by open voting.

It is also appropriate following declaration of the election result that nomination forms and any ballot papers be destroyed.

### **Delivery Program Links**

Making Council Great

CS1 Leading and Advocating for our Community

CS1.1 Improve decision making by engaging stakeholders and taking community input into account

### **Budget Implications**

No fee is specifically payable to the Deputy Mayor. Should Council determine that a fee be payable, the Mayoral allowance would need to be reduced by the same amount.

### **Report**

Section 231 of *The Act* provides for the following in relation to the position of Deputy Mayor:

- "(1) The councillors may elect a person from among their number to be the deputy mayor.*
- (2) The person may be elected for the mayoral term or a shorter term.*
- (3) The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.*
- (4) The councillors may elect a person from among their number to act as deputy mayor if the deputy mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no deputy mayor has been elected."*

Schedule 7 of *The Regulations* prescribe that the General Manager (or a person appointed by the General Manager) is the returning officer.

*The Regulations* also prescribe that if only one councillor is nominated, that councillor is elected.

The proposed recommendation for the election of a Deputy Mayor for a one year term and if more than one councillor is nominated to conduct the election of Deputy Mayor by open voting are in accordance with the requirements of *The Act* and *The Regulations*.

### **Conclusion**

This report provides details of the process required for the election of Deputy Mayor. Nomination forms for the position of Deputy Mayor have been forwarded to each Councillor. Additional nomination forms are available on request.

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## **13 MATTERS DETERMINED WITHOUT DEBATE**

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### **190917/ 9 RESOLVED (Cr Morrissey/Cr Lyons)**

That Items 14.2, 14.5, 14.6, 14.7, 14.9 and 14.11, be determined without debate.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

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## **14 MATTERS FOR DETERMINATION**

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### **14.1 LOCAL TRAFFIC COMMITTEE MEETING HELD ON THURSDAY 24 AUGUST 2017**

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#### **RECOMMENDATION**

Recommended that the Minutes of the Local Traffic Committee Meeting held on Thursday, 24 August 2017 be received and adopted.

### **190917/10 RESOLVED (Cr Simpson/Cr Cornish)**

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

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### **Executive Summary**

The Local Traffic Committee considered a number of traffic matters and associated speed zoning concerns. Most were informal items not requiring a formal written response.



The agenda items arose from a number of sources including residents of the Council area, Council staff and the Roads and Maritime Services (RMS). All matters were discussed at length by the committee with the result that the local Traffic Committee has passed investigation of speed zoning to the RMS (as requested by the RMS representative). Also noted for Council staff to correspond with the Police in relation to enforcement issues (as requested by the Police representative) and Council staff pass relevant information back to the groups that made submissions.

### **Delivery Program Links**

Connecting People and Places

PP2 Getting Around

PP2.1 Improve Road Management Practices at Richmond Valley Council

### **Budget Implications**

Existing staff resources and approved funding from traffic facilities allocations will be utilised to implement any minor works such as installation of traffic signage. In the event more significant changes or improvements are required then these will be prioritised and included in future budget considerations.

### **Report**

The minutes of the meeting held on 24 August 2017, are provided below.

**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING HELD IN THE COUNCIL CHAMBERS, RICHMOND VALLEY COUNCIL, CNR WALKER STREET AND GRAHAM PLACE, CASINO, ON THURSDAY, 24 AUGUST 2017 AT 4:30PM**

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**PRESENT**

Clr Sam Cornich, Snr Constable Rob Clark (NSW Police), Angela Jones (RVC) Director Infrastructure and Environment, Graeme Robertson (RVC) Coordinator Asset, Linda Makejev (RMS).

**APOLOGIES**

Ray Elley, Representative of Chris Gulaptis and Bradly Herd (RVC)

**Declarations of Interest**

Nil

**PRESENTATION TO THE LOCAL TAFFIC COMMITTEE**

Trevor Mallet and Chris Myres from the Evans Head Business & Community Chamber (EHBCC) - Public Facilities Review Sub-Committee attended and made a presentation to the committee with regard to traffic safety and speeding issues in Evans Head. Chris was requested to supply his traffic statistics to RVC so that they can be forwarded to the police and they can target specific times and locations of none compliance.

Council staff will investigate other traffic management and signage improvements suggested.

Trevor and Chris left the meeting at 5.00pm before the reports were discussed.

**AGENDA ITEMS**

**1. REQUEST FOR INTERSECTION IMPROVEMENTS – EAST STREET AND JOHNSTON STREET, CASINO**

Council has received a request from Mr Mike Hetharia regarding the intersection of Johnston Street (Bruxner Highway) and East Street, Casino. Mr Hetharia is concerned about vehicles parking adjacent to the eastbound lane of Johnston Street, in front of the business at 86 Johnston Street. These vehicles can obstruct vision for vehicles entering Johnston Street from East Street, introducing a potential crash risk for traffic.

The request is that a solution be developed before a crash occurs as a result of the current situation.

**LOCAL TRAFFIC COMMITTEE RECOMMENDED** that correspondence be sent to Mr Hetharia explaining that there is no engineering solution to this issue and that Council Rangers will monitor the location. Consultation will also be undertaken with the petrol station owners with regard to safety and education of delivery vehicle and customers.

## **2. REQUEST FOR SPEED LIMIT REDUCTION – WOODBURN-CORAKI ROAD**

Council has received a request from Mr Bruce Neilson to introduce a “Truck 80km/h” speed limit on Woodburn-Coraki Road from the 100/50 zone boundary near Saint Joseph’s Primary School in Woodburn for approximately 11.8km north, returning to the existing 100km/h zone north of Bungawalbin Creek Bridge.

**LOCAL TRAFFIC COMMITTEE RECOMMENDED** that correspondence be sent to Mr Neilson advising that this request has been forwarded to the Roads and Maritime Services.

## **3. REQUEST FOR INTERSECTION IMPROVEMENTS – THE BRUXNER HIGHWAY/CANIABA ROAD**

Council has received a request from Mrs Deborah Regeling for improvements to be made to the intersection of the Bruxner Highway and Caniaba Road. Mrs Regeling is concerned about the lack of road widening at the intersection for the purposes of acceleration, deceleration and passing when cars are stopped, waiting to turn right into Caniaba Road, as well as the lack of double-barrier lines to discourage overtaking in the vicinity of the intersection.

**LOCAL TRAFFIC COMMITTEE RECOMMENDED** that correspondence be sent to Mrs Regeling advising that this request has been forwarded to the Roads and Maritime Services and that they will respond to her directly after their investigation. It should be noted that the Roads and Maritime Services currently do not have funds available for treatment at this location but will consider this site when funds are available and will monitor this location.

## **4. REQUEST FOR SPEED LIMIT REDUCTION – SWAN BAY RURAL RESIDENTIAL AREA**

Council has received a request from resident and Council staff member Matt Kinkead to reduce the speed limit on a number of existing and proposed streets within the Swan Bay rural residential area. Matt notes that a similar rural residential area in North Casino has recently had the speed limit reduced on streets within the area. The streets included in the request are:

- Casuarina Drive (the existing road – currently defaulting to 100km/hr),
- Casuarina Drive (the proposed extension),
- Eucalypt Drive (constructed but not a dedicated road yet),

- Moonem View Drive (constructed but not a dedicated road yet),
- And the unnamed road within the subdivision currently under construction.

For the North Casino rural residential area, speed limits were reduced to 50km/h for the streets with a higher concentration of accesses to residential lots and 80km/h on the collector road.

**LOCAL TRAFFIC COMMITTEE RECOMMENDED** that correspondence be sent to Matt Kinhead advising that once the Swan Bay development has been constructed that Council will request the Roads and Maritime Services to conduct a speed zone assessment and it is likely that they will adopt a speed zoning similar to that of North Casino.

#### **5. REQUEST FOR SPEED HUMPS TO BE INSTALLED IN RICHMOND STREET, WOODBURN**

Council has received a request from Woodburn resident Mr Colin Peake to install speed humps on Richmond Street, Woodburn. Mr Peake is concerned about the speed of vehicles travelling along Richmond Street, within the 50km/h zone.

Traffic counters were installed on Richmond Street earlier this year in order to provide useful data regarding the number of vehicles using Richmond Street and the range of speeds that they are travelling at.

**LOCAL TRAFFIC COMMITTEE RECOMMENDED** that correspondence be sent to Mr Peake advising of the intention to conduct a community consultation to gauge the desire locally for speed bumps. Roads and Maritime Services advised that Richmond Street is a local road under the care and control of Council and the installation of speed bumps would be at the discretion of Council. Rob Clark (Police NSW) advised that the Police are not keen on speed bumps, but that if Council can supply the relevant traffic data that they would target this location with regard to speeding issues.

#### **6. REQUEST FOR SPEED LIMIT REDUCTION – BROADWATER-EVANS HEAD ROAD, EVANS HEAD AND BROADWATER**

Council has received a request from staff members to introduce an 80km/h speed zone in two locations on Broadwater-Evans Head Road:

- From the existing 50/100km/h zone boundary near 'Camp Koinonia' for approximately 1.2km north,
- From the existing 50/100km/h zone boundary near Broadwater Quarry Road for approximately 400m south.

These changes would provide a reduced speed zone, from 100km/h down to 80km/h around entrances to Council work sites including the Broadwater Sewerage Pump Station, Evans Head Landfill and Evans Head Works Depot.

The Pacific Highway Upgrade is currently under construction within the vicinity of the Broadwater Sewerage Pump Station. Various temporary speed zones during road

works and the resulting changed road environment from the highway upgrade may preclude any immediate need for speed zone changes in this area.

**LOCAL TRAFFIC COMMITTEE RECOMMENDED** that information be passed to the staff members advising that the Broadwater end of Broadwater Evans Head Road would be part of a speed zone review once the Pacific Highway overpass and Highway was constructed. They also advised that the entire overpass / interchange would be a 60kph zone. The RMS also advised that the Evans Head end of the Broadwater Evans Head Road would not meet the required warrant to justify a speed reduction and that a staff safety education program should be undertaken.

**7. CASINO ROAD SAFETY AUDIT SITE NO. D – BRUXNER HWY AND BARKER STREET PEDESTRIAN CROSSING**

Roads and Maritime Services have recently undertaken a road safety audit adjacent to the Casino CBD and have identified the pedestrian crossing across the Bruxner Highway near the intersection with Barker Street as a site to be addressed. The Bruxner Highway in this location is a two way undivided carriageway, with the pedestrian crossing located 7m south of the Bruxner Highway/Barker Street roundabout.

**LOCAL TRAFFIC COMMITTEE RECOMMENDED** advising Council that the RMS has made application for proactive funding to develop and improve this pedestrian crossing and that this is supported by the Local Traffic Committee.

Meeting Closed 6.15pm

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**14.2 INTERNAL AUDIT COMMITTEE MEETING HELD ON TUESDAY 5 SEPTEMBER 2017**

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**RECOMMENDATION**

Recommended that the Minutes of the Internal Audit Committee Meeting held on Tuesday, 5 September 2017 be received and adopted.

**190917/11 RESOLVED** (Cr Morrissey/Cr Lyons)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

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**Executive Summary**

The Internal Audit Committee provides independent assurance and assistance to the Richmond Valley Council on risk management, control, governance and

external accountability responsibilities. The Committee meets four times a year in accordance with the Meeting Plan which is adopted annually.

At the meeting held on 5 September 2017 the Committee discussed the following items.

1. Internal Audit Report – process design review (July 2017). The draft Internal Audit Plan for 2017/18 was presented.
2. Internal Audit Reports – status of 2016/2017 Internal Audit Plan.
3. Outstanding Action Items
  - Internal Audit follow up review December 2016 – OSMS Register TechOne
  - Internal Audit follow up review December 2016 – response to customer requests
  - Management letter on the interim phase of the audit for the year ended 30 June 2017
  - Internal Audit Engagement letter 2017/18
  - Plant and vehicle management review scope

### **Community Strategic Plan Links**

Making Council Great

CS1 Leading and Advocating for our Community

CS1.3 Ensure transparency and accountability in council's operations

### **Budget Implications**

Nil.

### **Report**

The Minutes of the meeting held on 5 September 2017, are provided below.

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**MINUTES OF THE INTERNAL AUDIT COMMITTEE MEETING HELD IN THE COUNCIL CHAMBERS, RICHMOND VALLEY COUNCIL, CNR WALKER STREET AND GRAHAM PLACE, CASINO, ON TUESDAY, 5 SEPTEMBER 2017 AT 4PM**

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**PRESENT**

Cr Stephen Morrissey (Chair), Cr Robert Mustow, Cr Robert Hayes, Cr Jill Lyons, Cr Sam Cornish (arrived 4.12pm) and Cr Sandra Humphrys (arrived 4.28pm).

Jarrod Lean (Internal Auditors Grant Thornton), Geoff Dwyer (Thomas, Noble and Russell), Vaughan Macdonald (General Manager), Angela Jones (Director Infrastructure and Environment), Ben Zeller (Executive Internal Audit), Ryan Gaiter (Chief Financial Officer/Manager Mid-Richmond) and Julie Clark (Personal Assistant to General Manager and Mayor) were also in attendance.

**APOLOGY**

Cr Daniel Simpson

**DECLARATION OF INTERESTS**

Nil

**AGENDA ITEMS****1. Internal Audit Report** – Process design review (July 2017) presented by Jarod Lean.

Areas reviewed:

- Accounting and Finance; two observations made being automation of manual journal process and end of month procedures.
- Development Assessments; one observation made being maintenance of electronic DA files and implementation of ePlanning platform.
- Rates and revenue; three observations made being implement information table to the Valuer General file electronically, automate application of pension benefits within TechOne and ensure that hand held devices can live update the water meter readings.
- Records management; four observations made being ECM efficiency to reduce reliance on G Drive, document processes on receipt not completion, review archive shed documents and perform cost benefit on back scanning.

**2. Internal Audit Reports** – Status of 2016/2017 Internal Audit plan presented by Jarod Lean.

Summary of Internal Audit program for 2016/17 was tabled being Plant and Fleet and Management of Attractive Assets (rated as needing improvement) whilst Follow Ups and Process Design Reviews were not provided with a rating due to the nature of the review.

Status of 2017/18 Internal Audit Plan was also tabled with the following reviews to be completed in 2017/18:

- Billings and Collections
- Waste Management
- Accounts Payable
- Commercial Projects
- IT General Controls

### **3. Outstanding Action Items**

- IA follow up review December 2016 – OSMS Register TechOne  
Noted
- IA follow up review December 2016 – Response to Customer  
Requests  
Noted
- Management letter on the interim phase of the Audit for the year  
ended 30 June 2017.  
Geoff Dwyer addressed the meeting; identifying matters of  
governance interest, unresolved matters and matters required to be  
communicated under Australian Auditing Standards.
- Internal Audit Engagement letter 2017/18  
Noted
- Plant and vehicle management review scope  
General Manager addressed the meeting; upcoming review to  
improve plant, light fleet and management of workshops. To be  
externally reviewed.

Next Internal Audit Committee meeting to be held on 17 October, 2017, at 4pm

The meeting closed at 4.37 pm



**14.3 RICHMOND VALLEY COUNCIL - ORGANISATION STRUCTURE****Responsible Officer:**Vaughan Macdonald (General Manager)

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**RECOMMENDATION**

Recommended that under the provisions of Section 333 of the *Local Government Act 1993* Council re-determine the Organisation Structure and designate the position of Director Infrastructure and Environment as Senior Staff in accordance with the Organisation Structure Chart contained in this report.

**190917/12 RESOLVED** (Cr Hayes/Cr Morrissey)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

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**Executive Summary**

In line with section 333 of the *Local Government Act 1993* (the Act) the organisation structure may be re-determined from time to time. The council must review, and may re-determine, the organisation structure within 12 months after any ordinary election of the council.

Section 332 of the Act requires:

***Determination of structure***

- (1) *A council must, after consulting the general manager, determine the following:*
- (a) *the senior staff positions within the organisation structure of the council,*
  - (b) *the roles and reporting lines (for other senior staff) of holders of senior staff positions,*
  - (c) *the resources to be allocated towards the employment of staff.*

With the recent departure of Simon Adcock as Chief Operating Officer, it has been opportune to review the structure of the organisation. It is recommended that this position not be replaced and it be removed from the organisation structure for an interim period to enable further review of the organisation's needs at a senior staff level. This will also enable the resources of Council to be focussed on the delivery of our plans, which have been well developed and based on significant community consultation over the last 12 months or more.

The structure maintains two senior staff positions being General Manager and Director Infrastructure and Environment. The General Manager will continue to

have responsibility for delivering community priorities of economic development, communications and signature projects while also taking responsibility for the direction of the Corporate Support group which is not uncommon for General Managers in larger councils.

The Director Infrastructure and Environment will maintain the previous responsibilities in the Infrastructure and Environment group (I&E group) while also taking on the Customer Service and Support team which provides significant support services for the operation of the I&E group and our external customers.

The changes will set Council up to deliver Council's priorities that are identified in the Richmond Valley Made 2030 Community Strategic Plan. The main change is the increase in reporting to the General Manager, which will be monitored closely. However, it provides the opportunity for the Managers in the Corporate Support Group to extend their management and leadership capability which for an organisation this size they should be capable of doing.

There are some other minor adjustments to lower level reporting lines which have been done to improve the alignment of resources with delivering our priorities.

