

Richmond  
Valley  
Council



# **MINUTES**

**Ordinary Council Meeting  
19 February 2019**

**ORDER OF BUSINESS**

<b>1</b>	<b>ACKNOWLEDGEMENT OF COUNTRY</b> .....	<b>4</b>
<b>2</b>	<b>PRAYER</b> .....	<b>4</b>
<b>3</b>	<b>PUBLIC ACCESS AND QUESTION TIME</b> .....	<b>4</b>
<b>4</b>	<b>APOLOGIES</b> .....	<b>4</b>
<b>5</b>	<b>MAYORAL MINUTES</b> .....	<b>5</b>
	5.1 Mayoral Minute - LGNSW Save our Recycling .....	5
	5.2 Mayoral Minute - Richmond Valley Council's Future Water Strategy .....	5
<b>6</b>	<b>CONFIRMATION OF MINUTES</b> .....	<b>6</b>
	6.1 Minutes Ordinary Meeting held on 18 December 2018.....	6
	6.2 Minutes Extraordinary Meeting held on 7 February 2019 .....	6
<b>7</b>	<b>MATTERS ARISING OUT OF THE MINUTES</b> .....	<b>6</b>
<b>8</b>	<b>DECLARATION OF INTERESTS</b> .....	<b>6</b>
<b>9</b>	<b>PETITIONS</b> .....	<b>6</b>
	Nil	
<b>10</b>	<b>NOTICE OF MOTION</b> .....	<b>6</b>
	Nil	
<b>11</b>	<b>MAYOR'S REPORT</b> .....	<b>7</b>
	11.1 Mayor's Attendances 1 December 2018 - 11 February 2019.....	7
<b>12</b>	<b>DELEGATE'S REPORTS</b> .....	<b>7</b>
	12.1 Delegates report submitted to the February 2019 Ordinary Meeting.....	7
<b>13</b>	<b>MATTERS DETERMINED WITHOUT DEBATE</b> .....	<b>7</b>
	13.1 Matters to be Determined Without Debate.....	7
<b>14</b>	<b>GENERAL MANAGER'S REPORTS</b> .....	<b>8</b>
	14.1 Delivery Program Progress Report (July 2018 to December 2018) .....	8
	14.2 Conduct of the 2020 Local Government Election.....	9
<b>15</b>	<b>FINANCIAL REPORTS</b> .....	<b>10</b>
	15.1 Quarterly Budget Review Statement for the Quarter ended 31 December 2018.....	10
	15.2 Financial Analysis Report - December 2018 & January 2019 .....	11
	15.3 Northern Rivers Livestock Exchange Statistics and Financial Performance as at 31 December 2018.....	12
<b>16</b>	<b>TENDER REPORTS</b> .....	<b>13</b>
	16.1 Tender RA351920RVC Electricity Reverse Auction - Contestable Sites and Street Lighting (Unmetered) .....	13
	16.2 Tender RVC799016 - Bora Ridge Landfill Capping and Earthworks.....	14
<b>17</b>	<b>GENERAL BUSINESS</b> .....	<b>15</b>
	17.1 Naming of Bridge associated with the Pacific Highway project .....	15
	17.2 Planning Proposal PP2019/0002 to Rezone 3245-3275 Bruxner Highway, Casino for Light Industrial Development .....	16

---

17.3	Code of Conduct and Code of Conduct Procedures .....	17
<b>18</b>	<b>MATTERS FOR INFORMATION .....</b>	<b>17</b>
18.1	Rock Fishing Safety .....	17
18.2	Signature Projects Update .....	18
18.3	Playground equipment at Stan Payne Oval .....	18
18.4	Supply and Delivery of Plant Through Local Government Procurement .....	18
18.5	Grant Application Information Report - December 2018 & January 2019.....	18
18.6	Development Applications determined under the Environmental Planning and Assessment Act for the period 1 December 2019 to 31 January 2019 .....	18
18.7	Customer Service Report - Quarterly update 1 October 2018 to 31 December 2018.....	19
<b>19</b>	<b>QUESTIONS ON NOTICE .....</b>	<b>19</b>
	Nil	
<b>20</b>	<b>QUESTIONS FOR NEXT MEETING (IN WRITING).....</b>	<b>19</b>

