

Richmond  
Valley  
Council



## **Minutes**

### **Ordinary Meeting**

**Tuesday, 16 August 2016**

## Table of Contents

<b>PRESENT .....</b>	<b>1</b>
<b>1     <b>ACKNOWLEDGEMENT OF COUNTRY .....</b></b>	<b>1</b>
<b>2     <b>PRAYER.....</b></b>	<b>1</b>
<b>3     <b>PUBLIC ACCESS AND QUESTION TIME .....</b></b>	<b>1</b>
<b>4     <b>APOLOGIES .....</b></b>	<b>2</b>
<b>5     <b>MAYORAL MINUTE.....</b></b>	<b>2</b>
<b>6     <b>CONFIRMATION OF MINUTES.....</b></b>	<b>2</b>
6.1     Ordinary Meeting Minutes - Tuesday, 19 July 2016.....	2
<b>7     <b>MATTERS ARISING OUT OF THE MINUTES.....</b></b>	<b>3</b>
<b>8     <b>DECLARATION OF INTERESTS.....</b></b>	<b>4</b>
8.1     Declaration of Interests - Ordinary Meeting 16 August 2016.....	4
<b>9     <b>PETITIONS.....</b></b>	<b>4</b>
<b>10    <b>NOTICES OF MOTION .....</b></b>	<b>4</b>
<b>11    <b>MAYOR’S REPORT .....</b></b>	<b>4</b>
11.1    Australian Livestock Markets Association National Saleyards Conference - Bendigo 27-28 July 2016.....	4
<b>12    <b>DELEGATES’ REPORTS .....</b></b>	<b>7</b>
<b>13    <b>MATTERS DETERMINED WITHOUT DEBATE .....</b></b>	<b>7</b>
<b>14    <b>MATTERS FOR DETERMINATION.....</b></b>	<b>7</b>
14.1    Greyhound Industry Closure Impact Assessment.....	7
14.2    End of Term Report.....	12
14.3    Delivery Program 2013/2017 Progress Report (July 2013 to June 2016).....	14
14.4    Financial Analysis Report - July 2016 .....	16

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14.5	Monthly Budget Adjustments - July 2016 .....	21
14.6	Model Code of Conduct .....	27
14.7	Customer Service Framework and Charter.....	54
14.8	Richmond-Upper Clarence Regional Library - Annual Report 2015/2016 .....	65
14.9	Adoption of the Casino Flying-Fox Camp Management Plan....	67
<b>15</b>	<b>MATTERS FOR INFORMATION.....</b>	<b>73</b>
15.1	Grant Application Information - July 2016 .....	73
15.2	Council Finances and the Fossil Fuel Industry.....	75
15.3	Development Applications determined under the Environmental Planning and Assessment Act for the period 1 July 2016 to 31 July 2016 .....	77
<b>16</b>	<b>QUESTIONS ON NOTICE.....</b>	<b>82</b>
<b>17</b>	<b>QUESTIONS FOR NEXT MEETING (IN WRITING).....</b>	<b>82</b>
<b>18</b>	<b>MATTERS REFERRED TO CLOSED COUNCIL.....</b>	<b>82</b>
<b>19</b>	<b>RESOLUTIONS OF CLOSED COUNCIL.....</b>	<b>82</b>

**MINUTES OF THE ORDINARY MEETING OF RICHMOND VALLEY COUNCIL,  
HELD IN THE COUNCIL CHAMBERS, CNR WALKER STREET AND  
GRAHAM PLACE, CASINO, ON TUESDAY, 16 AUGUST 2016 AT 5.00 P.M.**

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**PRESENT**

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

Vaughan Macdonald (General Manager), Simon Adcock (Chief Operating Officer), Angela Jones (Director Infrastructure and Environment), Ryan Gaiter (Chief Financial Officer/Manager Mid-Richmond) and Roslyn Townsend (Corporate Support Officer) were also in attendance.

**1 ACKNOWLEDGEMENT OF COUNTRY**

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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 the General Manager.