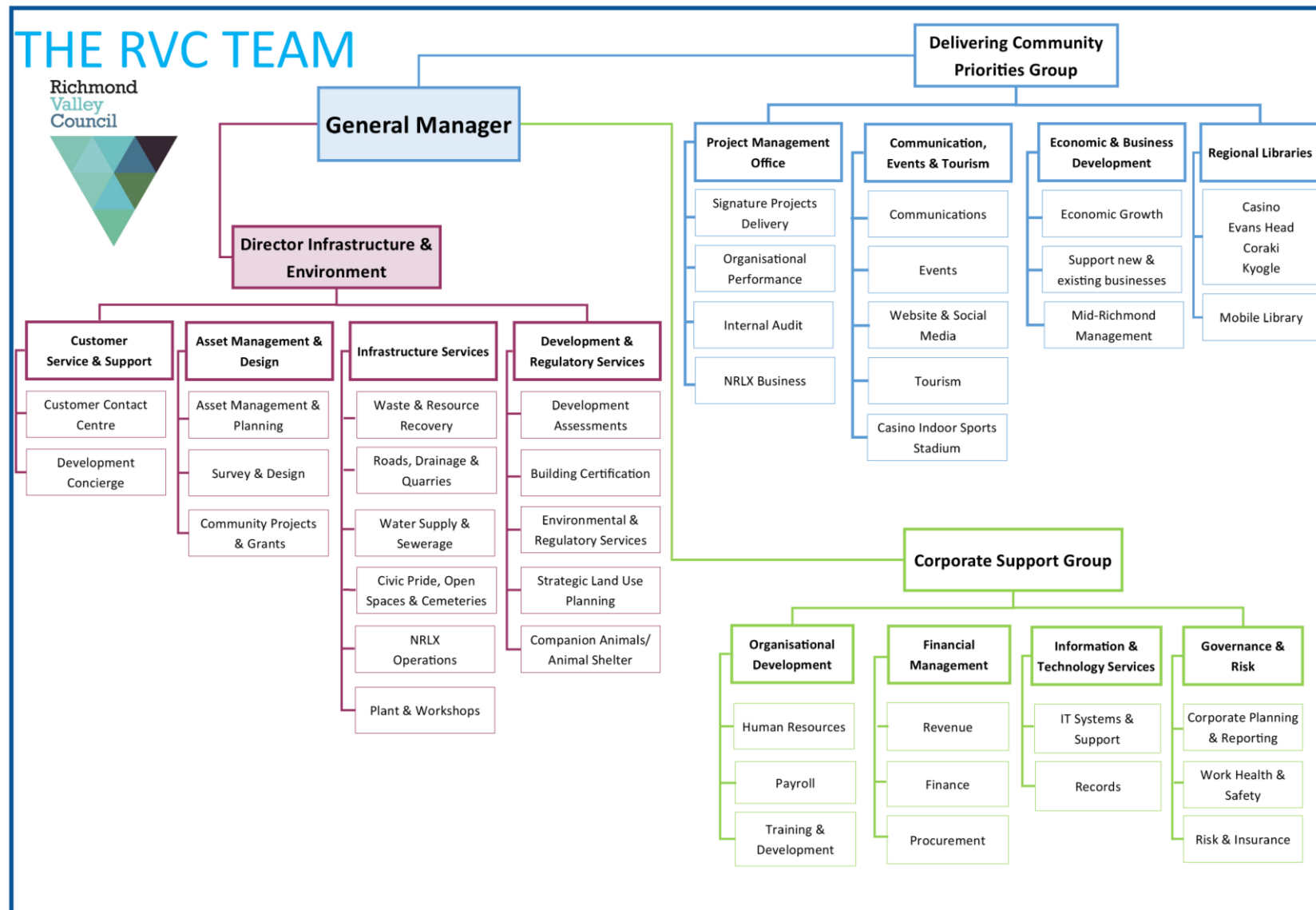
The proposed Organisation Structure Chart is attached to this report.

### **Delivery Program Links**

Making Council Great  
CS1 Leading and advocating for our community  
CS2 Great support

### **Budget Implications**

There will be savings by not replacing the Chief Operating Officer role which will be utilised to boost resources in the delivery of projects and priorities. This will include preparation of master plans for Council's identified signature projects, which at this time are unfunded, but with master plans prepared Council will be in a position to seek grant funding for these projects in future rounds of the NSW Government's Regional Growth Fund. The two senior staff positions will continue as per the existing senior staff contracts for these positions which are fully budgeted.



Cr Mustow (Mayor) and Cr Simpson, having previously declared an interest in the following matter, retired from the meeting at this stage, the time being 5.45pm.

The Deputy Mayor, Cr Morrissey, assumed the chair.

#### **14.4 RURAL RESIDENTIAL GENERAL RATE INCREASE FOR THE 2017/2018 FINANCIAL YEAR**

**Responsible Officer:**

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

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#### **RECOMMENDATION**

Recommended that:

1. The properties subject of this report have an amount written back that will result in the income from the category totalling a 5.5% increase from the previous financial year.
2. The write-backs are distributed according to the detailed report prepared by Council rating staff listing the property identifier, ratepayer, and write-off amount for each property affected by the administrative error.
3. Ratepayers affected by the rating error are advised in writing and amended rates notices are forwarded to them with a due date for the first instalment extended to 30 November 2017.
4. A review of procedures be undertaken in relation to the setting of General Rate income.

**190917/13 RESOLVED** (Cr Hayes/Cr Cornish)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys, Cr Mustow, Cr Simpson

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#### **Executive Summary**

Ratepayers of the Residential Rate Subcategory (Rural Residential Category) have experienced large increases to the General Rate levied for the 2017/2018 financial year. Council has received enquiries from ratepayers concerned with the increases experienced and on further investigation, determined that an administrative error had occurred in the calculation of the General Rate for this subcategory.

The most equitable way to correct this error is to write back the increased amount for each ratepayer impacted by the error. Writing back these amounts

will have a negative financial effect on the 2017/2018 budget, but the income will be recoverable in the 2018/2019 financial year.

### **Delivery Program Links**

Making Council Great

CS2 Great Support

CS2.15 Provide efficient, effective and highly valued financial services to the organisation

### **Budget Implications**

Offering the Rural Residential Subcategory ratepayers a write back of the wrongly calculated rating income will negatively impact the 2017/2018 budget by \$139,188.25. It is believed that increasing Council's efficiency dividend on salaries by this amount to negate the negative impact is attainable. It should be noted that this amount will be recoverable in the 2018/2019 financial year.

### **Report**

An error has occurred whilst calculating the rates payable for Council's Rural Residential Rating Subcategory for the 2017/2018 financial year. Once the error was realised and further analysis was undertaken it was discovered that 605 properties have been affected by the error resulting in an average increase of approximately 35% from the previous financial year. This has resulted in a total income discrepancy of \$139,188.25 for this rating subcategory. A detailed report has been prepared by Council rating staff listing the property identifier, ratepayer, and write-off amount for each property affected by the administrative error.

It was not an intention of Council for such an increase to be experienced by any rating category. Council has acted legally as the rating structure did appear in the now adopted Revenue Policy whilst on exhibition however, it was never Council's intention to increase one category by such a high percentage. If such a large increase was intended to be put forward for adoption by Council, further modelling would have been made available to ensure owners were aware. As an act of good faith, Council could resolve to write back the increased amount to equal to a 5.5 % increase for each rateable property affected.

A further recommendation is for the procedures for setting of the General Rate Income for each category to be reviewed to ensure such an error does not occur again.

Each property owner has been forwarded a letter advising that Council is aware of the administrative error and is seeking resolution from Council on any amendments that may be applicable. Once a resolution is resolved, Council will write to the affected ratepayers advising them of the outcome and if a write back is included in the resolution, an amended Rates Notice will be issued with an extension of due date for the first instalment to the 30 November 2017. If the rates have been paid in full for the year, a refund will be actioned, however if the first instalment only was paid, the difference will be credited to the second instalment.

## Conclusion

An administrative error has occurred whilst calculating the rates payable for Council's Rural Residential Rating Subcategory for the 2017/2018 financial year. The affected owners were not aware of the administrative error and the impact it would have on the amount of General Rate payable, therefore in good faith, Council could write back the discrepancy amount. A detailed report has been prepared by Council rating staff listing the property identifier, ratepayer and the write-off amount for each property affected by the administrative error.

Council has a transparent process in the setting of its Rates and Charges and whilst the Rate in the dollar was listed within the Revenue Policy (now adopted by Council) for the 2017/2018 financial year, it would have been Council's intention to ensure if such an increase were ever to be realised, that it would undertake community feedback and provide the necessary information for affected owners prior to voting on a resolution.

Cr Mustow and Cr Simpson returned to the meeting, the time being 5.48pm.

The Mayor, Cr Mustow, assumed the chair.

## 14.5 FINANCIAL ANALYSIS REPORT - AUGUST 2017

### Responsible Officer:

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

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## RECOMMENDATION

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

**190917/14 RESOLVED** (Cr Morrissey/Cr Lyons)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

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## 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 31 August 2017 is shown below.

| Period         | Investment Portfolio |
|----------------|----------------------|
| 31 August 2017 | \$37,290,812.33      |

The rate of return on Council's investments for August 2017 was 2.47% which is above the 90 Day Bank Bill Index of 1.72%.

### **Delivery Program Links**

Making Council Great

CS 2 Great Support

CS2.14 Provide efficient, effective and highly valued financial services to the organisation

### **Budget Implications**

As at 31 August 2017, Council had earned \$49,547.55 in interest and \$60,089.37 in fair value gains for total investment revenue of \$109,636.92 against a budget of \$873,396.00 (which equates to 12.55%).

### **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 August 2017 meeting therefore the cash rate in Australia remained at 1.50% per annum as at 31 August 2017.

Council's cash and term deposit investment portfolio has maturity dates ranging from same day up to 182 days. Deposits are made considering 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 \$17,000,000.00 representing 45.59% of the total portfolio as at 31 August 2017. Council made four new term deposits for the period; consisting of one each with AMP Ltd, National Australia Bank, Members Equity Bank and Westpac. Of these financial institutions AMP Ltd, National Australia Bank and Westpac support the fossil fuel industry. These term deposits were chosen as they offered the highest available returns after diversification principles were applied. Four 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 July 2017 to August 2017 from 2.57% to 2.47%.

Council has \$16,000,000 in longer term investments being the Cash Facility Trusts with NSW Treasury Corporation as at 31 August 2017. The investment value as at 31 August 2017 is shown below.

| Period               | Hourglass Cash Facility Trust | Hourglass Strategic Cash Facility Trust |
|----------------------|-------------------------------|---|
| As at 31 August 2017 | \$8,373,731.48                | \$8,397,260.19                          |

The value of Council's Investment Portfolio as at 31 August 2017 as well as our General Bank Accounts and Trust Funds is shown below.

| Period         | Investment Portfolio | Face Value      | General Bank Accounts | Trust Funds  |
|----------------|----------------------|-----------------|-----------------------|--------------|
| 31 August 2017 | \$37,290,812.33      | \$36,519,820.66 | \$2,420,048.26        | \$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.

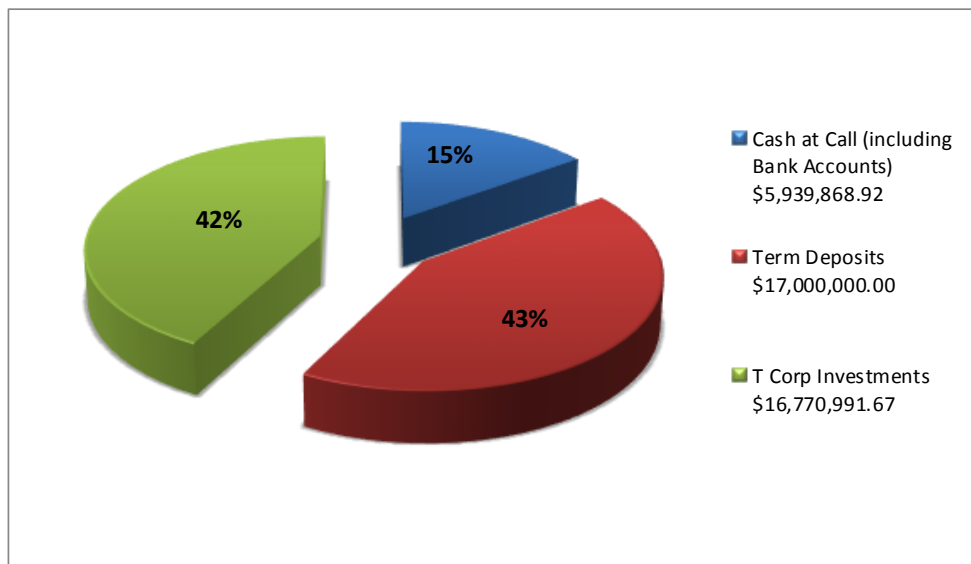
### Conclusion

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 31 August 2017.





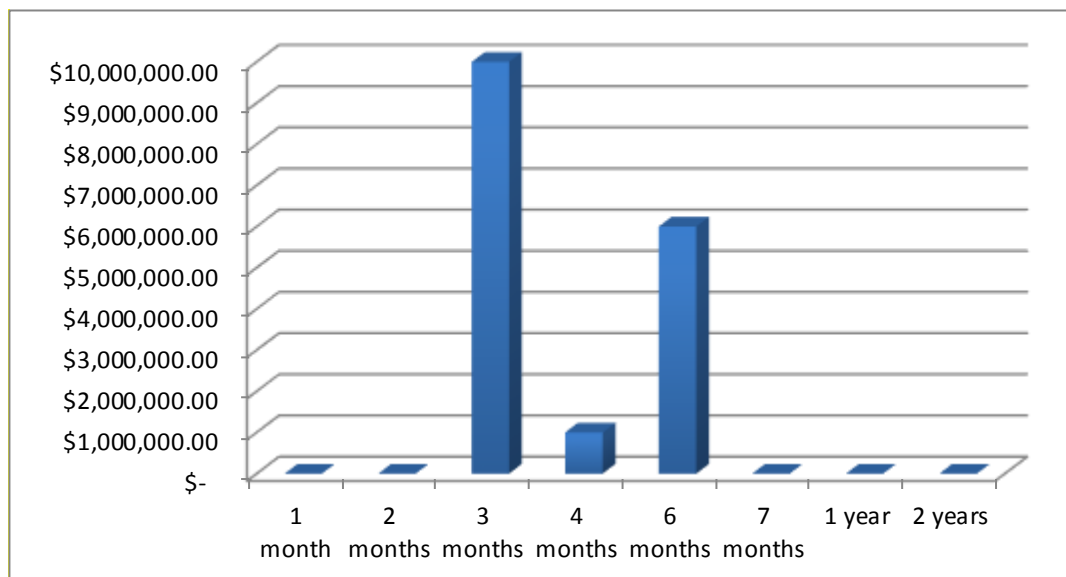
Council made four new term deposit during the month of August 2017.

| Financial Institution   | Investment Amounts (\$) | Maturity Date | Investment Rate per annum (%) | Days Invested |
|-------------------------|-------------------------|---------------|-------------------------------|---------------|
| AMP Ltd                 | 1,000,000.00            | 26/02/2018    | 2.60                          | 181           |
| National Australia Bank | 1,000,000.00            | 28/11/2017    | 2.47                          | 90            |
| Members Equity Bank     | 1,000,000.00            | 29/11/2017    | 2.47                          | 90            |
| Westpac                 | 1,000,000.00            | 29/11/2017    | 2.47                          | 90            |

Total term deposit maturities during the month of August 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 (\$) |
|-----------------------|------------------------|---------------|-------------------------------|------------------------|
| Members Equity Bank   | 1,000,000.00           | 08/08/2017    | 2.54                          | 6,332.60               |
| Beyond Bank           | 1,000,000.00           | 28/08/2017    | 2.65                          | 6,606.85               |
| AMP Ltd               | 1,000,000.00           | 29/08/2017    | 2.75                          | 13,636.99              |
| IMB Ltd               | 1,000,000.00           | 31/08/2017    | 2.55                          | 6,357.53               |

The following graph shows the length of time of Council's term deposit maturities as at 31 August 2017.