**MINUTES OF RICHMOND VALLEY COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, 10 GRAHAM PLACE, CASINO  
ON TUESDAY, 19 FEBRUARY 2019 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 Robert Hayes, Cr Sandra Humphrys, Cr Jill Lyons and Cr Daniel Simpson

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

## **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**

### **RESOLUTION 190219/1**

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

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

**CARRIED**

**5 MAYORAL MINUTES****5.1 MAYORAL MINUTE - LGNSW SAVE OUR RECYCLING****RESOLUTION 190219/2**

Moved: Cr Robert Mustow

Seconded: Cr Daniel Simpson

1. That Council endorse Local Government NSW's campaign, Save Our Recycling, to realise the reinvestment of a 100% of the Waste Levy collected each year by the NSW Government in waste minimisation, recycling and resource recovery.
2. That Council make representation to the local State Member(s), Chris Gulaptis MP, in support of this campaign objective - for the NSW Government to commit to reinvest 100% of the Waste Levy in waste minimisation, recycling and resource recovery.
3. That Council write to the Premier, the Hon Gladys Berejiklian MP, the Opposition Leader, the Hon Michael Daley MP, the Minister for Local Government and the Minister for the Environment, the Hon Gabrielle Upton MP, and the Shadow Minister for the Environment and Heritage, Penny Sharpe MLC, seeking bipartisan support for the 100% reinvestment of the Waste Levy collected each year into waste minimisation, recycling and resource recovery.
4. That Council take a lead role in activating the Local Government NSW Save Our Recycling campaign locally.
5. That Council endorse the distribution and display of the Local Government NSW Save Our Recycling information on Council premises, as well as involvement in any actions arising from the initiative.
6. That Council formally advise Local Government NSW that Council has endorsed the Save Our Recycling advocacy initiative.

**CARRIED**

**5.2 MAYORAL MINUTE - RICHMOND VALLEY COUNCIL'S FUTURE WATER STRATEGY****RESOLUTION 190219/3**

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

A report be provided to Council outlining Richmond Valley Council's strategic plans for water management, both supply and demand and what options are available in the future to support population and economic growth.

**CARRIED**

**6 CONFIRMATION OF MINUTES****6.1 MINUTES ORDINARY MEETING HELD ON 18 DECEMBER 2018****RESOLUTION 190219/4**

Moved: Cr Sandra Humphrys

Seconded: Cr Stephen Morrissey

That Council confirms the Minutes of the meeting held on 18 December 2018.

**CARRIED**

**6.2 MINUTES EXTRAORDINARY MEETING HELD ON 7 FEBRUARY 2019****RESOLUTION 190219/5**

Moved: Cr Sandra Humphrys

Seconded: Cr Robert Hayes

That Council confirms the Extraordinary Minutes of the meeting held on 7 February 2019.

**CARRIED**

**7 MATTERS ARISING OUT OF THE MINUTES****16.1 WOODBURN RIVERSIDE PRECINCT**

Cr Mustow enquired where Council is up to with the negotiations with Boyd's Bay Landscaping for the Woodburn Riverside Precinct project.

The General Manager advised that negotiations are well underway and the project is on track for completion in May.

**16.1 WOODBURN RIVERSIDE PRECINCT**

Cr Hayes enquired regarding whether the boardwalk works would be occurring?

The General Manager advised that unfortunately the boardwalk is not funded at this stage, however value for money for the overall project and budget is being achieved.

**8 DECLARATION OF INTERESTS**

Nil.

**9 PETITIONS**

Nil

**10 NOTICE OF MOTION**

Nil

**11 MAYOR'S REPORT****11.1 MAYOR'S ATTENDANCES 1 DECEMBER 2018 - 11 FEBRUARY 2019****RESOLUTION 190219/6**

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council receive and note the Mayor's attendance report 11 December 2018 – 11 February 2019.

