

Richmond
Valley
Council



MINUTES

**Ordinary Council Meeting
18 December 2018**

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**MINUTES OF RICHMOND VALLEY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, 10 GRAHAM PLACE, CASINO
ON TUESDAY, 18 DECEMBER 2018 AT 5.00 PM**

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

PRESENT: Cr Robert Mustow (Mayor), Cr Stephen Morrissey (Deputy Mayor), Cr Sam Cornish, Cr Robert Hayes, Cr Sandra Humphrys and Cr Daniel Simpson

IN ATTENDANCE: Vaughan Macdonald (General Manager), Angela Jones (Director Infrastructure & Environment), Jono Patino (Financial Accountant), Julie Clark (Personal Assistant to the General Manager and Mayor) and Charlene Reeves (Project Support Officer)

1 ACKNOWLEDGEMENT OF COUNTRY

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

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

2 PRAYER

The meeting opened with a prayer by the General Manager.

3 PUBLIC ACCESS AND QUESTION TIME

Nil requests were received.

4 APOLOGIES

APOLOGY

RESOLUTION 181218/1

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That the apology received from Cr Jill Lyons be accepted and leave of absence granted.

CARRIED

5 MAYORAL MINUTES

Nil.

6 CONFIRMATION OF MINUTES**6.1 MINUTES ORDINARY MEETING HELD ON 20 NOVEMBER 2018****RESOLUTION 181218/2**

Moved: Cr Sandra Humphrys

Seconded: Cr Stephen Morrissey

That Council confirms the Minutes of the meeting held on 20 November 2018.

CARRIED

6.2 INTERNAL AUDIT & RISK COMMITTEE MINUTES 4 DECEMBER 2018**RESOLUTION 181218/3**

Moved: Cr Daniel Simpson

Seconded: Cr Sandra Humphrys

That Council receives and notes the Minutes of the Internal Audit and Risk Committee Meeting held on 4 December 2018.

CARRIED

7 MATTERS ARISING OUT OF THE MINUTES

Nil.

8 DECLARATION OF INTERESTS

Nil.

9 PETITIONS

Nil.

10 NOTICE OF MOTION

Nil.

11 MAYOR'S REPORT**11.1 MAYOR'S ATTENDANCES 13 NOVEMBER - 10 DECEMBER 2018****RESOLUTION 181218/4**

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council receive and note the Mayor's attendance report 13 November – 10 December 2018.

CARRIED

12 DELEGATE'S REPORTS

12.1 DELEGATES REPORT SUBMITTED TO THE NOVEMBER 2018 ORDINARY MEETING

RESOLUTION 181218/5

Moved: Cr Sandra Humphrys

Seconded: Cr Robert Mustow

That Council receive and note the Delegates' report for the month of November 2018.

CARRIED

13 MATTERS DETERMINED WITHOUT DEBATE

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

13.1 MATTERS TO BE DETERMINED WITHOUT DEBATE

RESOLUTION 181218/6

Moved: Cr Sandra Humphrys

Seconded: Cr Robert Hayes

That items 15.1, 15.2, 17.1, 17.3, 17.4, and 17.5 be determined without debate.

CARRIED

14 GENERAL MANAGER'S REPORTS

14.1 TECHNICAL TOUR - JAPAN

EXECUTIVE SUMMARY

Delivering economic benefit to the Richmond Valley is one of Council's highest priorities in the Richmond Valley Made 2030 Community Strategic Plan. Council is also investigating new technologies to meet the challenge that the waste management industry is facing.

As a result of this, Council has been working with a Japan based company, Pacific Consultants, who are exploring business opportunities in Australia. Pacific Consultants has invited the Mayor and a Councillor to join the delegation which will include representatives of Council's Executive, Economic Development and Waste business teams. It is proposed that the visit commence on 24 February and conclude on 3 March 2019.

RESOLUTION 181218/7

Moved: Cr Daniel Simpson

Seconded: Cr Sam Cornish

That Council:

1. Approves overseas travel for the Mayor and Deputy Mayor to attend a Technical Tour of facilities in Japan following an invitation from Pacific Consultants who has received a grant from the Japanese Government, and

2. Notes that the General Manager and select staff will also attend the tour which is being funded by Pacific Consultants via a grant from the Japanese Government.