## RICHMOND VALLEY COUNCIL FINANCIAL ANALYSIS REPORT AT 31 AUGUST 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                       | 3,519,820.66                  | 31/08/2017          | 9.44%                | No                         |  |
| Total Cash at Call                                  |                          |                 |         |                 |               |                |                    |                                 |                           | 3,519,820.66                  |                     | 9.44%                |                            |  |
| Term Deposits                                       |                          |                 |         |                 |               |                |                    |                                 |                           |                               |                     |                      |                            |  |
| 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                  | 31/08/2017          | 2.68%                | Part                       |  |
| Term Deposit  | Auswide Bank             | Term Deposit    | A3/BBB- | 29/05/2017      | 27/11/2017    | Fixed for Term | Maturity           | 0.23%                           | N/A                       | 1,000,000.00                  | 31/08/2017          | 2.68%                | Part                       |  |
| Term Deposit  | Newcastle Permanent      | Term Deposit    | A2/BBB  | 30/05/2017      | 7/09/2017     | Fixed for Term | Maturity           | 0.22%                           | N/A                       | 1,000,000.00                  | 31/08/2017          | 2.68%                | Part                       |  |
| Term Deposit  | Bank Australia           | Term Deposit    | A2/BBB  | 30/05/2017      | 27/09/2017    | Fixed for Term | Maturity           | 0.23%                           | N/A                       | 1,000,000.00                  | 31/08/2017          | 2.68%                | Part                       |  |
| Term Deposit  | Bank Australia           | Term Deposit    | A2/BBB  | 30/05/2017      | 27/11/2017    | Fixed for Term | Maturity           | 0.23%                           | N/A                       | 1,000,000.00                  | 31/08/2017          | 2.68%                | Part                       |  |
| Term Deposit  | Auswide Bank             | Term Deposit    | A3/BBB- | 31/05/2017      | 28/11/2017    | Fixed for Term | Maturity           | 0.24%                           | N/A                       | 1,000,000.00                  | 31/08/2017          | 2.68%                | Part                       |  |
| Term Deposit  | IMB Ltd                  | Term Deposit    | A2/BBB  | 2/06/2017       | 1/09/2017     | Fixed for Term | Maturity           | 0.22%                           | N/A                       | 1,000,000.00                  | 31/08/2017          | 2.68%                | Part                       |  |
| Term Deposit  | Westpac                  | Term Deposit    | A1+/AA- | 5/06/2017       | 4/09/2017     | Fixed for Term | Maturity           | 0.22%                           | N/A                       | 1,000,000.00                  | 31/08/2017          | 2.68%                | Part                       |  |
| Term Deposit  | Greater Bank             | Term Deposit    | A2/BBB  | 7/06/2017       | 6/09/2017     | Fixed for Term | Maturity           | 0.22%                           | N/A                       | 1,000,000.00                  | 31/08/2017          | 2.68%                | Part                       |  |
| Term Deposit  | Greater Bank             | Term Deposit    | A2/BBB  | 9/06/2017       | 7/12/2017     | Fixed for Term | Maturity           | 0.24%                           | N/A                       | 1,000,000.00                  | 31/08/2017          | 2.68%                | Part                       |  |
| Term Deposit  | Westpac                  | Term Deposit    | A1+/AA- | 13/06/2017      | 12/09/2017    | Fixed for Term | Maturity           | 0.22%                           | N/A                       | 1,000,000.00                  | 31/08/2017          | 2.68%                | Part                       |  |
| Term Deposit  | Members Equity Bank      | Term Deposit    | A2/BBB  | 14/06/2017      | 13/09/2017    | Fixed for Term | Maturity           | 0.21%                           | N/A                       | 1,000,000.00                  | 31/08/2017          | 2.68%                | Part                       |  |
| Term Deposit  | Newcastle Permanent      | Term Deposit    | A2/BBB  | 14/06/2017      | 13/09/2017    | Fixed for Term | Maturity           | 0.21%                           | N/A                       | 1,000,000.00                  | 31/08/2017          | 2.68%                | Part                       |  |
| Term Deposit  | AMP Ltd                  | Term Deposit    | A1/A    | 29/08/2017      | 26/02/2018    | Fixed for Term | Maturity           | 0.22%                           | N/A                       | 1,000,000.00                  | 31/08/2017          | 2.68%                | Part                       |  |
| Term Deposit  | National Australia Bank  | Term Deposit    | A1+/AA- | 30/08/2017      | 28/11/2017    | Fixed for Term | Maturity           | 0.21%                           | N/A                       | 1,000,000.00                  | 31/08/2017          | 2.68%                | Part                       |  |
| Term Deposit  | Members Equity Bank      | Term Deposit    | A2/BBB  | 31/08/2017      | 29/11/2017    | Fixed for Term | Maturity           | 0.21%                           | N/A                       | 1,000,000.00                  | 31/08/2017          | 2.68%                | Part                       |  |
| Term Deposit  | Westpac                  | Term Deposit    | A1+/AA- | 31/08/2017      | 29/11/2017    | Fixed for Term | Maturity           | 0.21%                           | N/A                       | 1,000,000.00                  | 31/08/2017          | 2.68%                | Part                       |  |
| Total Term Deposits                                 |                          |                 |         |                 |               |                |                    |                                 |                           | 17,000,000.00                 |                     | 45.59%               |                            |  |
| 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            | 0.16%                           | 8,000,000.00              | 8,373,731.48                  | 31/08/2017          | 22.46%               |                            |  |
| Strategic Cash Facility Trust                       | NSW Treasury Corporation | Trust           | Various | N/A             |               |                | Monthly            | 0.16%                           | 8,000,000.00              | 8,397,260.19                  | 31/08/2017          | 22.52%               |                            |  |
| Total Fixed Interest Securities                     |                          |                 |         |                 |               |                |                    |                                 |                           | 16,000,000.00                 | 16,770,991.67       |                      | 44.97%                     |  |
| Total Investment Portfolio at Face Value            |                          |                 |         |                 |               |                |                    |                                 | 36,519,820.66             |                               |                     |                      |                            |  |
| Total Investment Portfolio at Fair Value            |                          |                 |         |                 |               |                |                    |                                 |                           | 37,290,812.33                 |                     |                      |                            |  |
| Overall Average Interest Rate for month - Portfolio |                          |                 |         |                 |               |                |                    |                                 | 0.21%                     |                               |                     |                      |                            |  |
| Bank Accounts                                       |                          |                 |         |                 |               |                |                    |                                 |                           |                               |                     |                      |                            |  |
| Account Name  | Balance \$ 31-Aug-17     |                 |         |                 |               |                |                    |                                 |                           |                               |                     |                      |                            |  |
| General Fund Bank Account                           | 2,407,752.85             |                 |         |                 |               |                |                    |                                 |                           |                               |                     |                      |                            |  |
| Trust Fund Bank Account                             | 120,994.55               |                 |         |                 |               |                |                    |                                 |                           |                               |                     |                      |                            |  |
| NAB Cheque Account                                  | -20.00                   |                 |         |                 |               |                |                    |                                 |                           |                               |                     |                      |                            |  |
| Evans Head Memorial Areodrome Fund                  | 12,315.41                |                 |         |                 |               |                |                    |                                 |                           |                               |                     |                      |                            |  |
| Total   | 2,541,042.81             |                 |         |                 |               |                |                    |                                 |                           |                               |                     |                      |                            |  |
| Total Bank Account Portfolio                        |                          |                 |         |                 |               |                |                    |                                 |                           | 2,541,042.81                  |                     |                      |                            |  |
| Total Portfolio                                     |                          |                 |         |                 |               |                |                    |                                 |                           | 39,831,855.14                 |                     |                      |                            |  |

**14.6 MONTHLY BUDGET ADJUSTMENTS - AUGUST 2017****Responsible Officer:**Ryan Gaiter (Chief Financial Officer/Manager Mid-Richmond)

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**RECOMMENDATION**

Recommended that Council:

1. Approve the proposed budget adjustments for the month of August 2017; and
2. Note the revised 2017/2018 budget position as at 31 August 2017.

**190917/15 RESOLVED** (Cr Morrissey/Cr Lyons)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

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**Executive Summary**

This report details the proposed adjustments to the 2017/2018 budget for the month of August 2017.

The proposed changes include reallocating funds from existing projects at the Coraki Cemetery, Casino Showground and Sewerage Capital Works to projects that are considered a higher priority as well as recognising a new grant funded project under the Country Passenger Transport Infrastructure Grants Scheme (CPTIGS).

The proposed adjustments to the 2017/2018 budget will have no impact on the projected budget surplus of \$114,131.

The report provides further details of the proposed budget.

**Delivery Program Links**

Making Council Great

CS2 Great Support

CS2.14 Provide efficient, effective and highly valued financial services to the organisation

**Budget Implications**

As detailed in the report.

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## Report

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

During the month of August 2017, the following budget adjustments have been proposed:

### ***Reallocation of Funds between Projects***

#### Coraki Cemetery

It is proposed that \$10,000 currently budgeted for the Coraki Cemetery Columbarium Wall be reallocated towards upgrading current infrastructure at the cemetery. Coraki has two existing columbarium walls with a minimal occupancy rate therefore it is considered that these funds would be better utilised in upgrading infrastructure including concreting, signage, seating and fencing.

| Project Description              | Revised Budget<br>31-Jul-17 | Proposed Adjustment | Revised Budget<br>31-Aug-17 |
|----------------------------------|-----------------------------|---------------------|-----------------------------|
| Coraki Cemetery Columbarium Wall | 10,000                      | (10,000)            | 0                           |
| Coraki Cemetery Infrastructure   | 0                           | 10,000              | 10,000                      |

#### Casino Showground

It is proposed that \$10,000 currently budgeted for the external canteen and woodchop building be transferred to upgrading the BBQ area as this building is no longer in use.

| Project Description                                 | Revised Budget<br>31-Jul-17 | Proposed Adjustment | Revised Budget<br>31-Aug-17 |
|---|-----------------------------|---------------------|-----------------------------|
| Casino Showground External Canteen Arena & Woodchop | 10,000                      | (10,000)            | 0                           |
| Casino Showground BBQ Area Upgrade                  | 5,000                       | 10,000              | 15,000                      |

#### Sewerage Services

A number of projects scheduled for the year require the removal of contaminated material. As such, it is requested that \$4,000 be reallocated from each of the following projects towards the construction of a bunded area to stockpile the material to comply with EPA requirements.

| Project Description                      | Revised Budget<br>31-Jul-17 | Proposed Adjustment | Revised Budget<br>31-Aug-17 |
|--|-----------------------------|---------------------|-----------------------------|
| STP Casino Sludge Removal Tertiary Ponds | 300,000                     | (4,000)             | 296,000                     |
| STP Casino Wetlands Management           | 300,000                     | (4,000)             | 296,000                     |
| STP Casino - Clearout Storm Pond         | 100,000                     | (4,000)             | 96,000                      |
| STP Casino - Biosolids Bunded Area       | 0                           | 12,000              | 12,000                      |

It was also identified that new infrastructure is required to allow ongoing monitoring of the water quality at Salty Lagoon. It is requested that \$50,000 be reallocated from the Sewer Relining Program towards the purchase of this equipment.

| Project Description                                      | Revised Budget<br>31-Jul-17 | Proposed Adjustment | Revised Budget<br>31-Aug-17 |
|--|-----------------------------|---------------------|-----------------------------|
| Sewer Relining Program                                   | 800,000                     | (50,000)            | 750,000                     |
| Evans Head Salty Lagoon Water Quality Sondes and Loggers | 0                           | 50,000              | 50,000                      |

### ***Addition of new projects***

#### Woodburn-Coraki Road Bus Shelter

Council has been awarded \$10,000 under the Country Passenger Transport Infrastructure Grants Scheme for a new bus shelter on the Woodburn-Coraki Road. It is requested that funding be allocated to this project from the corresponding grant funding.

| Project Description                                  | Revised Budget<br>31-Jul-17 | Proposed Adjustment | Revised Budget<br>31-Aug-17 |
|--|-----------------------------|---------------------|-----------------------------|
| Woodburn-Coraki Road Bus Shelter Capital Expenditure | 0                           | 10,000              | 10,000                      |
| Transport NSW CPTIGS Bus Shelter Grant Funding       | 0                           | 10,000              | 10,000                      |

### ***Revised Budget Position***

The effect of the proposed adjustments on the 2017/2018 budget is summarised in the table below, with the important information for Council to note being the recommended changes for resolution.

| Budget Adjustments August 2017                      | Revised Budget<br>31-Jul-17 | Recommended<br>Changes for<br>Council<br>Resolution | Projected<br>Year End<br>Result<br>2017/2018 |
|---|-----------------------------|---|--|
| Income from Continuing Operations                   | 59,750,110                  | 10,000  | 59,760,110                                   |
| Expenses from Continuing Operations                 | 55,495,620                  | 0   | 55,495,620                                   |
| <b>Operating Result from Continuing Operations</b>  | <b>4,254,490</b>            | <b>10,000</b>                                       | <b>4,264,490</b>                             |
| Add: Non-Cash Expenses                              | 14,040,489                  | 0   | 14,040,489                                   |
| Add: Non-Operating Funds Employed                   | 5,084,481                   | 0   | 5,084,481                                    |
| Less: Capital Expenditure                           | 27,205,403                  | 10,000  | 27,215,403                                   |
| Less: Loan Repayments                               | 2,067,243                   | 0   | 2,067,243                                    |
| <b>Estimated Funding Result - Surplus/(Deficit)</b> | <b>(5,893,186)</b>          | <b>0</b>  | <b>(5,893,186)</b>                           |
| Restricted Funds – Increase/(Decrease)              | (6,007,317)                 | 0   | (6,007,317)                                  |
| <b>Working Funds – Increase/(Decrease)</b>          | <b>114,131</b>              | <b>0</b>  | <b>114,131</b>                               |

## Conclusion

The proposed adjustments for the month of August 2017 will have no impact on the projected budget surplus of \$114,131 for 2017/2018.

## 14.7 REVIEW OF COUNCIL POLICY - FINANCIAL HARDSHIP

### Responsible Officer:

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

## RECOMMENDATION

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

**190917/16 RESOLVED** (Cr Morrissey/Cr Lyons)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

## Executive Summary

Council adopted the Financial Hardship Policy in its current form on 23 June 2015. The Policy has been reviewed by Council's Revenue section. The reviewed Policy, a copy of which is included in this report, streamlines the process of assessment and makes it easier for the ratepayer to understand.

**Delivery Program Links**

Making Council Great

CS2 Great Support

CS2.1 Provide excellent customer service to all stakeholders

**Budget Implications**

The reviewed Financial Hardship Policy will not increase costs and will not have any impact on the budget.

**Report**

Council adopted the Financial Hardship Policy in its current form on the 23 June 2015. A reviewed policy has been drafted and is included in this report. It has a focus on how the applications are assessed and how Council can assist ratepayers who are experiencing financial hardship.

Measures that Council can provide to applicants are as follows:

- Not charge interest on arrears for a set period of time.
- Write-off interest on rates and charges already incurred either in full or part.
- Enter into an arrangement for payment of outstanding rates and/or charges.
- Any combination of the above.

The policy sets out how Council will assess whether someone is eligible for a benefit under the policy and how to determine which of the above measures will be applied.

**Conclusion**

It is best practice for Council to periodically review policies and procedures to review our processes in an effort to make sure they are user friendly and easy to understand. Council's Revenue Team have reviewed the Financial Hardship Policy, making it more relevant to ratepayers.



# Council Policy

**Policy Title:** Financial Hardship  
**Policy Number:** 6.8  
**Focus Area:** Governance and Process  
**Responsibility:** Finance and Procurement  
**Meeting Adopted:**

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## OBJECTIVE

This policy is to determine the process for considering applications of financial hardship in payment of rates and charges (including water, sewerage, waste and stormwater).

## POLICY

This Policy is to establish provisions to assist in the application of financial hardship that may be experienced by ratepayers in the payment of rates and charges. A Financial Hardship Application if approved and an arrangement for payment adhered to, may result in any of the following:

- Interest not being charged on arrears for a set period of time.
- Write-off interest on rates and charges already incurred either in full or part.
- Enter into an arrangement for payment of outstanding rates and/or charges.
- Any combination of the above.

### 1. Application Conditions/Procedure

- The applicant must be the owner or part owner of the property and be liable for the payment of rates on the property.
- The application for financial hardship must be accompanied with supporting documentation which may include but not limited to:
  - Letter from a recognised financial counsellor or financial planner confirming financial hardship or a Statutory Declaration from ratepayer outlining reasons for applying for hardship
  - Copy of recent bank statements of all accounts
  - Details of income and expenditure
- Council staff to provide to applicants at the time of/or prior to receipt of a financial hardship application the contact details of Government and Charity organisations who offer financial assistance. The application will be reviewed by the Senior Revenue Officer, Revenue Coordinator and/or the Chief Financial Officer and in accordance with Council policy Write-Off of Rates and Charges and the General Manager's delegated authority. A recommendation is to be

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Richmond Valley Council - 6.8 Financial Hardship Policy

Adopted:

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made to the General Manager for amounts less than \$2,000. For amounts greater than \$2,000 a report is to be prepared for resolution in closed Council Meeting to protect the applicant(s) privacy in accordance with Section 10A(2)(b) of the Local Government Act 1993.

- The General Manager or Council will review the information provided and determine if financial hardship will be granted.

## **2. Guidelines When Granting Financial Hardship**

- Interest is charged and then written-off where a repayment schedule is adhered to and the arrangement provides for accrued interest to be waived.
- Where a scheduled repayment default occurs, the levying of interest charges are to be reactivated from the last payment made in accordance with the repayment schedule. The ratepayer will be contacted via correspondence and advised of the repayment default.

## **3. Continuing Financial Hardship**

If the ratepayer continues to experience hardship after the period approved by Council has expired, a new application must be made by the ratepayer with new supporting documentation required as outlined above.

## **4. Cancellation of Financial Hardship Arrangement**

The financial hardship arrangement may be cancelled as a result of the following:

- Defaulting on the payment arrangement,
- The ratepayer no longer owns the land,
- The ratepayer advises Council that financial hardship no longer applies,
- Council receives information that the financial hardship no longer exists.

Such cancellation will be at the discretion of the General Manager.

## **5. Privacy of the Applicant**

Personal information collected as a result of this policy will only be used for the purpose of assessing eligibility under the policy and will not be used for any other purpose, or disclosed to any other person, unless required by law to do so, or authorised to do so by the person to whom that personal information relates.

## **REVIEW**

This policy will be reviewed by Council at the time of any relevant legislative changes, compliance requirements or at least every four years.

**14.8 PLANNING PROPOSAL (PP2016/0001) RURAL RESIDENTIAL REZONING AT SPRING GROVE - POST CONSULTATION REPORT****Responsible Officer:**Andrew Hanna (Manager Development and Environment)

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**RECOMMENDATION**

Recommended that:

1. Council receive and note the report;
2. Pursuant to Section 58 of the *Environmental Planning and Assessment Act 1979* (the Act), Council continue to support Planning Proposal PP2016/0001 (Revision D); and
3. The Minister for Planning be requested to facilitate completion of this Planning Proposal by causing a Plan to be made pursuant to Section 59 of the Act.

**190917/17 RESOLVED** (Cr Simpson/Cr Morrissey)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

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**Executive Summary**

Planning Proposal PP2016/0001 proposes to rezone part of Lot 41 DP1084516, 1145 Spring Grove Road Spring Grove from Zone RU1 Primary Production to Zone R5 Large Lot Residential, which will enable it to be developed as a rural residential estate containing approximately 18 lots.

A conditional Gateway Determination was issued by the Department of Planning and Environment (DP&E) on 12 February 2016 which included agency consultation and community consultation. This consultation has been concluded. The Office of Environment and Heritage (OEH) has no objections, and while Department Primary Industries-Agriculture (DPI-Ag) has concerns they have agreed to mitigation measures to offset potential land use conflict. The Planning Proposal was publicly exhibited from 26 July 2017 to 28 August 2017, with a total of six submissions being received, all supportive of the proposal.