**CARRIED**

**12 DELEGATE'S REPORTS****12.1 DELEGATES REPORT SUBMITTED TO THE FEBRUARY 2019 ORDINARY MEETING****RESOLUTION 190219/7**

Moved: Cr Robert Mustow

Seconded: Cr Sandra Humphrys

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

**CARRIED**

**13 MATTERS DETERMINED WITHOUT DEBATE****13.1 MATTERS TO BE DETERMINED WITHOUT DEBATE****RESOLUTION 190219/8**

Moved: Cr Sandra Humphrys

Seconded: Cr Jill Lyons

That items 15.2, 16.2, 17.1, 17.3 identified be determined without debate.

**CARRIED**

**14 GENERAL MANAGER'S REPORTS****14.1 DELIVERY PROGRAM PROGRESS REPORT (JULY 2018 TO DECEMBER 2018)****EXECUTIVE SUMMARY**

Council adopted the revised 2017/2021 Delivery Program in June 2018. In accordance with the *Local Government Act 1993* the General Manager must ensure that progress reports are provided to the Council reporting on the progress of all principal activities detailed in the Delivery Program at least every six months. This report relates to and provides information about the achievement of the targeted outcomes prescribed in the Delivery Program.

The report is presented in a traffic light indicator format and provides commentary on the progress of all Delivery Program actions and milestones and progress against the Community Strategic Plan (CSP) performance measures for each community objective within the four priority areas of the CSP. The report represents the results at the end of the second quarter of year two of the 2018/2019 financial year.

A dashboard has been provided to summarise Council's overall performance in meeting its four-year targets. The percentage of on schedule and completed traffic lights demonstrates a sound performance for the first 6 months of the second year of the four-year program.

**RESOLUTION 190219/9**

Moved: Cr Daniel Simpson

Seconded: Cr Stephen Morrissey

That Council receive and note the Progress Report (July 2018 to December 2018) on the Delivery Program 2017/2021.

**CARRIED**



## 14.2 CONDUCT OF THE 2020 LOCAL GOVERNMENT ELECTION

### EXECUTIVE SUMMARY

Council is required by the *Local Government Act 1993* (the Act) to resolve the conduct of local government elections. The next local government election will occur on 12 September 2020.

The Act requires that, at least 18 months before the next local government election, Council must resolve that either the General Manager or the NSW Electoral Commissioner (NSWEC) will administer the election. The 18 month cut-off for a council resolution under the Act for the 2020 Local Government Election is 12 March 2019.

On 8 February 2019 the Office of Local Government (OLG) notified Councils that the Government has approved a review by the Independent Pricing and Regulatory Tribunal (IPART) of the costs of conducting local government elections in NSW, and that the review may impact on the administration of the 2020 council elections.

In response to these developments, the NSWEC has advised that Council's will not be required to enter into any formal arrangements regarding the election until after the IPART review.

Prior to these developments in order to consider a fully costed proposal, Council participated in a tender for the Provision of Local Government Election Services for the 2020 and 2024 Local Government Elections. One tender response was received by the Australian Electoral Company (AEC), an independent election services provider

Despite the pending IPART review Council may still resolve for the General Manager to either administer its own election, or resolve that the NSWEC will administer the election. Having considered the pending IPART review, the cost comparisons, and the NSWEC's considerable expertise and experience in conducting elections, this report recommends that Council resolve to engage the NSWEC to conduct the 2020 Local Government Election, and any other elections, polls and constitutional referenda, and enter into arrangements with the NSWEC subject to the outcomes of the IPART review.

### RESOLUTION 190219/10

Moved: Cr Daniel Simpson

Seconded: Cr Robert Hayes

It is resolved that:

1. Council enter into an election arrangement by contract with the NSW Electoral Commissioner pursuant to sections 296AA and 296 of the *Local Government Act 1993*, to administer all elections, including council polls and constitutional referenda of the Council;
2. Authority be delegated to the General Manager to negotiate and execute the contract with the NSW Electoral Commissioner subject to the outcomes of IPART's review into the cost of Local Government Elections.