CARRIED

14.2 EVANS HEAD LIVING MUSEUM

EXECUTIVE SUMMARY

Council Officers have been working closely with the Living Museum Committee and representatives from Reflections Holiday Parks, looking at suitable locations for the relocation of the current Living Museum and Community Technology Centre (CTC) buildings in Evans Head. The parcel of land which currently houses the gazebo next to the Kiosk in the central precinct of the Reflections Holiday Park is considered the best site for the relocation of the current Living Museum. This site is Crown Land but is under the control of Council as Land Managers. Because of this classification the approval process to proceed with the relocation is a straight forward process and can be delivered within the timeframe required for the Health One Facility construction which is to commence early in 2019.

The Living Museum Committee has voiced their desire to have not only the current Living Museum relocated, but also the current CTC building. The process for the second building to be moved is more complicated, expensive and time consuming. Advice received from Crown Lands is they do not believe the relocation fits within the current Silver Sands Plan of Management (SSPoM) for that site. Therefore they will not support the relocation unless the Plan of Management is altered.

Experience shows that altering a Plan of Management can take many months and in some cases years. There is also additional cost involved as Council would have to temporarily relocate the current CTC building to another site, until the Plan of Management allows the building to be permanently located within the Reflection Holiday Park Central Precinct. The main risk in this is the alteration to the Plan of Management is refused. If that occurred Council would have to decide what to do with the CTC building, either demolish it or look for another alternate location for it.

RESOLUTION 181218/8

Moved: Cr Daniel Simpson

Seconded: Cr Robert Hayes

That:

1. Council proceed with the demolition of the gazebo on Lot 3 DP 829998.
2. Council relocate the current Living Museum building to Lot 3 DP 829998.
3. Council seek permission to relocate the current Community Technology Centre (CTC) building to an unused portion of Stan Payne Oval on a temporary basis and work with Reflections Holiday Park and Department of Primary Industries – Lands to have the Silver Sands Plan of Management amended to allow the CTC building to be permanently located adjacent to the Living Museum building.
4. A report be brought back to Council prior to proceeding with moving the CTC building to Stan Payne Oval if that becomes necessary.
5. Council note the additional financial impact to temporarily relocate the current CTC building to Stan Payne Oval and the risks involved in achieving approval for an amendment to the Plan of Management.

CARRIED

15 FINANCIAL REPORTS

15.1 MONTHLY BUDGET ADJUSTMENTS NOVEMBER 2018

EXECUTIVE SUMMARY

This report details proposed budget adjustments for the month of November 2018. The main changes are as a result of Council being successful in its grant applications with six projects under the Stronger Country Communities Fund.

Capital improvements will be undertaken at Woodburn Riverside Park and Woodburn Oval, Stan Payne Oval and Main Beach in Evans Head, Queen Elizabeth Park in Casino and Windsor Park in Coraki. These projects will be delivered over two financial years, with an estimated project value of \$1,172,741 to be delivered in 2018/2019 and \$569,920 in 2019/2020.

The above projects are fully funded by capital grants, apart from Council's share of \$21,752 towards the Woodburn Riverside Park project. Council's share of funding is proposed to be sourced from an unexpended insurance claim for damage incurred to the Woodburn Visitor Information Centre in 2013.

During 2013, Council received \$42,039 in relation to the above mentioned insurance claim. It is proposed to utilise \$21,752 for the above playground upgrade at Woodburn Riverside Park, with the remaining \$20,287 proposed to be added to the Woodburn Riverside Precinct project.

Additionally, \$15,000 is required to be drawn from sewerage reserves to fund the renewal of the sludge mixer at the Casino Sewerage Treatment Plant, which has reached the end of its serviceable life.

RESOLUTION 181218/9

Moved: Cr Sandra Humphrys

Seconded: Cr Robert Hayes

That:

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

CARRIED

15.2 FINANCIAL ANALYSIS REPORT - NOVEMBER 2018**EXECUTIVE SUMMARY**

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

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

Investment Portfolio	General Bank Accounts	Trust Funds	Total
\$46,109,683	\$1,753,145	\$87,050	\$47,949,877

The average rate of return on Council's investments for November 2018 was 2.53% which is above the 90 Day Bank Bill Index for November of 1.95%.