This report outlines the consultation undertaken and seeks the support of Council to progress the rezoning without amendment.

## Delivery Program Links

Growing Our Economy

EC1 Driving Economic Growth

EC1.8 Provide Sustainable Urban Development Opportunities

## Budget Implications

Nil.

## Report

On 22 December 2015 Council resolved (Minute No 221215/20) to support Planning Proposal application PP2016/0001 seeking to rezone part of Lot 41 DP1084516, 1145 Spring Grove Road, Spring Grove, so that it can be developed as a rural residential estate. More specifically the resolution supported:

- The rezoning of approximately 16.5 ha of Lot 41 from Zone RU1 Primary Production to Zone R5 Large Lot Residential;
- Applying a 7,000m<sup>2</sup> minimum lot size (MLS) for subdivision to this Zone R5 area; and
- Applying a 20ha MLS to the remainder of the property (about 25ha), to facilitate creating a residue lot below 40ha.

The Planning Proposal was referred to the Department of Planning and Environment (DP&E) for a Part 3 Gateway determination, which was granted conditionally on 12 February 2016.

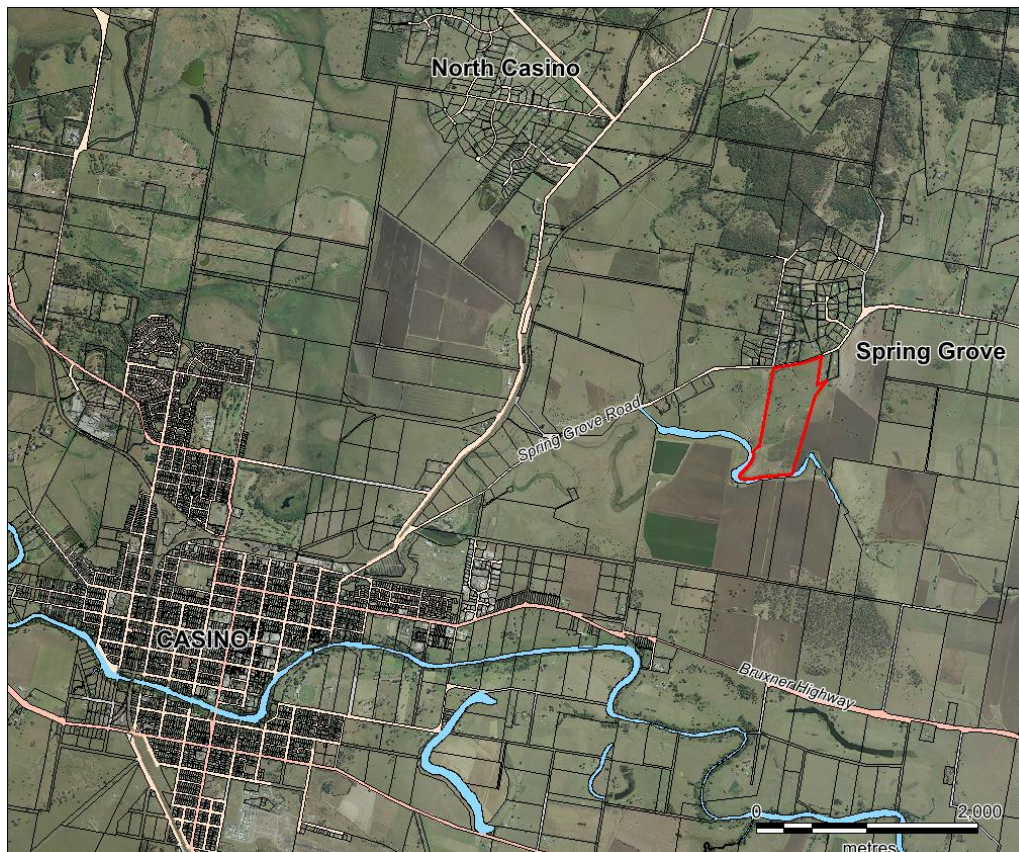


Figure 1 – Locality Plan showing Lot 41 DP1084516, 1145 Spring Grove Road, Spring Grove (red outline) in proximity to Casino township, and adjoining rural residential development.

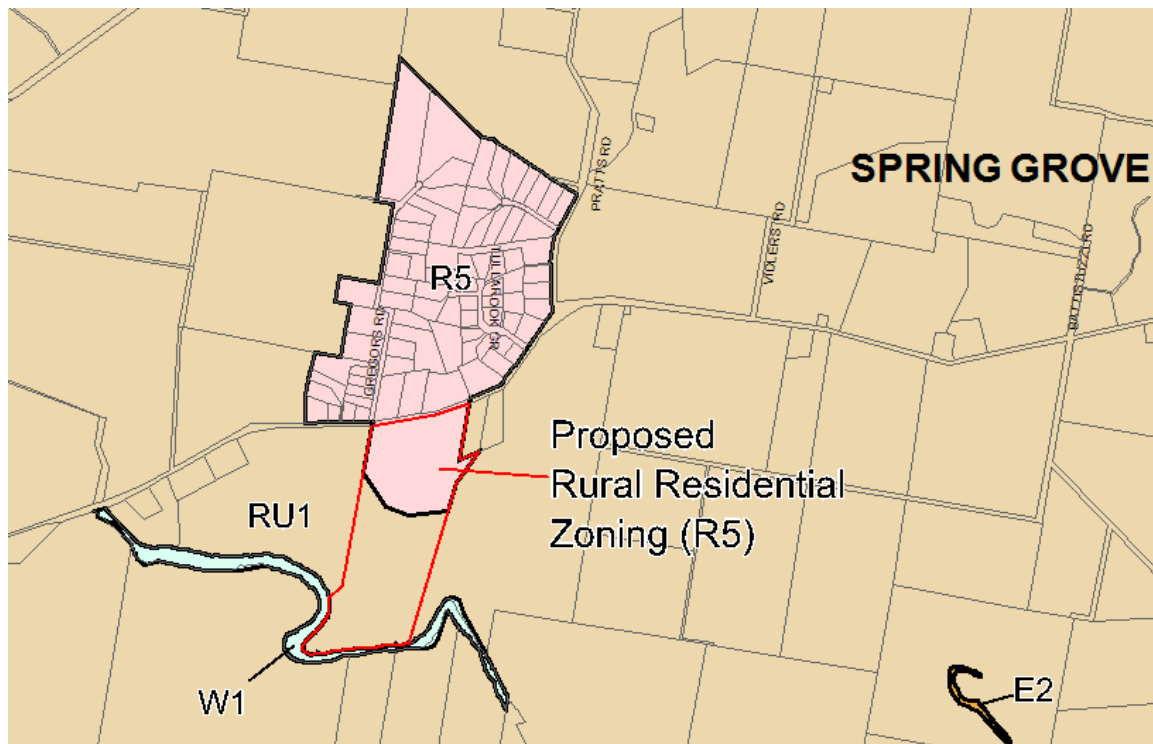


Figure 2 – Land Zone map showing the proposed extension of Zone R5 Large Lot Residential into Lot 41 DP1084516, 1145 Spring Grove Road, Spring Grove (red outline).

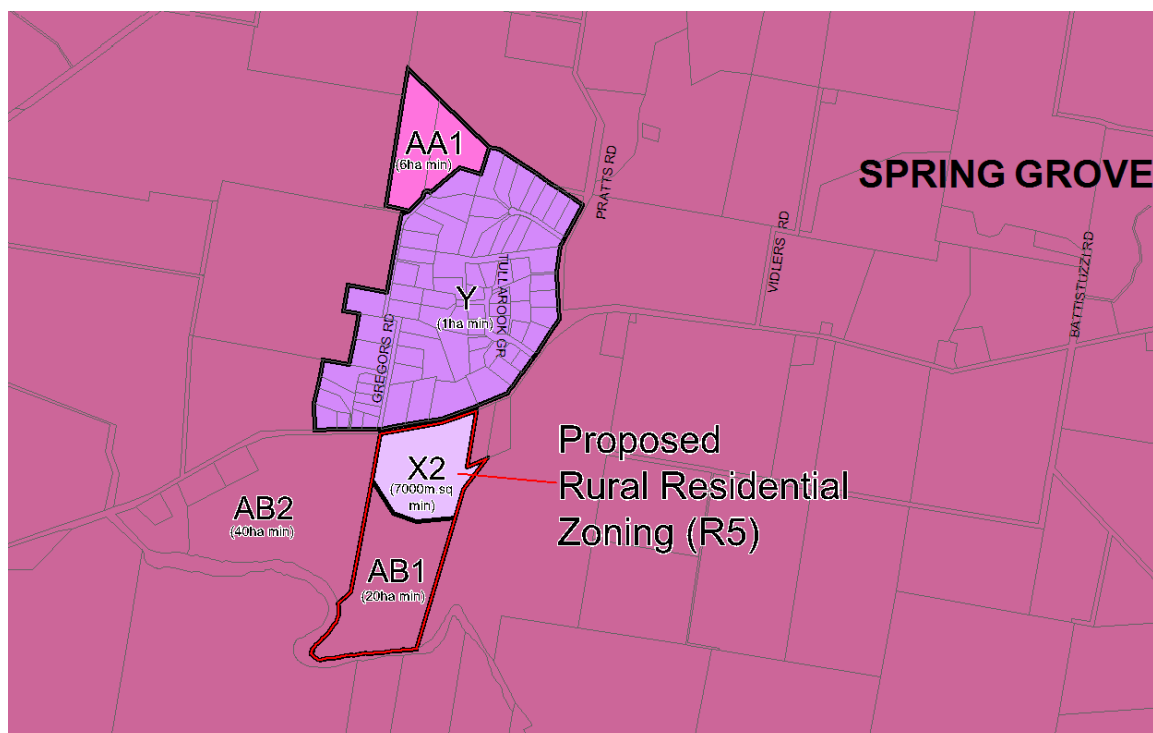


Figure 3 – Lot Size map showing the proposed 7000m<sup>2</sup> minimum lot size (X2) and 20ha minimum lot size (AB1) that will apply to Lot 41 DP1084516, 1145 Spring Grove Road, Spring Grove (red outline).

Conditions contained within the 12 February 2016 Gateway Determination are provided in the following table, along with comments and date(s) of compliance. Please note the Gateway Determination was amended on 21 February 2017 to extend the period for completion to 19 November 2017.

| Gateway Condition   | Date completed | Comments  |
|---|----------------|---|
| 1. Update the Planning Proposal to correct errors; add a 20ha minimum lot size to apply to the residue part of the land and show this on the map; and identify on a map the boundaries of significant farmland along with the Rural Residential Growth area boundary. | 13 May 2016    | Updated Planning Proposal received from the Applicant, including requested studies. |
| 2. Undertake additional studies and append these to the Planning Proposal - <ul style="list-style-type: none"> <li>• Preliminary Contamination Assessment</li> <li>• Flora &amp; Fauna Assessment, and</li> <li>• Land Use Conflict Risk Assessment.</li> </ul>       |                |   |
| <ul style="list-style-type: none"> <li>• Cultural Heritage Assessment.</li> </ul>   | 12 Jan 2017    | Additional study received (requested by Council).                                   |
| 3. Consult the following public authorities -   | 1 June 2016    | Consultation letters sent with documentation.                                       |
| <ul style="list-style-type: none"> <li>• Office of Environment &amp; Heritage (OEH) regarding heritage, flooding and ecological considerations; and</li> </ul>  | 25 Jan 2017    | Additional Cultural Heritage assessment forwarded to OEH.                           |
|   | 24 Feb 2017    | Submission from OEH - no objections.  |
| <ul style="list-style-type: none"> <li>• Department of Primary Industries (DPI-Ag) regarding significant farmland.</li> </ul>   | 30 June 2016   | First submission received. Objection to the proposal.                               |
|   | 10 Aug 2016    | Second submission following Applicant's liaison directly with DPI-Ag.               |
|   | 3 Nov 2016     | Additional information, including an Agronomist Report, forwarded to DPI-Ag.        |
|   | 11 Jan 2017    | Second submission received reinforcing DPI-Ag concerns.                             |
|   | 3 Feb 2017     | Advice sought from DP&E regarding unresolved objection from DPI-Ag.                 |

| Gateway Condition  | Date completed              | Comments  |
|--|-----------------------------|---|
|  | 21 Feb 2017                 | DP&E extension of time given to Gateway Determination to provide Council with opportunity to further consult DPI-Ag to resolve issues.        |
|  | 2 May 2017                  | Site inspection conducted with DPI-Ag and applicant.  |
|  | 1 Jun 2017                  | Email from DPI-Ag recognising the land for rural residential purposes and seeking inclusion of several land use conflict mitigation measures. |
| 4. Following consultation with public authorities, and prior to undertaking community consultation, Council is to provide the Department with a copy of the updated Planning Proposal package. | 3 July 2017                 | Revised Planning Proposal received from consultant. Includes DPI-Ag mitigation measures.  |
|  | 5 July 2017                 | Gateway submission of revised Planning Proposal.  |
|  | 10 July 2017                | Notice from DP&E acknowledging completion of conditions 1, 2 & 3, and authorising commencement of community consultation.                     |
| 5. Community Consultation for a minimum 28 days.   | 26 July 2017 to 28 Aug 2017 | See Consultation heading for details.   |
| 6. A public hearing is not required.   | NA                          | NA  |
| 7. Timeframe for completing the LEP is 12 months.  | 3 Feb 2017                  | Extension sought from DP&E due to delays consulting with DPI-Ag, and receiving the Cultural Heritage Assessment.                              |
|  | 21 Feb 2017                 | Amended Gateway condition 7 received.<br><br>Condition modified to extend LEP completion by 19 November 2017.                                 |

**Delegation of the Minister's Plan making functions**

Delegation of Ministerial LEP making functions were sought by Council for this Planning Proposal. However, these delegations were withheld at the time by the Gateway as an agreement from the Secretary of Planning may still be needed for inconsistencies with Section 117 Directions 1.2 Rural Zones, 1.5 Rural Lands; 4.3 Flood Prone Land; 5.1 Implementation of Regional Strategies; and 5.3 Farmland of State and Regional Significance.

Inconsistencies with the Section 117 Directions have now either been resolved or justified. As such the DP&E has offered to review the delegation of Ministerial Plan making functions, however this offer has been declined.

**Agency Consultation**

Condition 3 of the Gateway Determination required Council to consult with OEH regarding heritage, flooding and ecological considerations; and DPI-Ag regarding significant farmland.

This consultation commenced on 1 June 2016 upon receipt of an amended Planning Proposal (refer to condition 1 of the Gateway), and most of the required studies. The applicant had elected to hold off on preparing the cultural heritage study, requested by Council, until progress had been made with consulting DPI-Ag. This study was supplied on 12 January 2017, and forwarded to OEH on 25 January 2017.

**Office of Environment and Heritage** (OEH) notified Council on 24 February 2017 that it has no significant concerns with the proposed rezoning in relation to their statutory interests and offers comments and recommendations for Council's consideration.

- Biodiversity – Agree with consultant's assessment and encourage protection of isolated paddock trees.
- Aboriginal cultural heritage – No further concerns provided, evidence of consultation with the Local Aboriginal Land Council is supplied. A letter from the Casino-Boolangle LALC, dated 30 January 2017, was forwarded to OEH.
- Flooding – The proposal is located above the estimated 100-year average recurrence interval (ARI) flood level, and therefore consistent with the NSW Government's Flood Prone Land Policy.

**Department of Primary Industries – Agriculture** (DPI-Ag) provided Council with several written notices. The first dated 29 June 2016 expressed concerns with the protection and growth of agricultural industries. The proposal is located on mapped regionally significant farmland. Conclusions from the Land Use Conflict Risk and Assessment (LUCRA) are not supported. The notion of 18 new property owners co-existing side-by-side with broad-acre cropping and its attendant noise, dust and odour, is not in keeping with the experiences elsewhere in NSW. Consider the proposal should not be approved.



The Applicant supplied additional information and spoke with DPI-Ag in an attempt to address the objection. A second submission resulted, dated 10 August 2016, which maintained its objection and cited the recently released NSW Government policy of the right to farm.

The Applicant elected to have an Agronomist, Allen & Associates, prepare a comprehensive agricultural assessment for the land to demonstrate errors in the regionally significant farmland mapping. This report along with additional correspondence addressing the issues/concerns raised, were directed to DPI-Ag on 3 November 2016. A response was received on 11 January 2017 where DPI-Ag accepted some concessions. It maintains concerns with the strategic intent of the development; with moving the existing rural residential/agricultural interface beyond Spring Grove Road; with limitations in the land capability assessment in the report; and to loss of flood refuge opportunities on the subject land but concedes there may be minor discrepancies in the farmland mapping, and that mitigation measures, such as landscaped buffers, might be employed should the development proceed.

The DP&E was consulted on 3 February 2017 regarding the consultation outcomes with DPI-Ag and OEH, and to seek an extension to the Gateway determination due to delays. The DP&E's response was to amend the Gateway determination by granting an extension to have the LEP completed by 19 November 2017, which would enable Council the opportunity to consult and work with DPI-Ag to satisfactorily resolve the issues.