**CARRIED**

**15 FINANCIAL REPORTS****15.1 QUARTERLY BUDGET REVIEW STATEMENT FOR THE QUARTER ENDED 31 DECEMBER 2018****EXECUTIVE SUMMARY**

This report outlines the proposed adjustments to the 2018/2019 budget for the quarter ended 31 December 2018. These adjustments exclude all previously adopted Monthly Budget Adjustments.

The proposed changes see Council's projected operating surplus from continuing operations for 2018/2019 increase from the revised budget operating surplus as at 30 September 2018 of \$10,199,900 to \$12,373,805. This increase of \$2,173,905 is largely a result of the inclusion of capital grants Council has been successful in applying for. The operating result before capital grants and contributions has improved by \$45,416, to a projected loss of \$4,269,305. There has been an increase in reserve funding of \$941,714, with a revised projected transfer from cash reserves of \$1,010,596. This is primarily due to the removal of \$1,000,000 in loan borrowings within waste fund as a result of deferring the construction of cell 6 at the Nammoona Landfill.

Income from continuing operations has increased by \$2,245,971, with total income now projected to be \$73,665,829. This is largely due to Council being successful with a number of grant funded projects including \$1,150,989 in Round 2 of the Stronger Country Communities Fund for upgrades at six of Council's sports grounds (with an additional \$569,920 to be received in 2019/2020) as well as \$837,500 under the Building Better Regions Fund for the construction of the new Casino Visitor Information Centre, car parking and landscaping at the Casino Drill Hall site and a number of other smaller grant programs. In addition, income from Section 7.12 contributions is anticipated to increase by \$100,000 due to strong development activity year to date.

Expenses from continuing operations have increased by \$72,066 with total operating expenses now projected to be \$61,292,024. This increase is largely due to grant funding of \$41,274 being allocated to assist Council in the implementation of the new *Crown Land Management Act 2016* in developing compliant plans of management, along with an increase in the Coraki Caravan Park operating expenditure budget of \$28,000, funded from an increase in operating income.

Council's capital works program has increased by \$2,098,063, to a projected total of \$33,477,311. This is mainly due to Council being successful with grant funding of \$1,150,989 under Round 2 of the Stronger Country Communities Fund and \$837,500 under the Building Better Regions Fund as mentioned above.

A detailed Quarterly Budget Review Statement for the second quarter of the 2018/2019 year has been circulated separately to each Councillor. These changes are disclosed by Priority Areas on pages 2-8 of the Quarterly Budget Review Statement and detailed explanations are provided on pages 9-11.

**RESOLUTION 190219/11**

Moved: Cr Robert Mustow  
Seconded: Cr Daniel Simpson

That Council adopt the Quarterly Budget Review Statement as at 31 December 2018 and approve the recommended variations.

**CARRIED**

**15.2 FINANCIAL ANALYSIS REPORT - DECEMBER 2018 & JANUARY 2019****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 31 December 2018 and 31 January 2019 including General Bank Accounts and Trust Funds are shown below.

Month	Investment Portfolio	General Bank Accounts	Trust Funds	Total
December 2018	\$44,304,145	\$1,246,922	\$87,050	\$45,638,117
January 2019	\$43,004,957	\$1,028,812	\$87,050	\$44,120,819

The average rate of return on Council's investments for December 2018 was 2.48% which is above the 90 Day Bank Bill Index for December of 2.02%.

The average rate of return on Council's investments for January 2019 was 3.48% which is above the 90 Day Bank Bill Index for January of 2.07%.

**RESOLUTION 190219/12**

Moved: Cr Sandra Humphrys

Seconded: Cr Jill Lyons

Recommended that Council adopt the Financial Analysis Report detailing investment performance for the month December 2018 and January 2019.

**CARRIED**

### **15.3 NORTHERN RIVERS LIVESTOCK EXCHANGE STATISTICS AND FINANCIAL PERFORMANCE AS AT 31 DECEMBER 2018**

#### **EXECUTIVE SUMMARY**

This report provides an update on the Northern Rivers Livestock Exchange (NRLX) financial performance as at 31 December 2018, as well as monthly throughput information from 2013/2014 to 2018/2019 YTD.