**3 PUBLIC ACCESS AND QUESTION TIME**

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**3.1 PUBLIC ACCESS - MS LIZ STOPS - ITEM 15.2 - COUNCIL FINANCES AND THE FOSSIL FUEL INDUSTRY**

Ms Stops commented on the report content suggesting that more comprehensive research could have been undertaken and made reference to the 21 councils Australia wide which had decided to divest. Ms Stops also reminded Council of some of the content of its recently adopted Environmental Charter.

**3.2 QUESTION - MS LIZ STOPS**

Ms Stops asked the following question:

*"When gathering information for the report in Item 15.2 Council Finances and the Fossil Fuel Industry, were any of the 21 councils that have already voted to divest invited to share their strategies for maintaining investment returns and limiting debt servicing costs?"*

The General Manager advised that the report was prepared specifically to report back to Council at this meeting and included some information provided by Ms Stops on the City of Sydney divestment report and the market forces website. Council's finance team had also had discussions with a number of councils in NSW, both in our local region and the Sydney metropolitan area and also some other similar regional councils. These councils were supportive of this direction but were mindful of the financial challenge associated with this approach. Following the election, the new Council will be in a position to determine whether to review the recently adopted investments policy. It will also provide more time for staff to analyse the financial implications of any change in how Council manages its investment portfolio. For example, the report refers to the banking institutions that are currently utilised. For a business of Council's scale and number of transactions, the advice Council has received is that it needs to utilise one of the big four banks because of the service that they are able to provide.

#### **4 APOLOGIES**

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Nil.

#### **5 MAYORAL MINUTE**

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Nil.

#### **6 CONFIRMATION OF MINUTES**

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##### **6.1 ORDINARY MEETING MINUTES - TUESDAY, 19 JULY 2016**

A copy of the Minutes of the Ordinary Meeting, held on Tuesday, 19 July 2016, was distributed with the Business Paper.

#### **RECOMMENDATION**

Recommended that the Minutes of the Ordinary Meeting, held on Tuesday, 19 July 2016, be taken as read and confirmed as a true record of proceedings.

**160816/ 1 RESOLVED** (Cr Morrissey/Cr Humphrys)

That the Minutes of the Ordinary Meeting, held on Tuesday, 19 July 2016, be taken as read and confirmed as a true record of proceedings.

FOR VOTE - All Council members voted unanimously.

**7 MATTERS ARISING OUT OF THE MINUTES**

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**7.1 NOTICE OF MOTION (CR ROBERT MUSTOW) - FIXING COUNTRY TRUCK WASHES PROGRAM (ORDINARY MEETING MINUTE 190716/5 - PAGE 7)**

Cr Mustow sought an update on the Fixing Country Truck Washes program.

The General Manager advised that applications had not yet opened however staff were monitoring the program and the grants team would be taking advantage of the program once applications were open.

**7.2 NOTICE OF MOTION (CR ROBERT MUSTOW) - MEETING WITH MEMBER FOR PAGE MR KEVIN HOGAN MP (ORDINARY MEETING MINUTE 190716/6 - PAGE 8)**

Cr Mustow enquired whether the meeting had been arranged with the Member for Page, Mr Kevin Hogan.

The General Manager advised that the meeting with Mr Hogan had been set for the information session to be held on 4 October 2016.

**7.3 QUESTIONS FOR NEXT MEETING IN WRITING - ORDINARY MEETING 28 JUNE 2016 (ORDINARY MEETING ITEM 7.1 - PAGE 5)**

Cr Hayes enquired whether the agreed statement relating to the sand on the Main Beach at Evans Head had been released to the Richmond Valley community.

The General Manager advised that the statement had not been released as it was considered unacceptable. Council had therefore responded directly to the Business Chamber which had initially raised the concerns. Council was continuing to monitor the beach. The Department of Primary Industries was committed to having a consultant review the beach and the mouth of the river. Council would continue to liaise with the Department of Primary Industries and had also raised its concerns with the Department regarding the damage to the southern breakwall.