A site inspection with Ms Selina Stillman, Agricultural Resource Management Officer, DPI-Ag was arranged for 2 May 2017. The result of this meeting was an email of 1 June 2017, where DPI-Ag reiterated its earlier concerns but *“recognised that the subject land has been considered for rural residential purposes for some time given its proximity to the rural residential development to the north and that there is history around the inclusion of this land in previous strategic settlement documents for Richmond Valley LGA. It is understood that part of this site was not included in the settlement strategy given that it was identified as regionally significant farmland and that there are questions over the mapping at this site as it is on the boundary for the farmland mapping. Regardless of the mapping of this site, the contiguity of the land to productive agriculture is the key factor.”*

*Should council decide to proceed with the rezoning it is important that the development application include provisions for land use conflict risk mitigation. Reconfiguration of the subdivision concept layout to reduce the number of landowners adjacent to the eastern boundary and requiring the design and establishment of a vegetative buffer prior to subdivision along the eastern and southern boundaries would assist in mitigating the risk. Additionally there would be a need to site dwellings as far as practicable from the existing neighbouring properties. Consultation with adjoining property owners will be important.”*

Negotiations with the Applicant have committed to establishing a vegetated buffer along the southern and eastern boundaries. The concept subdivision layout has been amended to reduce the number of lots sharing boundaries to



agricultural enterprises, and dwelling exclusion buffers have been identified. Consultation will include the owners of adjoining agricultural areas.



Figure 4 – Modified concept rural residential subdivision layout following Agency consultation (Revision D).

## Consultation

Condition 5 of the Gateway Determination requires community consultation under Sections 56(2)(c) and 57 of the Act as follows:

- (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with Planning Proposals as identified in section 5.5.2 of *A Guide to Preparing LEPs* (Department of Planning and Infrastructure 2013).

The Planning Proposal was publicly exhibited from 26 July 2017 with submissions being accepted until close of business on 28 August 2017, a period of 33 days (starting the day after notice was first given).

A public notice was displayed in Council's comprehensive advertisement within The Richmond River Express Examiner on Wednesday, 26 July 2017. Notices were also displayed in each of Council's Customer Service areas at Casino and Evans Head, and on its website under the heading "On Exhibition". Copies of

the Planning Proposal, Gateway Determination, and studies were available for viewing at each of the above venues (including the website) during the exhibition.

Written adjoining land owner notices were sent of 21 July 2017, and included a plan of the proposed rezoning and concept subdivision layout.

### ***Submissions***

A total of six (6) submissions were received during the exhibition period. All submissions support the proposal.

Five (5) submissions were oriented around the need for this style of real estate to fill a gap in the market. Furthermore, they identify the development being ideally located on the Lismore side of Casino.

One (1) submission was from an adjoining land owner. This submission favours the proposal, but raises a few concerns for consideration.

- Buffer Zone – Potential houses will be sited close to their boundary and they believe it would be necessary for a buffer zone (trees/shrubs) to be included as part of the development to act as a privacy screen.
- Fencing – The boundary fence adjoining this development is in poor condition. Could it be considered that part of this fence be replaced by contributions from the developer?
- Water run-off – Due to slope of the land and soil conditions, a large amount of surface water comes through their property and causes the driveway to wash out in several places. They would like construction of a spoon drain to direct stormwater to an existing pipe under the driveway, or out to the roadside drains.

*Comments:* There is nothing in these concerns that bears influence as to whether the rezoning should proceed or be altered.

The issues raised would be best addressed as part of a future development assessment. A vegetated buffer has been required by DPI-Ag to soften the impact of this proposal on the adjoining agricultural landscape. Extension of this buffer to provide privacy screening to neighbours is an acceptable request, but once again something to be addressed at the Development Application (DA) stage. Similarly, stormwater management will need to be addressed in a DA but due to the small catchment is not critical to whether the rezoning should proceed.

Council does not intervene into dividing fence matters. Responsibility for maintaining dividing fences lies with the land owners. Council might condition a developer to install a fence, at their cost, if a higher than typical fence style for the area were needed (i.e. colourbond steel fence instead of a four strand barbed wire fence), or if some level of acoustic barrier treatment were required. Neither is expected by this proposal.

## Conclusion

Planning Proposal PP2016/0001 has been granted a conditional Gateway Determination. Conditions attached to the determination have been fulfilled and completion of the LEP by 19 November 2017 is tracking on-time.

Agency consultation was undertaken with the OEH and the DPI-Ag. OHE has no objections, while DPI-Ag raised a number of concerns with the proposal and initially objected to the development. However, after further consultation with DPI-Ag, and a site meeting, its concerns can be mitigated by a number of measures to reduce land use conflict risk. These include landscaped buffers, minimising the number of lots fronting adjoining agricultural lands, setting dwellings as far back from the subdivision/agriculture interface, and consultation with adjoining land owners.

The Proposal was publicly exhibited for 33 days, from 26 July 2017 to 28 August 2017, with notices appearing in The Richmond River Express Examiner, on Council's website, and in the Council Customer Service Centres at Casino and Evans Head. Furthermore, adjoining land owners were given written notice of the proposal. A total of six submissions were received during community consultation, all in support of the proposal.

As Council does not have Ministerial Planning making delegations, the Planning Proposal will be submitted to the DP&E requesting that it proceed to have an LEP Amendment prepared.

## 14.9 ON-SITE SEWAGE AND WASTEWATER MANAGEMENT STRATEGY

### Responsible Officer:

Andrew Hanna (Manager Development and Environment)

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## RECOMMENDATION

Recommended that:

1. The draft On-site Sewage and Wastewater Management Strategy 2017 be placed on public exhibition for a period of 28 days.
2. The draft On-site Sewage and Wastewater Management Strategy 2017 be brought back to Council to consider any submissions received for final adoption at a future Council meeting.

**190917/18 RESOLVED** (Cr Morrissey/Cr Lyons)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

## **Executive Summary**

The 2001 On-site Sewage and Wastewater Management Strategy is outdated and in need of updating to comply with changes that have occurred to the relevant standards and industry practices. The new strategy provides clear, easy to understand requirements for consultants to follow when undertaking site and soil assessments and includes an upgrade matrix for existing systems for plumbers to use. A daily disposal model (excel spreadsheet) is available for consultants and plumbers to size effluent disposal areas.

## **Delivery Program Links**

Looking after Our Environment

EH2 Promoting and Facilitating the Protection of the Environment

EH2.4 Lead and engage the community to increase environmentally sustainable practices

## **Budget Implications**

Nil.

## **Report**

The current strategy is 16 years old and not in line with best practice, current guidelines and Australian Standards. The proposed changes have been made to bring Council's On-site Sewage and Wastewater Management Strategy in line with the emerging technologies and relevant standards and guidelines.

The strategy has been divided into two (2) parts and 8 Appendices. Part A provides information such as the legislative requirements, aims and guiding principles. Part B provides information for consultants and plumbers in regard to the preparation of reports to be submitted to Council and the installation of on-site sewage management systems.

The Appendices provide greater detail of the type of on-site sewage management systems and disposal methods, site and soil assessment forms, checklists and a manual for the daily disposal model. The strategy has been divided to allow each section to stand alone on Council's webpage so an individual may access the section they require easily and to allow each section to be printed separately.

The draft On-site Sewage and Wastewater Management Strategy 2017 is still focused on low technology approaches such as septic tank and evaporation beds. A guiding principle in the document is that consultants first consider low-tech passive design gravity fed systems. The new strategy does not deviate greatly from the way Richmond Valley Council has traditionally approached on-site sewage management in the local government area.

The proposed changes to the strategy are aimed at making the installation (upgrade and new systems) an easier process. The strategy clearly outlines the requirements and Council's expectations for wastewater consultants and plumbers when submitting an application.

Significant changes have been made to the sub-surface drip irrigation section. In the last 16 years the number of applications for sub-surface drip irrigation disposal systems has increased significantly and there have been improvements made to the product lines available. The design of sub-surface drip irrigation areas requires the consultant to be suitably qualified. Council has set standards that must be met due to a number of plumbers and designers submitting poor designs that if approved and installed as per design, would fail quickly. Council has a responsibility to home owners to ensure the system that is being approved will work and not fail within a short period of time.

Other changes include the addition of an upgrade matrix (Appendix 3) which is intended to make the process of sizing new land application areas for system upgrades easier for plumbers. It is to be used in reasonable soil types (clay loams/light clays and no limitations). Any sites with limitations (cannot meet buffer distances) or poor soils will still require a wastewater report. A daily disposal model spreadsheet has been included for calculating the required size of effluent disposal areas for upgrades and new installs.

### **Consultation**

It is proposed the draft On-site Sewage and Wastewater Management Strategy 2017 be placed on public exhibition for a period of 28 days. Any submissions received during this period will be considered for inclusion in a final draft for further reporting and adoption by Council.

### **Conclusion**

The draft On-site Sewage and Wastewater Management Strategy 2017 is an improvement on the 2001 strategy and has brought the strategy up to date with current legislation, Australian Standards and Industry Best Practice.

The draft is now presented to Council, to be placed on public exhibition for 28 days. A further report will be provided to Council in regard to the outcome of the exhibition period with the aim of the strategy being adopted for implementation.

**14.10 ROAD MAINTENANCE AND CONSTRUCTION SERVICES REVIEW -  
UPDATE ON IMPLEMENTATION ACTIONS****Responsible Officer:**David Timms (Manager Infrastructure Services)

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**RECOMMENDATION**

Recommended that:

1. Council receive and note the progress report on the implementation of the recommendations of the Road Maintenance and Construction Services Review.
2. A further progress report be submitted to Council at the March 2018 Ordinary Meeting.

**190917/19 RESOLVED** (Cr Mustow/Cr Morrissey)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

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**Executive Summary**

At the March 2017 Ordinary Meeting Council resolved to adopt the recommendations of the Road Maintenance and Construction Services Review and to report to Council every six months on progress of the implementation of the recommendations.

This report provides commentary on the actions undertaken in response to the recommendations made in the report.

**Delivery Program Links**

Making Council Great

CS2.1 Provide excellent customer service to all stakeholders

CS2.1.2 Completed Service Level Agreements with each department enabling tasks to be completed to assist in providing great customer service

**Budget Implications**

Nil.

## Report

The table below represents the first six monthly update to Council on the implementation of the recommendations of the Road Maintenance and Construction Services Review.

KR = Key Recommendation from the Review

AR = Additional Recommendation from the Review

| Recommendation from Report  | Actions to Date   |
|---|---|
| KR 1. Increased communication with the Richmond Valley Council community                                  | Information on works has been included in the regular community newsletters and on Council's Facebook page and website. More information on upcoming works will be rolled out throughout the financial year. It has also been emphasised to staff at an individual level what the expectations are in providing a high level of customer service and communication with residents regarding works and any queries they might have.  |
| KR 2. Improved communication, consultation and team meetings among Council administrative and field staff | Team meetings have remained in their regular format however there has been an increased effort made to action items arising from the team meetings as soon as possible after the meetings and report these back to the staff. This has involved an increased focus on dealing with 'small issues' raised before they possibly 'get out of hand' and sending out regular action item lists with updates on the progression of solutions. Supervisors have also been tasked with communicating more with their staff about items that are raised in the Weekly Works Meetings.  |
| KR 3. In-house staff for road inspections and road conditioning   | Council's road assets require a revaluation in the 2017/18 financial year. In early August a group of staff from the Infrastructure Services, Asset Planning and Finance departments had a meeting and discussed the possibility of conducting the inspections and revaluations in house. The group decided to form an Asset Management Steering Committee and committed to the delivery of the revaluations and associated asset condition assessments and inspections in house using Council staff. All agreed that while it will be an intensive and time consuming process, staff have the skills and experience required to complete the task and it will be beneficial to all. A proposal was developed for Council's auditors' consideration and approval following the meeting. |
| KR 4. Additional funding to extend design lead times  | An additional \$200,000 was approved in the 2017/18 Operational Plan for Survey Design and Advance Planning for Urban & Rural Roads. These funds will be used to procure additional design and planning work so that designs are at least 12 months in advance of construction works. The Manager Asset Planning is currently working on procuring these design resources.  |

| Recommendation from Report  | Actions to Date  |
|---|--|
| KR 5. Council to make a budget assessment on highlighted maintenance issues                                     | Both the Manager Infrastructure Services and the Manager Asset Planning have been tasked with the delivery of a Strategic Road Plan for Richmond Valley Council. This Plan will rely on a lot of the work to be done during the network inspections performed as part of the revaluations and will address the current maintenance practices and suggest solutions for funding gaps.   |
| KR 6. Assessment of options for increased access to Technology in the field                                     | Council's Information & Technology Department are actively working on Council's systems with the intent of getting them ready for the increased rollout of field devices. A lot of work has been required to ensure the security of Council's systems is not compromised by moving to a more mobile and open operating environment for staff. All new devices are equipped with Office 365.  |
| AR 7. Change to working hours for maintenance crews   | Three trials are currently underway with Council teams on four (4) Day Work Weeks. One of the rural grading teams, Water & Sewer Construction Team (Casino) and the Electrical Team are all trialling a four day work week arrangement. The trials have been formalised through an agreement with the approval of the United Services Union (USU) and will involve a formal review of the trial and consultation with staff near the conclusion of the trial to determine the success or otherwise of the trial before proceeding further.   |
| AR 8. Documentation provided to plant operators detailing workshop servicing                                    | A Plant & Vehicle Management Review will be undertaken by a Consultant and part of the scope of that review will be to look at the processes involving the maintenance of Council vehicles. Quotes have been obtained from Consultants to undertake the review and an engagement should be made in September.  |
| AR 9. Improved budgeting and reduced carry over works   | This recommendation can only be actioned following the work that will be done from KR 3, KR 4 and KR 5.  |
| AR 10. Re-allocate funding from sealing unsealed laneways to the specific problem areas in key recommendation 5 | This recommendation will be actioned following the work undertaken by KR 5.  |
| AR 11. Use of GPS and cameras to protect Council assets   | Cameras for plant have been investigated and a system has been identified as meeting Council's requirements and quotes are currently being sourced. With regards to the use of GPS technology in vehicles, Workplace Surveillance procedures and policies in accordance with the NSW Workplace Surveillance Act 2005 must first be implemented. These are currently in the investigation and drafting stage and will eventually require approval by the Workplace Consultative Committee and the United Services Union (USU). A source of funding for the installation of GPS systems on Waste & Resource Recovery vehicles has been secured |



| Recommendation from Report      | Actions to Date   |
|---------------------------------|---|
|                                 | and it is likely they will be the first to be completed once the policies and procedures have been implemented.   |
| AR 12. Additional Safety Audits | The Workplace Health & Safety Officer has been released from desk bound duties for more hours per week and this has enabled him to conduct more random safety audits on Council worksites. The corrective actions from the audits are entered into Council's Safehold System so their implementation can be tracked and recorded. |
| AR 13. Morning warm ups         | Council's Corporate Risk Coordinator is currently investigating options for how the morning warm up procedure can be changed. Staff will be consulted and communicated with regarding any proposed changes.   |

#### 14.11 TENDER RVC 774961 CONSTRUCT BRIDGE OVER PELICAN CREEK ON RAMBALDINIS ROAD NAUGHTONS GAP

**Responsible Officer:**

Andrew Leach (Manager Asset Planning)

#### RECOMMENDATION

Recommended that:

1. Ozwide Bridge Rail and Civil be awarded the contract for the replacement of the bridge crossing Pelican Creek on Rambaldinis Road, Naughtons Gap for the lump sum of \$344,700 excluding GST.
2. The remaining funding be utilised to enhance the scope of works at the site, by improving the road pavement and sealing the approaches to the bridge.
3. The Common Seal of Council be affixed to any documentation where required.

**190917/20 RESOLVED** (Cr Morrissey/Cr Lyons)

That the above recommendation be adopted.

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

#### Executive Summary

Council staff have identified the need to replace the ageing timber bridge crossing Pelican Creek on Rambaldinis Road.

The tender is for suitably qualified contractors to build a single span concrete structure across the waterway.

Tenders were advertised and closed Friday, 25 August 2017 with Council receiving eight tenders; six tenders were conforming and were assessed, and two tenders were late which were disqualified.

Following the tender evaluation process there was a clearly preferred tenderer who scored highest on price and deliverable timeframe. Ozwide Bridge Rail and Civil forecast the ability to deliver the works at the best price, within the shortest timeframe, and as such are recommended to be awarded the works.

### **Delivery Program Links**

Connecting People and Places

PP2 Getting Around

PP2.1 Improve Road Management practices at Richmond Valley Council

### **Budget Implications**

Council is utilising Roads to Recovery funding to construct the bridge and has budgeted \$440,000. There has been \$26,000 spent on geotechnical investigation, design drawings and specification documents. This leaves a remaining budget of \$414,000.

### **Report**

In accordance with the *Local Government (General) Regulation 2005 – Part 7* Tendering, where expenditure on a tender exceeds \$150,000 over the term of the contract a Council must, by resolution, adopt a report accepting the Tender recommendation.

### **Probity**

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

Conflict of Interest Declarations were signed by all participating Evaluation Panel Members. The declarations are available to be viewed if required.