NRLX throughput is trending in line with the 5 year average for half yearly statistics. No sales were conducted from 14 December 2018 due to construction and relative timing of Christmas and processor closures.

Income from user charges and fees is currently \$492,723 and 37.76% of projected yearly budget. This is however in line with forecast projections based upon throughput with significant increases to throughput traditionally through the third and fourth quarter.

Operating expenditure is \$646,799 as at 31 December 2018 which is 53.69% of budgeted expenditure for the year. Operational expenditure is higher than anticipated due to ongoing construction works from October 2018 resulting in additional usage of the previously completed stage one. This includes higher than normal usage of stage one soft floor area. The stage one soft floor area has required significantly more maintenance and shorter lifespan than anticipated. Ongoing improvements to operational practices and materials used are continuing exploration of avenues as well to repurpose the material at end of life.

The operating result is currently a deficit of \$154,076 against a EOY budgeted surplus of \$100,345.

Current 2018/19 Sales turnover is \$26,492,613 which is a significant reduction on recent years with the prolonged drought being the influencing factor of market pricing.

#### **RESOLUTION 190219/13**

Moved: Cr Daniel Simpson

Seconded: Cr Stephen Morrissey

That Council note the performance of the Northern Rivers Livestock Exchange as at 31 December 2018.

**CARRIED**

**16 TENDER REPORTS****16.1 TENDER RA351920RVC ELECTRICITY REVERSE AUCTION - CONTESTABLE SITES AND STREET LIGHTING (UNMETERED)****EXECUTIVE SUMMARY**

Council is a member of Regional Procurement's Richmond Tweed Clarence (RTC) Group. Regional Procurement run tenders for regional Local Government member groups to aggregate the combined local tenders in order to attract greater supplier competition and lower pricing for member Councils. Regional Procurement in conjunction with Energy Action will be holding a reverse auction specifically for Richmond Valley Council detailing the electricity supply of contestable sites and street lighting, in accordance with Clause 166(a) of the *Local Government (General) Regulation 2005*. The reverse auction will commence at 11.00am on Friday, 15 March, 2019. The tender will be advertised in the Sydney Morning Herald and uploaded to Tender Link. As this is a reverse auction and conducted live online, the contract pricing will not be known until the reverse auction evaluation is conducted. The panel will evaluate immediately after the reverse auction is concluded and allow Council four days to sign contracts.

**RESOLUTION 190219/14**

Moved: Cr Daniel Simpson

Seconded: Cr Sandra Humphrys

That

1. Regional Procurement Conduct a reverse auction on behalf of Richmond Valley Council for the large contestable sites and street lighting to obtain the best price for Council. This Contract would run for 24 months commencing on 1 January 2020 ending on 31 December 2021.
2. Council's General Manager is given delegation to sign and approve this contract with the most advantage cost to Council.
3. Council authorise the General Manager to enter into and endorse relevant contracts, including affixing the seal of Council where appropriate, generally in accordance with the details contained within this report.

**CARRIED**

**16.2 TENDER RVC799016 - BORA RIDGE LANDFILL CAPPING AND EARTHWORKS****EXECUTIVE SUMMARY**

Council sought tenders from appropriately qualified and experienced contractors for the capping of Bora Ridge Landfill and associated earthworks. Two tender proposals were received.

Council has a budget of \$1,117,150.00 (ex. GST) for the capping to be completed. Accounting for expenses and commitments to date there is a little under \$1million available for the remaining works whereas the two tender proposals totalled \$1.67 million and \$2.14 million (ex. GST) respectively.

The review of both proposals revealed some unexpectedly high costs in areas such as supply of soils and preparation of management plans. There appears to be an opportunity to negotiate directly with one or both of the contractors which is permitted by the Local Government (General) Regulation in the interests of achieving the most optimal use of ratepayer funds.