**7.4 DELEGATES' REPORTS SUBMITTED TO THE JULY 2016 ORDINARY MEETING - ROUS WATER (ORDINARY MEETING MINUTE 190716/7 - PAGES 9 - 11)**

Cr Hayes enquired whether discussions had been held regarding relocation of infrastructure associated with the Pacific Highway upgrade.

The General Manager advised that Council had met with the Roads and Maritime Services to start the process of determining which roads will be handed over to Council and which roads will become regional roads and that Council will not bear the cost of any relocation of services.

**8 DECLARATION OF INTERESTS**

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**8.1 DECLARATION OF INTERESTS - ORDINARY MEETING 16 AUGUST 2016**

Cr Bennett declared a pecuniary interest in Item 14.1 - Greyhound Industry Closure Impact Assessment (Relative owns greyhounds).

**9 PETITIONS**

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Nil.

**10 NOTICES OF MOTION**

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Nil.

**11 MAYOR'S REPORT**

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**11.1 AUSTRALIAN LIVESTOCK MARKETS ASSOCIATION NATIONAL SALEYARDS CONFERENCE - BENDIGO 27-28 JULY 2016**

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**RECOMMENDATION**

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

**160816/ 2 RESOLVED** (Cr Bennett/Cr Mustow)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

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**Report**

The conference was attended by the Mayor Ernie Bennett, Mike Pearce, Economic Development – Business and Fran Ryan, Saleyards Administrator.

Following Council's decision, to continue to own and operate the Northern Rivers Livestock Exchange the conference this year was of particular interest comprising a high quality list of speakers covering a diverse range of topics (included below).

Animal Welfare as it was at last year's conference was again to the fore with several sessions either directly or indirectly (i.e. livestock stress) linked to the welfare and/or treatment of animals. This issue will be one for major consideration in our new build and ensuing operational procedures.

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Other major topics can be summarised as follows:

#### Operational challenges in saleyards

Various saleyard managers from across the country discussed issues confronting them on a regular basis; curfews, animal welfare, OH&S (particularly limiting the direct interaction between livestock and humans), waste management (EPA), post sale livestock, employee training and vendor declarations to name a few.

#### Internet bidding at saleyards

Technology continues to move at a rapid pace and will soon become a part of the way we conduct our business at the saleyards. How we embrace this opportunity and expand and market livestock to the advantage of buyers, sellers and agents is an exciting prospect for which the timing could not be better as we embark on the planning and design of our new exchange.

#### “Tricky conversations” – Centre for Rural and Remote Mental Health

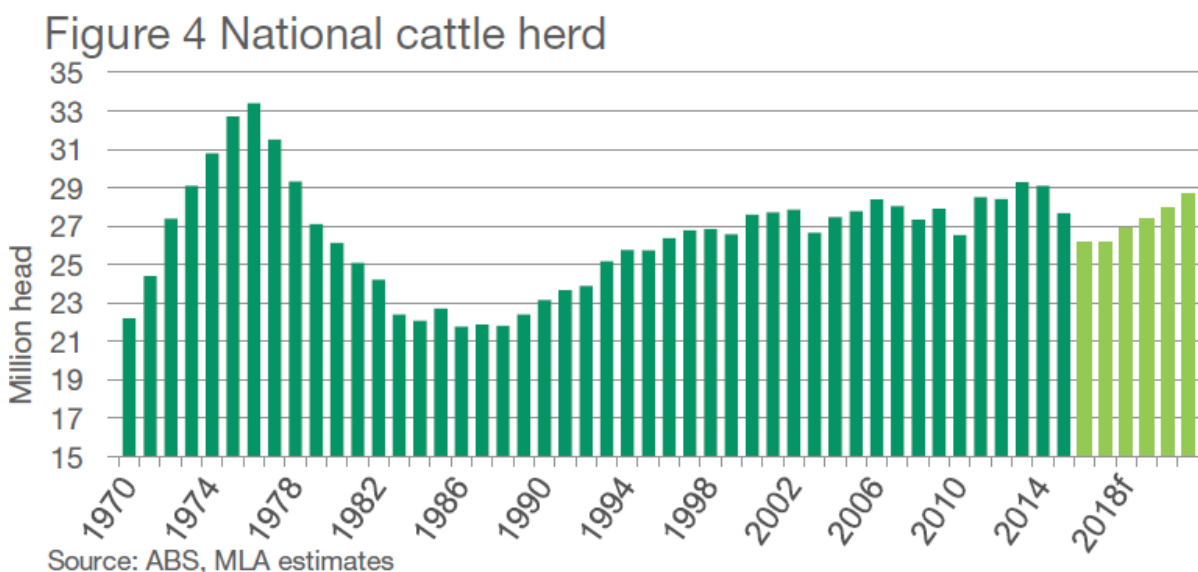
The presentation was valuable and confronting discussing the difficulty of broaching the subject of mental health in rural communities. How do we engage with friends, colleagues and neighbours on a topic as difficult as this?