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

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

### ***Tender Analysis***

The tender evaluation was conducted on 8 September 2017 at Richmond Valley Council by the following Council officers:

- Ryan Gaiter – Chief Financial Officer
- Andrew Leach –Manager Asset Planning
- Graeme Robertson – Asset Coordinator
- Daniel Parker - Acting Coordinator Purchasing and Stores

### ***Methodology***

The percentage weightings and criteria were agreed upon prior to the tender closing as follows:

|  |     |
|--|-----|
| Lump Sum Price                           | 65% |
| Previous experience in construction type | 15% |
| Capacity to complete the work as agreed  | 10% |
| Evidence of benefit to the local economy | 5%  |
| Referees                                 | 5%  |

### ***Evaluation Results***

A table summarising the evaluation results is listed below:

| Criteria                                 | Wt  | Aldercon      |             | Ark           |             | Bridge and Civil |             | NRC           |             | Ozwide        |             | Perfect       |             |
|--|-----|---------------|-------------|---------------|-------------|------------------|-------------|---------------|-------------|---------------|-------------|---------------|-------------|
| Tender Price Submit                      |     | \$ 425,000.00 |             | \$ 399,795.00 |             | \$ 375,000.00    |             | \$ 378,550.00 |             | \$ 344,700.00 |             | \$ 462,787.00 |             |
|  |     | Score         | Wt Score    | Score         | Wt Score    | Score            | Wt Score    | Score         | Wt Score    | Score         | Wt Score    | Score         | Wt Score    |
| Lump Sum Price - Score                   | 65% | 8.11          | 5.27        | 8.62          | 5.603       | 9.19             | 5.9735      | 9.1           | 5.915       | 10            | 6.5         | 7.44          | 4.836       |
| Previous experience in construction type | 15% | 9             | 1.35        | 9             | 1.35        | 9                | 1.35        | 7             | 1.05        | 9             | 1.35        | 6             | 0.9         |
| Capacity to complete the works as agreed | 10% | 8.5           | 0.85        | 8.5           | 0.85        | 8.5              | 0.85        | 8.5           | 0.85        | 10            | 1           | 9             | 0.9         |
| Evidence of benefit to the local economy | 5%  | 10            | 0.50        | 10            | 0.5         | 0                | 0           | 10            | 0.5         | 0             | 0           | 4             | 0.2         |
| Referees                                 | 5%  | 10            | 0.50        | 10            | 0.5         | 10               | 0.5         | 10            | 0.5         | 10            | 0.5         | 10            | 0.5         |
|  |     |               | 0.00        |               | 0           |                  | 0           | 0             | 0           | 0             | 0           | 0             | 0           |
| <b>Total Score</b>                       |     |               | <b>8.47</b> |               | <b>8.80</b> |                  | <b>8.67</b> |               | <b>8.82</b> |               | <b>9.35</b> |               | <b>7.34</b> |

### ***Note***

- Two late tenders were received from Coast Works outside of the prescribed timeframe and Tenderlink submission process. The Evaluation Panel deemed these tenders as ineligible and was not considered.

### ***Consultation***

Referee checks have been undertaken by Council staff relevant to the preferred tenderer and the feedback has been positive with the contractor having delivered many similar projects for Local Government in regional NSW, on time and within budget.

## Conclusion

It is recommended that Ozwide Bridge Rail and Civil be awarded the contract for the replacement of the bridge crossing Pelican Creek on Rambaldinis Road for the lump sum of \$344,700 excluding GST. It is also recommended that any funds remaining outside of the bridge replacement cost be invested into sealing the approaching road surfaces to the bridge, further improving the safety of road users at this section of road.

### **14.12 TENDER RVC 778430 DETAILED DESIGN DRAWINGS AND TECHNICAL SPECIFICATION FOR DEVELOPMENT OF WOODBURN RIVERSIDE PRECINCT**

#### **Responsible Officer:**

Andrew Leach (Manager Asset Planning)

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## RECOMMENDATION

Recommended that:

1. Localé Consulting be awarded the contract for the drafting of Design Drawings and Technical Specifications required for the development of the Woodburn Riverside Precinct in Woodburn, for the lump sum of \$152,818 excluding GST.
2. The Common Seal of Council be affixed to any documentation where required.

**190917/21 RESOLVED** (Cr Hayes/Cr Cornish)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr Humphrys

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## Executive Summary

Council is developing the Woodburn Riverside Precinct to promote visitation, community events, and economic development in the township of Woodburn. Following a successful community consultation, and the drafting and adoption of a masterplan for the riverside precinct, Council required detailed drawings and specifications to go to tender and ultimately the construction of the proposed facilities on site.

The tender is for suitably qualified contractors to undertake these works in consultation with Council Officers.

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Tenders were advertised and closed Thursday, 14 September 2017 with Council receiving 6 tenders.

Following the tender evaluation process there was a preferred tenderer who scored competitively on price and deliverable timeframe. Localé Consulting forecast the ability to deliver the appropriate standard of works at a competitive price, within the prescribed timeframe, and as such are recommended to be awarded the works.

### **Delivery Program Links**

Connecting People and Places

PP1 Fresh and Vibrant Community

PP1.3 Provide clean, safe and accessible open spaces and recreational services to the community and visitors

### **Budget Implications**

Council is utilising funding dedicated to the redevelopment of the Woodburn Riverside Precinct. The current budget has a balance of \$1,510,000. This leaves a remaining budget of \$1,358,000 to move into the construction phase. Council will continue to seek funding for the completion of the construction process, and the estimates gained through his work will be vital to forward planning.

### **Report**

In accordance with the *Local Government (General) Regulation 2005 – Part 7* Tendering, where expenditure on a tender exceeds \$150,000 over the term of the contract a Council must, by resolution, adopt a report accepting the Tender recommendation.

### **Probity**

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

Conflict of Interest Declarations were signed by all participating Evaluation Panel Members. The declarations are available to be viewed if required.

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

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

### ***Tender Analysis***

The tender evaluation was conducted on 15 September 2017 at Richmond Valley Council by the following Council Officers:

- Ryan Gaiter – Chief Financial Officer
- Andrew Leach – Manager Asset Planning
- Charlene Reeves – Managerial Assistant
- Daniel Parker - Acting Coordinator Purchasing and Stores

### ***Methodology***

The percentage weightings and criteria were agreed upon prior to the tender closing as follows:

|  |     |
|--|-----|
| Lump Sum Price                                   | 65% |
| Previous experience in delivery of like projects | 15% |
| Capacity to complete the work as agreed          | 20% |

### ***Evaluation Results***

A table summarising the evaluation results is listed below:

| Criteria   | Wt  | Caldis Cook |             | Chris Pritchett |             | Distinctive Living |             | Locale Consulting |             | Lyon Architects |             | Wiley & Co |             |
|--|-----|-------------|-------------|-----------------|-------------|--------------------|-------------|-------------------|-------------|-----------------|-------------|------------|-------------|
| Tender Price Submit (ex GST)                               |     | \$170,600   |             | \$178,423       |             | \$242,595          |             | \$152,818         |             | \$140,054       |             | \$223,909  |             |
|  |     | Score       | Wt Score    | Score           | Wt Score    | Score              | Wt Score    | Score             | Wt Score    | Score           | Wt Score    | Score      | Wt Score    |
| Lump Sum Price   | 65% | 8.21        | 5.34        | 7.85            | 5.10        | 5.76               | 3.75        | 9.16              | 5.96        | 10              | 6.5         | 6.25       | 4.06        |
| Previous experience in delivery of drawings/ specification | 15% | 9           | 1.35        | 9               | 1.35        | 9                  | 1.35        | 9                 | 1.35        | 9               | 1.35        | 8          | 1.2         |
| Capacity to complete the works as agreed                   | 20% | 9           | 1.80        | 9               | 1.8         | 9                  | 1.8         | 9                 | 1.8         | 8               | 1.6         | 9          | 1.8         |
| <b>Total Score</b>   |     |             | <b>8.49</b> |                 | <b>8.25</b> |                    | <b>6.90</b> |                   | <b>9.11</b> |                 | <b>9.45</b> |            | <b>7.07</b> |
| <b>Rank Order</b>  |     |             |             |                 |             |                    |             |                   |             |                 |             |            |             |

### ***Notes***

There are a number of points to note which reflect the scores allocated, and how the final recommendation is reached.

- This tender was directed to Council's preferred supplier panel, and 34 consultants were invited to submit.
- Council received 6 tenders for the task. All were deemed conforming.
- All tenderers provided good submissions, demonstrating knowledge and ability of a high level.

- Five of the six submissions included the delivery of cost estimates for the project. Lyon Architects had this quantity surveying element excluded, and the panel estimated from averages this work is valued at least \$10,000.
- The pricing information is vital to budgeting and programming works.
- The next lowest priced tenderer, Localé Consulting, is familiar with the project, having delivered the Masterplan, and drafting the Building Better Futures grant application for the site. This is a benefit moving forward as they are aware of the community consultation and Council's direction on this project.
- The panel discussed at length the two lowest submissions, and in the end recommend Localé Consulting ahead of Lyon Architecture, confident they provide value for money, and have good knowledge of Council's requirements within the project.

### **Consultation**

Referee checks have been considered by Council staff relevant to the preferred tenderer and have been positive with the contractor having delivered many similar projects for Local Government in regional NSW, on time and within budget, including the experience of Council's dealings with them.

### **Conclusion**

It is recommended that Localé Consulting be awarded the contract for the drafting of Design Drawings and Technical Specifications required for the development of the Woodburn Riverside Precinct in Woodburn, for the lump sum of \$152,818 excluding GST.

## **15 MATTERS FOR INFORMATION**

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### **RECOMMENDATION**

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

**190917/22 RESOLVED** (Cr Morrissey/Cr Lyons)

That the above recommendation be adopted.

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

**15.1 FINANCIAL ASSISTANCE GRANT ALLOCATION FOR 2017/2018****Responsible Officer:**Ryan Gaiter (Chief Financial Officer/Manager Mid-Richmond)

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**Report**

After receiving a decline in allocation of Financial Assistance Grants for the previous two years, Council resolved at its November 2016 Ordinary Meeting that the General Manager write to the then Minister for Local Government, the Hon Paul Toole MP and NSW Local Government Grants Commission voicing Council's concerns and asking for a visit from the Grants Commission to gain a better understanding of the allocation methodology.

The letter was responded to by the Executive Officer of the NSW Grants Commission explaining that the Commission had been focussing its attention on refining its assessment modelling to better reflect Councils' relative needs. The letter also gave an explanation on why Council's allocation decreased for the 2015/2016 and 2016/2017 years. The letter did state however it would not be practical for the Commission to hold ad-hoc meetings with Councils as it planned to meet with Council within the next two years.

Richmond Valley Council Financial Assistance Grants allocation for 2017/2018 is \$4,790,987 made up of a General Purpose Component of \$3,253,825 and a Local Roads Component of \$1,537,162. Council received \$2,368,746 in advance in June 2017.

Council budgeted \$4,625,000, made up of a General Purpose Component of \$3,130,000 and a Local Roads Component of \$1,495,000.

In summary, Council has additional funding of \$165,987, made up of an increase in the General Purpose Component of \$123,825 and an increase in the Local Roads Component of \$42,162 for the 2017/2018 financial year.

**Delivery Program Links**

Making Council Great

CS2 Great Support

CS2.12 Examine all revenue and expenditure reduction opportunities within legislative powers

**Budget Implications**

Council budgeted \$4,625,000 in Financial Assistance Grants for 2017/2018. The actual allocation is \$4,790,987, therefore Council has additional funding of \$165,987.



**15.2 GRANT APPLICATION INFORMATION - AUGUST 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 August 2017.

Six grant projects were approved (two being ongoing partial approvals) and Council received funding for five grants during the reporting period totalling \$1,553,447. Council was notified as being unsuccessful with two grant applications and applied for five new grants during August 2017. The details of these grants are provided below.

***Grants that have been approved***

| <b>Casino Drill Hall Revitalisation</b> |   |
|---|---|
| Project ID                              | 10241   |
| Funding Body                            | NSW Office of Liquor and Gaming   |
| Funding Name                            | 2016/17 Clubgrants Category 3 - Arts and Culture Infrastructure Grant Round |
| Government Level                        | State   |
| Project Value (exc GST)                 | \$252,000   |
| Grant Funding (exc GST)                 | \$252,000   |
| Council Funding (exc GST)               | \$ 0  |
| Date Application Submitted              | 10 March 2017   |
| Date Approved                           | 29 August 2017  |
| Comment (if required)                   | N/A   |

| <b>Woodburn Riverside Precinct Upgrade</b> |   |
|--|---|
| Project ID                                 | 10242   |
| Funding Body                               | Department of Infrastructure and Regional Development       |
| Funding Name                               | Building Better Regions Fund Infrastructure Projects Stream |
| Government Level                           | Federal   |
| Project Value (exc GST)                    | \$1,510,000   |
| Grant Funding (exc GST)                    | \$ 700,000  |
| Council Funding (exc GST)                  | \$ 810,000  |
| Date Application Submitted                 | 28 February 2017  |
| Date Approved                              | 3 August 2017   |
| Comment (if required)                      | N/A   |

**Indoor Rock Climbing Wall for Casino Indoor Sports Stadium**

|                            |  |
|----------------------------|--|
| Project ID                 | 10249  |
| Funding Body               | Department of Family and Community Services                  |
| Funding Name               | Social Housing Community Improvement Fund 2017 - Round Three |
| Government Level           | State  |
| Project Value (exc GST)    | \$45,400   |
| Grant Funding (exc GST)    | \$45,400   |
| Council Funding (exc GST)  | \$ 0   |
| Date Application Submitted | 9 May 2017   |
| Date Approved              | 4 August 2017  |
| Comment (if required)      | N/A  |

**Flood Event of 12 March 2017 Restoration Works**

|                            |   |
|----------------------------|---|
| Project ID                 | 10256   |
| Funding Body               | Roads and Maritime Services   |
| Funding Name               | Natural Disaster Funding  |
| Government Level           | State   |
| Project Value (exc GST)    | \$3,187,434   |
| Grant Funding (exc GST)    | \$3,158,434   |
| Council Funding (exc GST)  | \$ 29,000   |
| Date Application Submitted | Various   |
| Date Approved              | July 2017   |
| Comment (if required)      | At this stage \$1,553,118 of funding has been approved by RMS. The project consists of \$1,695,252 Local Roads component, \$1,348,631 Regional Roads component and \$143,551 Crown Roads component. Total project values have changed due to ongoing negotiations with RMS. |

**Flood Event of 28 March 2017 Restoration Works**

|                            |  |
|----------------------------|--|
| Project ID                 | 10258  |
| Funding Body               | Roads and Maritime Services  |
| Funding Name               | Natural Disaster Funding   |
| Government Level           | State  |
| Project Value (exc GST)    | \$5,816,028  |
| Grant Funding (exc GST)    | \$5,787,028  |
| Council Funding (exc GST)  | \$ 29,000  |
| Date Application Submitted | Various  |
| Date Approved              | July 2017  |
| Comment (if required)      | At this stage \$1,827,818 of funding has been approved by RMS. The project consists of \$2,593,474 Local Roads component and \$3,222,554 Regional Roads component. Total project values have changed due to ongoing negotiations with RMS. |

| <b>Broadwater to the Beach Shared Pathway</b> |  |
|---|--|
| Project ID                                    | 10262  |
| Funding Body                                  | Roads and Maritime Services                  |
| Funding Name                                  | Active Transport Program, Priority Cycleways |
| Government Level                              | State  |
| Project Value (exc GST)                       | \$1,000,000                                  |
| Grant Funding (exc GST)                       | \$1,000,000                                  |
| Council Funding (exc GST)                     | \$ 0   |
| Date Application Submitted                    | 1 August 2017                                |
| Date Approved                                 | 29 August 2017                               |
| Comment (if required)                         | N/A  |

***Grants that have been received***

| <b>Expansion of Northern Rivers Livestock Exchange, Casino Project</b> |   |
|--|---|
| Project ID   | 10240   |
| Funding Body   | Department of Infrastructure and Regional Development |
| Funding Name   | N/A   |
| Government Level   | Federal   |
| Project Value (exc GST)  | \$7,000,000   |
| Grant Funding (exc GST)  | \$3,500,000   |
| Council Funding (exc GST)  | \$3,500,000   |
| Date Application Submitted   | N/A   |
| Date Received  | \$700,000 received 10 August 2017                     |
| Total Funds Received To Date   | \$700,000   |
| Comment (if required)  | Approved 14 December 2016                             |

| <b>Rural Fire Service – Ellangowan Station Extension</b> |   |
|--|---|
| Project ID   | N/A   |
| Funding Body   | NSW Rural Fire Service                            |
| Funding Name   | NSW Rural Fire Fighting Fund Allocation 2016/2017 |
| Government Level   | State   |
| Project Value (exc GST)                                  | \$95,000  |
| Grant Funding (exc GST)                                  | \$95,000  |
| Council Funding (exc GST)                                | \$ 0  |
| Date Application Submitted                               | N/A   |
| Date Received  | \$12,350 received 10 August 2017                  |
| Total Funds Received To Date                             | \$52,350  |
| Comment (if required)                                    | N/A   |

**Rural Fire Service – Mallanganee Station Amenities**

|                              |   |
|------------------------------|---|
| Project ID                   | N/A   |
| Funding Body                 | NSW Rural Fire Service                                  |
| Funding Name                 | NSW Rural Fire Fighting Fund Allocation 2016/2017       |
| Government Level             | State   |
| Project Value (exc GST)      | \$50,000  |
| Grant Funding (exc GST)      | \$50,000  |
| Council Funding (exc GST)    | \$ 0  |
| Date Application Submitted   | N/A   |
| Date Received                | \$17,787 received 10 August 2017                        |
| Total Funds Received To Date | \$47,600  |
| Comment (if required)        | Grant Funding administered on behalf of Kyogle Council. |

**Financial Assistance Grant Scheme 2017/2018**

|                              |  |
|------------------------------|--|
| Project ID                   | N/A  |
| Funding Body                 | N/A  |
| Funding Name                 | NSW Local Government Grants Commission   |
| Government Level             | Federal  |
| Project Value (exc GST)      | \$4,790,987  |
| Grant Funding (exc GST)      | \$4,790,987  |
| Council Funding (exc GST)    | \$ 0   |
| Date Application Submitted   | N/A  |
| Date Received                | \$605,560 received 21 August 2017 (General Purpose Component \$411,487, Local Roads Component \$194,073) |
| Total Funds Received To Date | \$2,974,306  |
| Comment (if required)        | Approved August 2017   |

**Regional Roads Block Grant 2017/2018**

|                              |                                      |
|------------------------------|--------------------------------------|
| Project ID                   | N/A                                  |
| Funding Body                 | Roads and Maritime Services          |
| Funding Name                 | Regional Roads Block Grant 2017/2018 |
| Government Level             | State                                |
| Project Value (exc GST)      | \$871,000                            |
| Grant Funding (exc GST)      | \$871,000                            |
| Council Funding (exc GST)    | \$ 0                                 |
| Date Application Submitted   | N/A – Annual allocation              |
| Date Received                | \$217,750 received 30 August 2017    |
| Total Funds Received To Date | \$217,750                            |
| Comment (if required)        | N/A                                  |