Alternatively, Council has the option of potentially reducing costs by completing the project management, capping and earthworks using internal resources and/or subcontractors. This is also permitted by the Local Government (General) Regulation and is an avenue that could be used if direct negotiation with contractors does not yield a satisfactory result.

**RESOLUTION 190219/15**

Moved: Cr Sandra Humphrys

Seconded: Cr Jill Lyons

That Council:

1. Declines to accept all submitted tenders, based on the costs substantially exceeding the budget available
2. Notes the actions to be taken to enter into direct negotiations with one or both contractors that have submitted tender proposals, or any other suitably qualified contractor that can deliver the project scope within budget.
3. In the event that Recommendation 2 does not result in an acceptable outcome, investigate options for the internal delivery of the project, through project management of subcontractors.
4. Authorises the General Manager to enter into and endorse relevant contracts, including affixing the seal of Council where appropriate, for the delivery of the project generally in accordance with the project scope and approved budget and other details considered by Council.
5. Notes the outcome of direct negotiations will be reported back to Council.

**CARRIED**

**17 GENERAL BUSINESS****17.1 NAMING OF BRIDGE ASSOCIATED WITH THE PACIFIC HIGHWAY PROJECT****EXECUTIVE SUMMARY**

With the construction of the Pacific Highway upgrade there is a new bridge being constructed over the Richmond River on the northern side of the village of Broadwater. The eastern approach to the bridge bisects the farm originally owned by Mr John Byrne. A suggestion has been received from the Byrne family to name the bridge after Mr Byrne, who settled in the area in 1868.

Mr Byrne's connection to the area includes owning the land through which the new Pacific Highway and the new bridge over the Richmond River is being constructed, building and running the Broadwater Hotel, building Broadwater's first Catholic Church and donating it to the Catholic Church. The land is still retained by the Byrne family to this very day.

**RESOLUTION 190219/16**

Moved: Cr Sandra Humphrys

Seconded: Cr Jill Lyons

That:

1. Council support the suggestion to name the new bridge over the Richmond River at Broadwater after Mr John Byrne.
2. Council write to the Minister Roads, Maritime and Freight expressing support for the bridge to be named after Mr John Byrne.

**CARRIED**

## 17.2 PLANNING PROPOSAL PP2019/0001 TO REZONE 3245-3275 BRUXNER HIGHWAY, CASINO FOR LIGHT INDUSTRIAL DEVELOPMENT

### EXECUTIVE SUMMARY

Council has received an application (PP2019/0001), supported by a Planning Proposal, to amend the *Richmond Valley Local Environmental Plan 2012* (the LEP) to enable 3245-3275 Bruxner Highway, Casino, being Lots 100 to 111 DP755627 (the Land), to be developed for light industry.

The proposed development is sited immediately to the south of existing industrial land (Zoned IN1), and is supported as future employment land within the *North Coast Regional Plan 2036*.

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

- Land Zone Map—by applying IN1 General Industry to the land; and
- Lot Size Map—by applying a minimum lot size (MLS) of 750m<sup>2</sup> to the land.

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 a Gateway Determination, which would normally 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 have been sought, and granted, through the gateway process. These delegations should be assigned to the General Manager.

### RESOLUTION 190219/17

Moved: Cr Stephen Morrissey

Seconded: Cr Daniel Simpson

That:

1. Council support Planning Proposal PP2019/0001 which proposes to amend the *Richmond Valley LEP 2012*, as it applies to Lots 100 to 111 DP755627 3245-3275 Bruxner Highway Casino, by rezoning the land to facilitate its development for light industry (Zone IN1);
2. PP2019/0001 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 CODE OF CONDUCT AND CODE OF CONDUCT PROCEDURES

#### EXECUTIVE SUMMARY

Council adopted the November 2015 *Model Code of Conduct for Local Council in NSW* (Model Code of Conduct) and *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW* (Procedures) in August 2016.

Following the release of the draft Model Code of Conduct and Procedures, and a lengthy consultation period in 2018, the new 2018 Model Code of Conduct and Procedures has been prescribed under the *Local Government (General) Regulation 2005* (Regulation).