RESOLUTION 181218/10

Moved: Cr Sandra Humphrys

Seconded: Cr Robert Hayes

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

CARRIED

16 TENDER REPORTS**16.1 WOODBURN RIVERSIDE PRECINCT****EXECUTIVE SUMMARY**

This report provides information to Council on the negotiations that have been undertaken to secure contractors to undertake works for the Woodburn Riverside Precinct.

The project essentially splits into three components, being the community building, landscaping and jetty/boardwalk.

The community building contract has been awarded to AGS Commercial at a contract cost of \$752,230 and works are currently progressing with a completion date of 8 April 2019.

Significant negotiation has been continuing with Boyds Bay Landscaping to deliver as much work as possible within the budget. A contract will be awarded prior to Christmas with a January 2019 start.

Note that there will be no work done on the areas of the beach, boardwalk or the memorial. Works will be focussed on the earthworks and landscaping to provide access to the community building and for the playground and adjacent areas.

The boardwalk is not affordable at this stage and designs for the jetty/pontoon have been finalised. This work is proposed to be delivered in early 2019.

RESOLUTION 181218/11

Moved: Cr Daniel Simpson

Seconded: Cr Robert Hayes

That Council notes the outcome of direct negotiations with contractors to deliver the works associated with the Woodburn Riverside Precinct.

CARRIED

17 GENERAL BUSINESS

17.1 ADOPTION OF CRAWFORD SQUARE MASTER PLAN

EXECUTIVE SUMMARY

At the September Ordinary Meeting Council adopted the Draft Crawford Square Master Plan and resolved to place the draft plan on public exhibition for a period of 28 days. Following the exhibition period Council received no submissions and it is therefore recommended that Council adopt the Crawford Square Master Plan without amendment.

RESOLUTION 181218/12

Moved: Cr Sandra Humphrys

Seconded: Cr Robert Hayes

That Council adopt the Crawford Square Master Plan.

CARRIED

17.2 PLANNING PROPOSAL TO REZONE 75 GREGORS ROAD, SPRING GROVE FOR A RURAL RESIDENTIAL DEVELOPMENT

EXECUTIVE SUMMARY

Council has received an application (PP2018/0002), supported by a Planning Proposal, to amend the *Richmond Valley Local Environmental Plan 2012* (the LEP) to enable the establishment of an 18 lot rural residential estate on Lot 4 DP708496, 75 Gregors Road, Spring Grove (the Land). The proposed development is sited immediately to the west of existing rural residential estates at Spring Grove, and is supported by Council's Rural Residential Development Strategy.

The Land currently has a Land Zone of RU1 Primary Production, and a minimum lot size for subdivision of 40ha. To facilitate the proposed development the LEP requires amendment to:

- change the Land Zone Map by applying Zone R5 Large Lot Residential to part of the Land (about 24.34ha); and
- change the lot size map by applying a minimum lot size (MLS) of:
 - 1ha to the Zone R5 area (with a 2ha MLS to apply to proposed Lot 1), and
 - 20ha to the remaining RU1 zoned part of the Land (to facilitate creating one residue lot).

Council's support for the planning proposal is required to commence the rezoning process. This will cause the planning proposal to be submitted to the Department of Planning and Environment (DoPE) for assessment and Gateway Determination, which would incorporate conditional agency and community consultation.

A further report will be presented to Council at the conclusion of the consultation phase, where a decision to proceed with the LEP amendment will be required. If it is to proceed, Council may use Ministerial Plan Making delegations to prepare and make the final LEP amendment, but only where such delegations had been sought, and granted, through the Gateway process. These delegations would be assigned to the General Manager.

RESOLUTION 181218/13

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

That:

1. Council support Planning Proposal PP2018/0002, which proposes to amend the *Richmond Valley LEP 2012*, as it applies to Lot 4 DP708496, 75 Gregors Road Spring Grove, by rezoning the land to facilitate a rural residential development;
2. PP2018/0002 be directed to the DoPE for a Gateway Determination; and
3. EP&A Act Ministerial Plan Making delegations be requested for the General Manager.