***Unsuccessful Grant Applications***

| <b>Richmond River Riparian Restoration in Coraki</b> |  |
|--|--|
| Project ID   | 10225  |
| Funding Body   | NSW Environmental Trust                      |
| Funding Name   | Environmental Restoration and Rehabilitation |
| Government Level                                     | State  |
| Project Value (exc GST)                              | \$117,977                                    |
| Grant Funding (exc GST)                              | \$100,000                                    |
| Council Funding (exc GST)                            | \$ 17,977                                    |
| Date Application Submitted                           | 26 September 2016                            |
| Date Advised Unsuccessful                            | 14 August 2017                               |
| Comment (if required)                                | N/A  |

| <b>Casino Showground Master Plan</b> |   |
|--------------------------------------|---|
| Project ID                           | 10243   |
| Funding Body                         | NSW Government Department of Industry Lands                 |
| Funding Name                         | Building Better Regions Fund Infrastructure Projects Stream |
| Government Level                     | State   |
| Project Value (exc GST)              | \$24,960  |
| Grant Funding (exc GST)              | \$24,960  |
| Council Funding (exc GST)            | \$ 0  |
| Date Application Submitted           | 24 March 2017   |
| Date Advised Unsuccessful            | 24 August 2017  |
| Comment (if required)                | N/A   |

***Grant Applications Submitted***

| <b>Installation of Disabled Toilet at Rappville Hall</b> |   |
|--|---|
| Project ID   | 10261                                       |
| Funding Body   | Department of Family and Community Services |
| Funding Name   | NSW Community Building Partnership 2017     |
| Government Level   | State                                       |
| Project Value (exc GST)                                  | \$22,636                                    |
| Grant Funding (exc GST)                                  | \$11,318                                    |
| Council Funding (exc GST)                                | \$11,318                                    |
| Date Application Submitted                               | 3 August 2017                               |
| Comment (if required)                                    | N/A   |

**Coraki Riverside Park Pontoons and Gangways**

|                            |                         |
|----------------------------|-------------------------|
| Project ID                 | 10263                   |
| Funding Body               | Transport NSW           |
| Funding Name               | NSW Boating Now Round 2 |
| Government Level           | State                   |
| Project Value (exc GST)    | \$164,820               |
| Grant Funding (exc GST)    | \$122,820               |
| Council Funding (exc GST)  | \$ 42,000               |
| Date Application Submitted | 20 August 2017          |
| Comment (if required)      | N/A                     |

**Woodburn Riverside Jetty**

|                            |                         |
|----------------------------|-------------------------|
| Project ID                 | 10264                   |
| Funding Body               | Transport NSW           |
| Funding Name               | NSW Boating Now Round 2 |
| Government Level           | State                   |
| Project Value (exc GST)    | \$141,880               |
| Grant Funding (exc GST)    | \$101,880               |
| Council Funding (exc GST)  | \$ 40,000               |
| Date Application Submitted | 20 August 2017          |
| Comment (if required)      | N/A                     |

**Woodburn Coraki Road**

|                            |  |
|----------------------------|--|
| Project ID                 | 10265  |
| Funding Body               | Transport NSW  |
| Funding Name               | Fixing Country Roads Round 3 – Roads and Bridges Construction Stream |
| Government Level           | State  |
| Project Value (exc GST)    | \$6,806,400  |
| Grant Funding (exc GST)    | \$5,206,400  |
| Council Funding (exc GST)  | \$1,600,000  |
| Date Application Submitted | 30 August 2017   |
| Comment (if required)      | N/A  |

**CPTIGS Bus Shelters Project**

|                            |  |
|----------------------------|--|
| Project ID                 | 10266  |
| Funding Body               | Transport NSW  |
| Funding Name               | 2017/19 Country Passenger Transport Infrastructure Grants Scheme |
| Government Level           | State  |
| Project Value (exc GST)    | \$20,000   |
| Grant Funding (exc GST)    | \$20,000   |
| Council Funding (exc GST)  | \$ 0   |
| Date Application Submitted | 31 August 2017   |
| Comment (if required)      | N/A  |

**Delivery Program Links**

Making Council Great

CS2 Great Support

CS2.12 Examine all revenue and expenditure reduction opportunities within legislative powers

**Budget Implications**

All Council funding required regarding the grants in this report has been included in Council's budget.

**15.3 NORTH COAST SHARK NET TRIAL****Responsible Officer:**

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

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**Report**

In response to increased shark-human interactions off Northern NSW, a six-month 'North Coast Shark Mesh-Net Trial' was conducted by the Department of Primary Industries between 8 December 2016 and 30 May 2017.

Shark nets have traditionally been used in the Sydney region to mitigate shark bites. SMART drumlines were also deployed during this time to allow comparisons between the two approaches. SMART drumlines are a new technology being trialled as part of the state-wide Shark Management Strategy. They are designed to catch target sharks and then, via a GPS signal, immediately alert operators to attend (and relocate) the live animal.

***The Results for the Shark Nets***

Based on community consultations, shark nets were trialled at five beaches.

- Seven Mile Beach off Lennox Head;
- Sharpes, Shelly and Lighthouse beaches off Ballina; and
- Main Beach at Evans Head.

A single net was deployed (weather permitting) at each beach. Nets were deployed for 144-167 days and nights.

Nets were each checked 125–227 times out of a possible 288–334 occasions. On average, nets were checked every 17 hours at Evans Head. Difficulties in checking the nets more frequently was due to poor weather or sea conditions.

Nine target sharks were caught in the nets; the results for each beach were as follows:

- Sharpes Beach Ballina - three White Sharks, two Tiger Sharks;
- Seven Mile Beach Lennox Head – one Tiger Shark, one Bull Shark;
- Lighthouse Beach Ballina – two Bull Sharks;
- Shelly Beach Ballina – no target sharks caught
- Main Beach Evans Head – no target sharks caught

A total of 275 animals were caught in the nets over the trial period across all five beaches.

### ***The Results of the Smart Drumlines***

25 SMART drumlines were interspersed among nets at Ballina and Evans Head beaches (15 off Ballina; 10 off Evans Head).

SMART Drumlines were deployed for 128-132 days. All deployments were during daylight hours when weather and sea conditions allowed for safe and timely retrieval.

SMART Drumlines were very selective for White Sharks and caught 31 White, three Tiger and two Bull sharks.

Sharks were caught more frequently at Main Beach, Evans Head; South Wall, Ballina; and Lighthouse Beach Ballina.

There was no clear trend in the time of day. White Sharks were caught on SMART drumlines; however, more sharks were caught between December–January and April–May than February–March. Only one White Shark was caught between 19 January and 20 April 2017.

White Sharks survived immediate catch and release. Being hooked in the mouth caused minimal damage and few, if any longer-term effects. However, two known mortalities occurred during the trial. One White Shark died due to a combination of entanglement and displacement of the drumline, and one was found five days after release washed up on the beach (cause of death could not be determined).

Non-target animals caught included two Grey Nurse Sharks and one Dusky Whaler, which were all released alive.

### ***Future Plans for the Trial***

The NSW Government has made the decision to pursue a second Shark Net Trial on the North Coast following the review of results of the first trial.

The second trial will take place at the same five beaches (Lighthouse Beach, Ballina; Sharpes Beach, Ballina; Shelly Beach, Ballina; Seven Mile Beach,



Lennox Head; and Main Beach, Evans Head) and commence at the end of the southward peak whale migration period in early November.

The results from the first trial showed that overall, the community felt safer, however there was significant concern regarding the quantity of by-catch (animals caught other than target sharks). The second trial will focus on addressing this issue.

The nets will again be fitted with dolphin 'pingers' and whale alarms but there will also be a number of modifications to the design and operation of the nets in an attempt to minimise by-catch numbers.

25 SMART drumlines will continue to be deployed daily (weather permitting), as well as drone and helicopter surveillance.

### **Delivery Program Links**

Making Council Great

CS1 Leading and Advocating for our Community

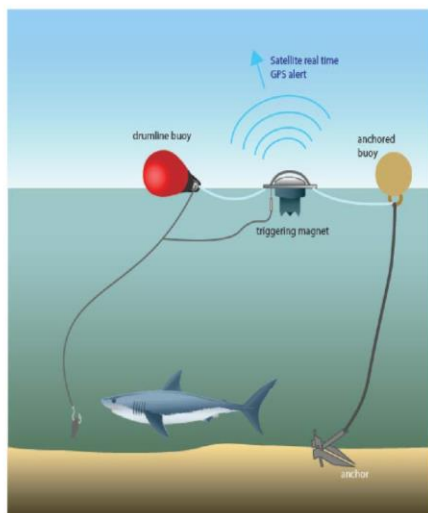
CS1.1 Improve decision making by engaging stakeholders and taking community input into account

### **Consultation**

Community consultation was undertaken by the Department of Primary Industries over the course of the trial to inform the most suitable locations for nets, and to monitor the levels of acceptance to the presence and operation of the nets. A copy of the results as provided by Department of Primary Industries has been included in this report.

## RESULTS

### SMART Drumlines



## 36 target sharks

were caught from a total of 39 animals  
(92% of the total catch)

All but one White Shark was released alive.

Size range (target sharks) = 1.5 – 4.5 m

## 25\* SMART drumlines

were deployed during daylight hours  
(weather permitting) among nets at Ballina  
and Evans Head beaches

\*15 off Ballina, 10 off Evans Head.

Target sharks caught included 31 White Sharks, 3 Tiger Sharks and 2 Bull Sharks.

Target sharks were caught more frequently at Main Beach Evans Head, South Wall Ballina, and Lighthouse Beach Ballina.

### Main Beach, Evans Head



(12 White Sharks)

### South Wall, Ballina



(8 White Sharks, 1 Bull Shark)

### Lighthouse Beach, Ballina



(4 White Sharks, 2 Tiger Sharks)

- ✦ There was no clear trend in the time of day White Sharks were caught on SMART drumlines. However, more sharks were caught between December–January and April–May than February–March. Only 1 White Shark was caught between 19 January and 20 April 2017.

- ✦ Most White Sharks survived immediate catch-and-release. Being hooked in the mouth caused minimal damage and few, if any longer-term effects.

- ✦ Non-target animals caught included 2 Grey Nurse Sharks and 1 Dusky Whaler, which were all released alive.

## 97%

of animals were  
released alive



Department of  
Primary Industries

## RESULTS

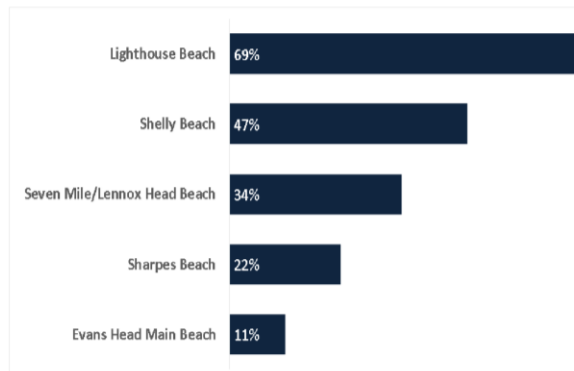
### Community Surveys

Community consultation and engagement was undertaken before and at the end of the Trial using surveys, drop-in stands, visits to businesses, and formal meetings. Two surveys were undertaken to inform location of nets and assess social attitudes towards the nets. Generally, Ballina and Evans Head residents were more positive than negative towards using nets both at the start and the end of the Trial due to feelings of safety and perceived reductions in shark bites. There was however, an increase in negativity at the end of the Trial primarily in response to bycatch (animals other than target sharks caught in nets).

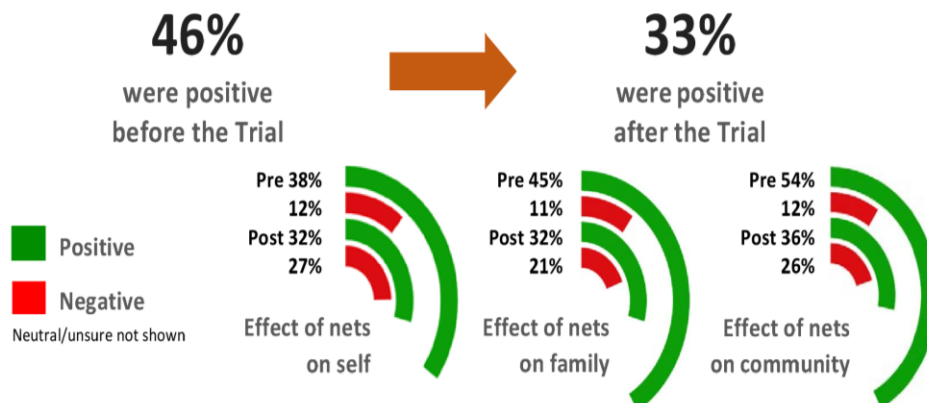
Which beaches were Ballina Shire and Evans Head residents most concerned about?<sup>1</sup>

**69%**  
highlighted  
Lighthouse Beach as  
an area of greatest  
concern regarding  
shark bites:

\*These results dictated the location  
of the 5 nets



Ballina Shire and Evans Head residents were more positive than negative towards the Trial. On average:



Reasons for positivity towards the nets were:

- ↑ feelings of safety for their families or the community
- ↑ perceived reduction in shark-human interactions
- ↑ perceived positive impacts on the local economy and tourism

Reasons for negativity towards the nets were:

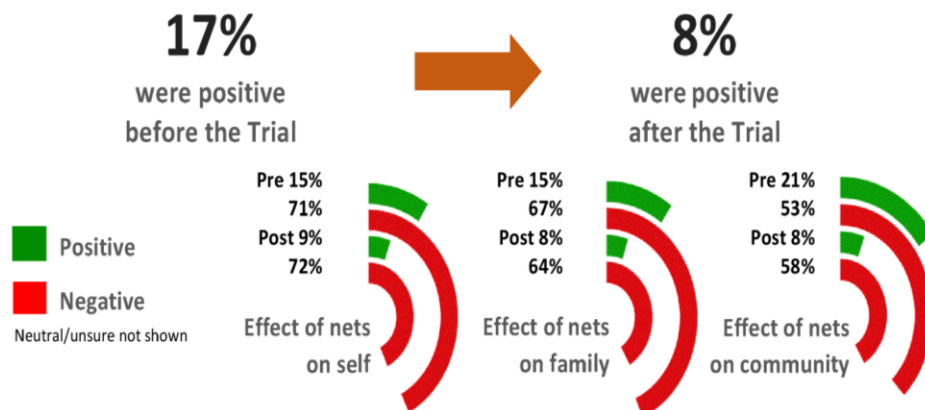
- ↑ bycatch and mortality
- ↑ a belief that the nets do not reduce shark-human interactions
- ↑ people should enter the water at their own risk

<sup>1</sup> Results for residents were similar for phone (results shown in graph) and online surveys.

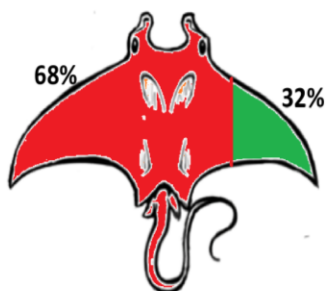
## RESULTS

### Community Surveys

People living outside Ballina/Evans Head were more negative than positive towards the Trial. On average<sup>2</sup>:



#### Bycatch was a key concern:



**68%**

of Ballina and Evans Head residents thought the bycatch (animals caught other than target sharks) in the nets was unacceptable\*

91% of people that live outside of Ballina and Evans Head thought that bycatch was unacceptable



Within community groups, Ballina Shire and Evans Head surfers were the most positive about the nets and this positivity remained consistent throughout the Trial.



Local surfers were also much more accepting of the bycatch, with 52% responding that it was acceptable compared with 42% unacceptable<sup>2</sup>.



There was substantial support for using other methods and technologies for minimising shark-human interactions.



87% of telephone respondents in Ballina and Evans Head supported education and research to better understand sharks. 82% supported listening stations to detect tagged sharks and drone surveillance. 73% supported helicopter surveillance and 74% SMART drumlines. Nets received 33% support in telephone surveys and 40% support in online surveys.

<sup>2</sup> Online survey only.

\* 68% unacceptable among phone survey, 60% online.



Department of  
Primary Industries

**15.4 DISCLOSURE OF INTEREST - APPOINTMENT OF DESIGNATED PERSONS****Responsible Officer:**Deborah McLean (Manager Governance and Risk)

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**Report**

Section 449(1) of the *Local Government Act 1993 (The Act)* provides that a councillor or designated person must complete and lodge with the General Manager, within three months after becoming a councillor or designated person, a return in the form prescribed by the *Local Government (General) Regulation 2005*.

The following is a newly appointed designated person position of Council:

- Building Development Certifier

The disclosure for the above designated person position has been received. The disclosure is tabled for the information of Council and will be made available on request to any member of the public at Council's Casino Administration Office.

This report provides information to Council regarding the appointment of designated persons and fulfils Council's obligations under Section 449 of *The Act*.