Councils have until 14 June 2019 to adopt a code of conduct based on the new Model Code of Conduct and Procedures. Council's existing Code of Conduct remains in place until new Model Code of Conduct and Procedures is adopted by Councillors.

A draft 2018 *Model Code of Conduct for Local Council in NSW* and *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW* is provided as an attachment under separate cover to this report.

#### RESOLUTION 190219/18

Moved: Cr Sandra Humphrys  
Seconded: Cr Jill Lyons

That Council adopt the 2018 *Model Code of Conduct for Local Council in NSW* and *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*.

**CARRIED**

### 18 MATTERS FOR INFORMATION

#### RESOLUTION 190219/19

Moved: Cr Robert Hayes  
Seconded: Cr Stephen Morrissey

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

**CARRIED**

#### 18.1 ROCK FISHING SAFETY

#### RESOLUTION 190219/20

Moved: Cr Robert Hayes  
Seconded: Cr Stephen Morrissey

That Council receive and note the Rock Fishing Safety report.

**CARRIED**

**18.2 SIGNATURE PROJECTS UPDATE****RESOLUTION 190219/21**

Moved: Cr Robert Hayes  
Seconded: Cr Stephen Morrissey

That Council receive and note the Signature projects report.

**CARRIED**

**18.3 PLAYGROUND EQUIPMENT AT STAN PAYNE OVAL****RESOLUTION 190219/22**

Moved: Cr Robert Hayes  
Seconded: Cr Stephen Morrissey

That Council receive and note the information presented in the Playground Equipment at Stan Payne Oval report.

**CARRIED**

**18.4 SUPPLY AND DELIVERY OF PLANT THROUGH LOCAL GOVERNMENT PROCUREMENT****RESOLUTION 190219/23**

Moved: Cr Robert Hayes  
Seconded: Cr Stephen Morrissey

That Council note the supply and delivery of items as detailed in this report.

**CARRIED**

**18.5 GRANT APPLICATION INFORMATION REPORT - DECEMBER 2018 & JANUARY 2019****RESOLUTION 190219/24**

Moved: Cr Robert Hayes  
Seconded: Cr Stephen Morrissey

That the Grant Application Information Report for the months of December 2018 and January 2019 be received and noted.

**CARRIED**

**18.6 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 DECEMBER 2019 TO 31 JANUARY 2019****RESOLUTION 190219/25**

Moved: Cr Robert Hayes  
Seconded: Cr Stephen Morrissey

That Council receive and note the development application report for the period 1 December 2018 to 31 January 2019.

**CARRIED**

**18.7 CUSTOMER SERVICE REPORT - QUARTERLY UPDATE 1 OCTOBER 2018 TO 31 DECEMBER 2018**

**RESOLUTION 190219/26**

Moved: Cr Robert Hayes

Seconded: Cr Stephen Morrissey

That the quarterly Customer Service Report for the period 1 October 2018 to 31 December 2018 be noted by Council

**CARRIED**

**19 QUESTIONS ON NOTICE**

Nil

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

Cr Hayes submitted the following questions to the meeting;

1. What can Council do to control businesses from outside the area utilising our beaches, for the purpose of leisure based water activities that produce an income for the business at the expense of local businesses?
2. What can Council do to control the amount of out of area vehicles which access Airforce Beach for inappropriate uses, without detracting from the local users?
3. I have been approached by the local community based pre-schools in Evans Head, Woodburn and Coraki, as well as local family day care services across the lower river area, asking what Council can do to prevent a large company proposing a large day care centre in Woodburn. When the application is formally lodged, can Council notify and consult with the committees of the community based centres and representatives from family day care to get a feel for what this could do to the viability of existing local services and support these groups when they lobby our state and federal MP's, as the community preschools are a large local employer and are already struggling for numbers?

The General Manager advised responses to the questions would be provided in writing at the 19 March Ordinary meeting.

The Meeting closed at 6.27pm.

The minutes of this meeting will be confirmed at the Ordinary Council Meeting held on 19 March 2019.

.....  
**CHAIRPERSON**