CARRIED

17.3 PUBLIC LIBRARIES FUNDING

EXECUTIVE SUMMARY

Local Government NSW and the NSW Public Libraries Association have come together to create the Renew Our Libraries campaign. So far 90 of the 128 councils across the state have officially endorsed the campaign through a council resolution.

The campaign is having an effect as on 24 August 2018 the NSW Government announced a \$60 million funding commitment for NSW public libraries. NSW Labor then announced an additional \$10.5 million boost to their previous commitment of \$50 million.

While both NSW Government and Labor's is a welcome additional funding boost for public libraries it still falls short of the \$94 million target that was set at the beginning of the campaign. A long term solution to public library funding also needs to include indexing as both parties funding commitment cuts off in 2023. Indexation and legislation will deliver a long-term solution for funding for public libraries.

RESOLUTION 181218/14

Moved: Cr Sandra Humphrys

Seconded: Cr Robert Hayes

That Council;

1. Endorse the NSW Public Libraries Association and Local Government NSW Library funding advocacy initiative, Renew our Libraries.
2. Note the announcement by the NSW Government on 24 August 2018 of its intention to provide a \$60m funding package for NSW public libraries for the quadrennial period 2019-20 to 2022-23.
3. Support the ongoing Renew Our Libraries initiative to secure the pledged funding, clarify the funding components and liaise with the government regarding the funding model.
4. Support Renew Our Libraries to work with the Government to develop a sustainable future funding model with a view guaranteeing an appropriate level of ongoing and indexed state funding.
5. Write to the Hon. Don Harwin, Minister for the Arts and the Hon. Walt Secord, Shadow Minister for the Arts, calling for bi-partisan support for the provision of a significant increase in state funding for NSW public libraries, supported by a sustainable future funding model.
6. Take a leading role in activating the campaign locally.
7. Endorse the distribution of the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative information in Council libraries, as well as involvement in any actions arising from the initiative.
8. Formally advise the NSW Public Libraries Association and Local Government NSW that Council has endorsed the library funding advocacy initiative.

CARRIED

17.4 SWIMMING POOL COMPLIANCE PROGRAM UPDATE

EXECUTIVE SUMMARY

Amendments to the Swimming Pools Act 1992 (the Act) resulted in a report being presented to Council in 2014 for the implementation of a Swimming Pool Compliance Program as mandated by these amendments.

A review has been conducted of this program and this report outlines proposed changes to the current program.

RESOLUTION 181218/15

Moved: Cr Sandra Humphrys

Seconded: Cr Robert Hayes

Recommended that;

1. Council endorse proposed changes to the swimming pool fence inspection program and publicly exhibit the amended Swimming Pool Compliance program for a period of 28 days.
2. A further report be provided to Council following the exhibition period for a resolution.

CARRIED

17.5 ADOPTION OF REDUCTION TO PARKING FINE CONCESSIONS

EXECUTIVE SUMMARY

In June this year the NSW Government announced plans to make parking fines fairer for residents across the state.

Many councils have noted they have no power to reduce parking fine amounts, which are set at a \$112 minimum under State legislation, and the Government has committed to providing Councils the freedom and flexibility to reduce their parking fines. Following broad consultation overwhelming support was revealed from the community for fine reductions.

RESOLUTION 181218/16

Moved: Cr Sandra Humphrys

Seconded: Cr Robert Hayes

That

1. Council take advantage of the Parking Fine Concessions and 'opt in' and reduce its fines from \$112 to \$80 effective from 1 January 2019.
2. The Mayor be authorised to sign the opt-in form agreeing to the reduction.

CARRIED

18 MATTERS FOR INFORMATION**RESOLUTION 181218/17**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

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

CARRIED

18.1 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 NOVEMBER 2018 TO 30 NOVEMBER 2018**RESOLUTION 181218/18**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council receive and note the development application report for the period 1 November 2018 to 30 November 2018.

CARRIED

18.2 GRANT APPLICATION INFORMATION REPORT - NOVEMBER 2018**RESOLUTION 181218/19**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

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

CARRIED

19 QUESTIONS ON NOTICE

Nil.

20 QUESTIONS FOR NEXT MEETING (IN WRITING)

The Meeting closed at 5:47pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 19 February 2019.

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CHAIRPERSON