**Delivery Program Links**

Making Council Great

CS1 Leading and Advocating for our Community

CS1.2 Facilitate Council's compliance with legal and governance requirements, including risk and insurance

**15.5 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 AUGUST 2017 TO 31 AUGUST 2017****Responsible Officer:**Andrew Hanna (Manager Development and Environment)

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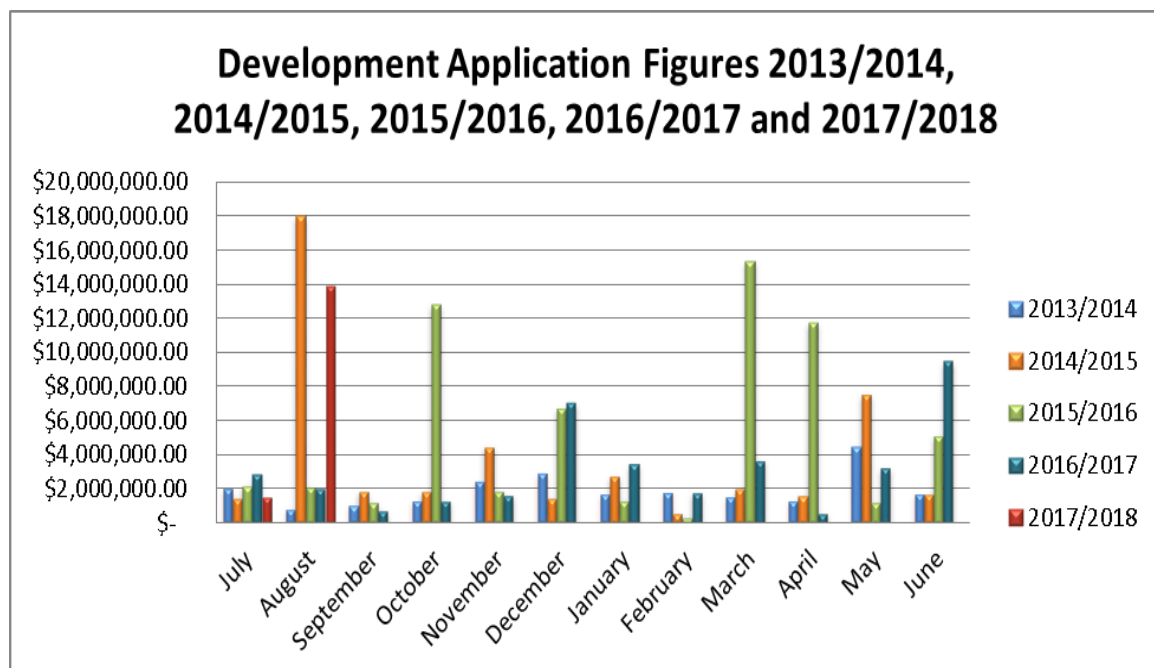
**Report**

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.

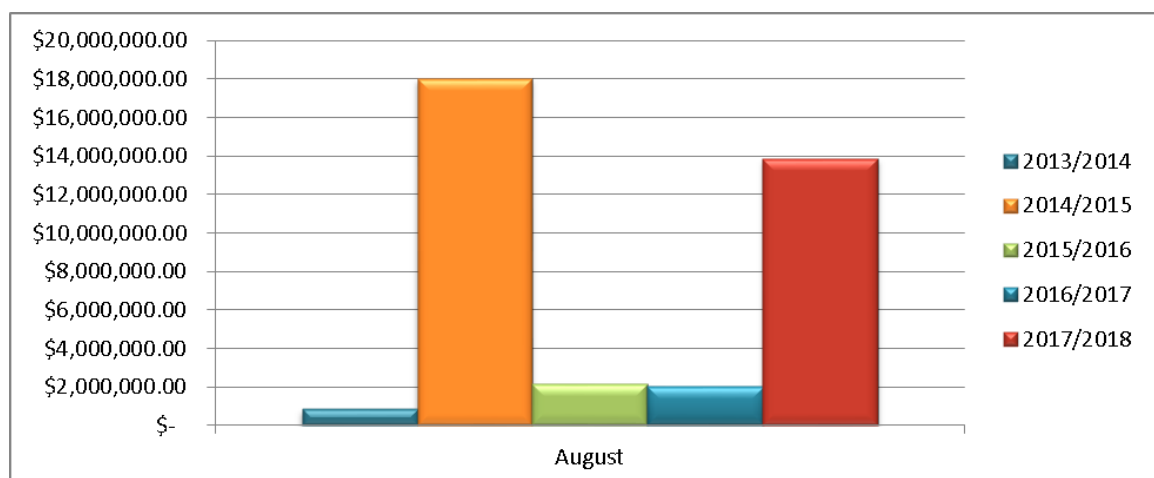
Council receives a weekly summary of the status of applications (including all received). Council notifies all determinations of Development Applications in the local newspaper pursuant to Clause 101 of the Environmental Planning and Assessment Act 1979 (as amended) on a monthly basis.

The total number of Development Applications and Complying Development Applications determined within the Local Government area for the period 1 August 2017 to 31 August 2017 was 27, with a total value of \$13,865,696.00.

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 August.



**Activity for the month of August**

|   |           |
|---|-----------|
| General Approvals (excluding Subdivisions, Section 96s) | 23        |
| Section 96 amendments to original consent               | 3         |
| Subdivision   | 1         |
| Refused   | 0         |
| Withdrawn   | 0         |
| Complying Development (Private Certifier Approved)      | 0         |
| <b>TOTAL</b>  | <b>27</b> |

**Delivery Program Links**

Growing our Economy

EC1 Driving Economic Growth

EC1.6 Improved customer satisfaction with the DA process

| Summary of Development Applications determined under the Environmental Planning and Assessment Act<br>for the period 1 August 2017 to 31 August 2017 |  |                                      |                                       |   |  |                    |                   |
|--|--|--------------------------------------|---------------------------------------|---|--|--------------------|-------------------|
| Application ID   | Applicant                              | Owners                               | Location                              | Parcel Description                                  | Development  | Determination Date | Estimated Cost    |
| DA2017/0054  | Oasis Evans Head Unit Trust            | Richmond Valley Council              | 17 Memorial Airport Drive, Evans Head | Lot 1 DP 1193927<br>Lot 2 DP 1193927                | Manufactured Housing Estate comprising 199 dwelling sites, community building, swimming pool and associated works  | 21/08/2017         | \$ 12,744,000.000 |
| DA2017/0130  | Oasis Evans Head Unit Trust            | Richmond Valley Council              | 17 Memorial Airport Drive, Evans Head | Lot 1 DP 1193927<br>Lot 3 DP 1217074                | Subdivision to create Four (4) Lots being Lot 1 (3.360)ha, Lot 2 (1.553ha), Lot 3 (3.171ha) and Lot 4 (1.469ha) – with:<br>• Lots 1, 2 & 3 to facilitate the staged development of a Manufactured Home Estate (DA2017/0054) and to be subsequently consolidated; and<br>• Lot 4 to facilitate a further subdivision of the land as provided in DA2011/0223.<br>(All lots were subject to a Clause 4.6 variation to minimum lot size under the Richmond Valley LEP 2012). | 29/08/2017         | \$ -              |
| DA2017/0218  | Newton Denny Chapelle                  | George & Fuhrmann (Holdings) Pty Ltd | 98 Centre Street, Casino              | Lot 1 DP 333058                                     | Business Identification Signage (Replace Existing Above Awning Sign with Digital Sign)   | 10/08/2017         | \$ 22,000.000     |
| DA2017/0240  | HM Robinson<br>JJ Robinson             | HM Robinson<br>JJ Robinson           | 14 Cedar Street, Woodburn             | Lot 1 DP 125573<br>Lot A DP 373546                  | Shed   | 15/08/2017         | \$ 36,500.000     |
| DA2017/0241  | Ballina Pool Shop                      | NJ Foster<br>JC Foster               | 23 Tareeda Court, Spring Grove        | Lot 109 DP 1133540                                  | Swimming Pool  | 25/08/2017         | \$ 35,780.000     |
| DA2017/0249  | Northern Rivers Pools                  | J Liu<br>PJ Marshall                 | 61 Banksia Street, Evans Head         | Lot 112 DP 1045072                                  | Fibreglass Pool & Spa  | 2/08/2017          | \$ 56,580.000     |
| DA2018/0002  | GJ Marsden<br>RG Marsden               | GJ Marsden<br>RG Marsden             | 19 Charles Avenue, Casino             | Lot 110 DP 852590                                   | Shed   | 11/08/2017         | \$ 11,435.000     |
| DA2018/0004  | MT Stokes                              | MT Stokes<br>KPW Stokes              | 2 Wallum Drive, Doonbah               | Lot 30 DP 1021682                                   | Shed   | 2/08/2017          | \$ 16,316.000     |
| DA2018/0005  | Stephen P McElroy & Associates Pty Ltd | SL Gill                              | 117 Dyraaba Street, Casino            | Lot 9 DP 225500                                     | Dwelling Extensions  | 8/08/2017          | \$ 65,000.000     |
| DA2018/0007  | JM Du Frocq<br>RW Du Frocq             | JM Du Frocq<br>RW Du Frocq           | 360 Fig Tree Lane, McKees Hill        | Lot 1 DP 1218891<br>Lot 4 DP 1218891                | Swimming Pool  | 2/08/2017          | \$ 45,000.000     |
| DA2010/0131.01   | JR Smith                               | JR Smith                             | 9 Gregors Road, Spring Grove          | Lot 7 DP 1130509                                    | Section 96 Modification Dwelling & Shed  | 15/08/2017         | \$ -              |
| DA2018/0008  | AGS Commercial Pty Ltd                 | MM Smith<br>TA Smith                 | 250 Mooneys Lane, Ellangowan          | Lot 1 DP 125302                                     | New Single Dwelling  | 29/08/2017         | \$ 150,000.000    |
| DA2018/0009  | Richmond Valley Council                | Richmond Valley Council              | Vacant Road Reserve, Coraki           | Between Lot B DP 379634 &<br>Lot 2 Sec 60 DP 758291 | Public Information Sign promoting services and events in Coraki  | 15/08/2017         | \$ 10,000.000     |
| DA2017/0193.01   | Professional Planning Group            | MM Casey<br>RL Organ                 | 25 Ironbark Place, Naughtons Gap      | Lot 5 DP 1176405                                    | Section 96 Modification Dwelling and Variation to Development Control Plan 2015  | 10/08/2017         | \$ -              |
| DA2018/0010  | Ardill Payne & Partners                | Evans Head Bowling Club Ltd          | 108-116 Richmond Street, Woodburn     | Lot 10 Sec 14 DP 759110<br>Lot 9 Sec 14 DP 759110   | Temporary Change of Use to Office Premises   | 10/08/2017         | \$ 5,000.000      |



| Summary of Development Applications determined under the Environmental Planning and Assessment Act<br>for the period 1 August 2017 to 31 August 2017 |                            |                            |  |                        |   |                    |                |
|--|----------------------------|----------------------------|--|------------------------|---|--------------------|----------------|
| Application ID   | Applicant                  | Owners                     | Location                                 | Parcel Description     | Development   | Determination Date | Estimated Cost |
| DA2018/0011  | KL Matheson<br>PP Matheson | KL Matheson<br>PP Matheson | 231 Sextonville Road, Casino             | Lot 2 DP 240817        | Carport   | 2/08/2017          | \$ 10,050.000  |
| DA2018/0012  | Richmond Valley Council    | Rappville Public Hall      | 14 Murray Street, Rappville              | Lot 5 Sec 5 DP 758869  | Addition of accessible toilet and access path   | 21/08/2017         | \$ 24,900.000  |
| DA2018/0013  | N A Charters<br>S Charters | N A Charters<br>S Charters | 715 Woodburn Evans Head Road, Evans Head | Lot 2 DP 836941        | New Single Dwelling   | 15/08/2017         | \$ 420,000.000 |
| DA2018/0015  | Hayes Building Consultancy | IR Lane                    | 28 Banksia Street, Evans Head            | Lot 15 DP 855650       | Dwelling Extensions   | 24/08/2017         | \$ 19,500.000  |
| DA2018/0018  | Sarwood Timbers Pty Ltd    | AL Chadburn<br>DB Chadburn | 6 Lakeside Drive, Casino                 | Lot 52 DP 1062404      | Shed  | 30/08/2017         | \$ 9,925.000   |
| DA2018/0023  | JJ Stirling<br>JD Stirling | JJ Stirling<br>JD Stirling | 13 Short Street, Coraki                  | Lot 1 DP 301250        | Dwelling Alterations and Additions  | 24/08/2017         | \$ 80,000.000  |
| DA2018/0024  | HC Conlan<br>JB Conlan     | HC Conlan<br>JB Conlan     | 22 Heathwood Place, North Casino         | Lot 4 DP 1132283       | Shed  | 23/08/2017         | \$ 30,700.000  |
| DA2018/0027  | LS Donnelly<br>NK Snow     | EP Slattery<br>CG Slattery | 9 Beronia Street, Evans Head             | Lot 33 DP 40172        | Shed  | 24/08/2017         | \$ 19,200.000  |
| DA2018/0028  | GW Barber<br>HJ Barber     | HJ Barber                  | 34 Marigold Drive, Fairy Hill            | Lot 23 DP 1083470      | Shed  | 29/08/2017         | \$ 10,810.000  |
| DA2018/0029  | N Grae                     | N Grae                     | 12 Pearse Street, Rappville              | Lot 10 Sec 6 DP 758869 | Above Ground Swimming Pool  | 25/08/2017         | \$ 8,000.000   |
| DA2017/0178.01   | Nev Savins Pty Ltd         | Nev Savins Pty Ltd         | 147 Centre Street, Casino                | Lot 4 DP 2661          | Section 96 Modification Change of Use to Vehicle Repair Station (Caravan Repairs Station) and Fencing | 16/08/2017         | \$ -           |
| DA2018/0032  | PB Hughes                  | PB Hughes<br>DE Hughes     | 3324 Bruxner Highway, Casino             | Lot 101 DP 1118187     | Inground Pool   | 23/08/2017         | \$ 35,000.000  |

**16 QUESTIONS ON NOTICE**

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Nil.

**17 QUESTIONS FOR NEXT MEETING (IN WRITING)**

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The following Question for Next Meeting (in writing) was asked in accordance with Council's Code of Meeting Practice.

**Cr Daniel Simpson asked:**

Could the General Manager please outline his knowledge of the NSW container deposit scheme, describing what plans and preparations the Council is making for the scheme, and the likely impacts for Council, businesses and residents.

The General Manager responded as follows:

- The Container Deposit Scheme (CDS) is to commence on 1 December 2017.
- TOMRA-Cleanaway has been awarded as the Network Operator across NSW.
- Council has submitted an expression of interest to the EPA and TOMRA-Cleanaway to have collection points in our area. To date, we have not had a response.
- The Scheme will have over 500 collection points across the state. More than half the collection points will be automated using reverse vending machines. It is expected there will be more than 800 of these used in the scheme.
- Collection points are typically local shops, depot sites, existing recycling centres, or a combination of those, where anybody can return an eligible drink container for a 10-cent refund.
- At this point in time, Council does not have a clear understanding of the impacts of the CDS for Council, businesses and residents. We have identified this for some time as a concern given time is approaching fast. The scheme will certainly impact on our kerbside comingled recycling volumes but to what extent it is hard to estimate until it's in place and this will certainly be something that we will monitor closely as it commences.
- Council has limited information and feedback from the EPA or the Network Operator to plan or prepare for the CDS other than attending every information session possible.
- Council's Waste and Resource Recovery staff will be participating in a webinar on 21 September 2017 and staff will be providing Councillors with a more detailed briefing at the October Information Session.

**18 MATTERS REFERRED TO CLOSED COUNCIL**

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**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 LAND DEVELOPMENT****Reason for Confidentiality**

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

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

In accordance with section 10D(2)(b) and (c) of the *Local Government Act 1993* discussion in an open meeting would, on balance, be contrary to the public interest because disclosure of possible terms of purchase at this stage would put the Council at a competitive disadvantage in its negotiations preventing it from achieving a 'best value for money' outcome for the community and could confer a commercial advantage on a person with whom Council is conducting business.

## **18.2 PROPOSED LEASE WITH OPTION TO PURCHASE FOR DEVELOPMENT OF EMPLOYMENT GENERATING BUSINESS**

### **Reason for Confidentiality**

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

- (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.

In accordance with section 10D(2)(b) and (c) of the *Local Government Act 1993* discussion in an open meeting would, on balance, be contrary to the public interest because disclosure of possible terms of sale at this stage would put the Council at a competitive disadvantage in its negotiations preventing it from achieving a 'best value for money' outcome for the community and could confer a commercial advantage on a person with whom Council is conducting business. Also the matter also relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

## **18.3 WRITE-OFF OF AGED SUNDRY DEBTOR ACCOUNTS**

### **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 resident or ratepayer.

It is not in the public interest to reveal the personal details of a resident or 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, 18.2 and 18.3, 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.

**190917/23 RESOLVED** (Cr Morrissey/Cr Lyons)

That:

1. Council resolve into Closed Council to consider the business identified in Items 18.1, 18.2 and 18.3, 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 Humphrys

Council closed its meeting at 6.20pm. The public and media left the Chamber.

The Open Council Meeting resumed at 7.08pm.

## **19 RESOLUTIONS OF CLOSED COUNCIL**

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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 LAND DEVELOPMENT**

That:

1. Council authorise the General Manager to negotiate, the development of land generally in accordance with the details considered by Council.
2. Council authorise the General Manager to enter into and endorse relevant documents, including affixing the seal of Council where appropriate, for the development of the land generally in accordance with the details considered by Council.

### **18.2 PROPOSED LEASE WITH OPTION TO PURCHASE FOR DEVELOPMENT OF EMPLOYMENT GENERATING BUSINESS**

That:

1. Council authorise the General Manager to negotiate the leasing and option for sale of the land generally in accordance with the details considered by Council.
2. Council authorise the General Manager to enter into a heads of agreement to reflect the outcome of the negotiations, including affixing the seal of Council where appropriate, for the lease and option to sell the land generally in accordance with the details considered by Council.

### **18.3 WRITE-OFF OF AGED SUNDRY DEBTOR ACCOUNTS**

That Council write-off the amounts listed in the report totalling \$38,122.07 for unrecoverable outstanding sundry debtor amounts.

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The Mayor, having attended the Bentley Art Prize, showed Councillors the acquisition painting received by Council.

The Meeting closed at 7.10pm.

**CONFIRMED - 17 October 2017**

**CHAIRMAN**