The Centre for Rural and Remote Mental Health offer short (1.5 hour) and longer, more detailed (3hour) training sessions to help people learn how to engage and handle these difficult conversations.

#### Cattle population

As can be seen from MLA (Meat and Livestock Australia) herd estimates over the next few years indicate Australia will be in a rebuilding phase.

The likely resultant reduced turn-off of cattle, subject to climate, may challenge throughput numbers for the saleyards or in fact challenge direct sales from the paddock as vendors enjoy strong auction competition.





## General

Whilst in Bendigo we took the opportunity to visit the Bendigo saleyards and also had the opportunity to discuss with the Manager of the new Yass livestock exchange (opening officially 22/8) about their experience building on a greenfield site for 100,000 cattle and just over 1 million sheep and lambs.

## CONFERENCE PROGRAM Wednesday 27 July 2016

TIME	SESSION	Program subject to change without notice
9.00am	<b>Welcome</b> STEVE LOANE <i>Chair, Australian Livestock Markets Association</i>	
9.10am	<b>Australian Saleyard Managers' Report</b> PAUL WHITE, <i>President Australian Saleyard Managers Association</i>	
9.15am	<b>The roundup</b> - feedback from regional industry representatives	
9.40am	<b>Overcoming operational challenges in saleyards</b> - FORUM with Saleyard Managers Panel	
10.10am	<b>Industry barriers to compulsory eRFID in sheep</b> IAN FELDTMANN, <i>Chair National NLIS Sheep &amp; Goat Committee</i>	
10.30am	<b>MORNING TEA</b>	
11.00am	<b>Biosecurity is not as difficult as it sounds</b> DR. PATRICK KLUVER, <i>Regional Officer Livestock Biosecurity Network</i>	
11.30am	<b>Understanding feedlot buyer requirements</b> TESS HERBERT, <i>Gundamain Feedlot and President Australian Lotfeeders' Association</i>	
12.00pm	<b>Live internet bidding technology for saleyards - is it the way of the future?</b> CHRIS NORRIS, <i>Managing Director Elite Livestock Auctions</i>	
12.45pm	<b>LUNCH WITH OUR SPONSORS</b>	
1.45pm	<b>Working with livestock to build better yards</b> BILL THOMAS, <i>Director Proway Livestock Equipment</i>	
2.00pm	<b>Saleyard interactions with animal welfare proponents - the Barnawatha experience</b> JONATHAN CRILLY, <i>Operations Manager CVLX</i>	
2.30pm	<b>Australian Livestock Markets Association Annual General Meeting, Election of the Board, Open Forum</b>	
3.00pm	<b>AFTERNOON TEA</b>	
3.30pm	<b>Australian Animal Welfare Standards &amp; Guidelines Livestock at Saleyards and Depots</b> Dr. DAVID CHAMPNESS, <i>Principal Veterinary Officer Livestock Management Standards</i>	
4.00pm	<b>Integrating automation technology into saleyard design</b> BYRON WOLFF, <i>Owner Thompson Longhorn</i>	
4.15pm	<b>Gate to Plate initiative</b> STEWART SMITH, <i>Saleyard Manager Mount Barker Regional Saleyards</i>	
4.45pm	<b>Presentation of the winner of the inaugural Animal Welfare Award</b>	
5.00pm	<b>CLOSE OF DAY 1</b>	

## CONFERENCE PROGRAM Thursday 28 July 2016

TIME	SESSION	Program subject to change without notice
8.00am	Australian Saleyard Managers' Association Meeting	
9.00am	<b>Welcome Day 2</b>	
9.15am	<b>Key drivers for agriculture over the next 20 years</b> Dr DANIEL WALKER, <i>Research Director for Agriculture and Global Change, CSIRO Agriculture</i>	
10.00am	<b>Taking the talk - handling those tricky or heated saleyard conversations</b> TREVOR HAZELL, <i>Executive Manager Centre for Rural and Remote Mental Health</i>	
10.30am	<b>MORNING TEA</b>	
11.00am	<b>Saleyard benchmarking overview</b> TOM NEWSOME, <i>Director Outcross</i>	
11.15am	<b>Livestock stress - what is it, what's the impact and how to reduce it</b> MICHAEL CAMPBELL, <i>Cattle Health &amp; Production CSU Wagga Wagga</i>	
12.00pm	<b>Australian herd predictions and the saleyard and market statistics database tool</b> BEN THOMAS, <i>Manager Market Information and NLRS MLA</i>	
12.45pm	<b>LUNCH WITH OUR SPONSORS</b>	
1.45pm	<b>Planning for saleyard modernisation - the beauty of master planning</b> BILL VOWLES, <i>Kattle Gear Australia</i>	
2.30pm	<b>Cattle and beef markets study</b> MICK KEOGH, <i>Commissioner Agriculture Enforcement and Engagement Unit ACCC</i>	
3.15pm	<b>AFTERNOON TEA</b>	
3.45pm	<b>Scone Saleyard's experience in implementing a compulsory saleyard induction program</b> JOANNE McLOUGHLIN, <i>Property and Business Coordinator Upper Hunter Regional Council</i>	
4.15pm	<b>Chains of responsibility</b> PETER ENDICOTT, <i>General Manager Compliance Operations Roads and Maritime Services</i>	
4.45pm	<b>The Avdata truck wash scheme for saleyards</b> SCOTT BARNES, <i>Director Avdata Australia</i>	
5.00pm	<b>Wrap up and official close of conference</b>	
7.00pm	<b>ANNUAL SALEYARDS EXPO DINNER</b>	

**12 DELEGATES' REPORTS**

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Nil.

**13 MATTERS DETERMINED WITHOUT DEBATE**

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**160816/ 3 RESOLVED** (Cr Morrissey/Cr Sullivan)

That Items 14.3, 14.5, 14.6 and 14.7 be determined without debate.

FOR VOTE - All Council members voted unanimously.

The Mayor, Cr Bennett, having previously declared an interest in the following matter, retired from the meeting at this stage, the time being 5.18pm.

Cr Sullivan, Deputy Mayor, assumed the chair.

**14 MATTERS FOR DETERMINATION**

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**14.1 GREYHOUND INDUSTRY CLOSURE IMPACT ASSESSMENT**

**Responsible Officer:**

Vaughan Macdonald (General Manager)

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**RECOMMENDATION**

Recommended that Council:

1. Note that the closure of the NSW Greyhound Racing Industry will lead to a loss of \$10.5 million direct investment, 49 jobs and \$2.4 million in salaries and wages to the Richmond Valley economy.
2. Provides the Economic and Social Impact Assessment Report to the NSW Government and local Members of Parliament Mr Chris Gulaptis, Member for Clarence and the Hon Thomas George, Member for Lismore.

**160816/ 4 RESOLVED** (Cr Humphrys/Cr Mustow)

That Council:

1. Note that the closure of the NSW Greyhound Racing Industry will lead to a loss of \$10.5 million direct investment, 49 jobs and \$2.4 million in salaries and wages to the Richmond Valley economy.

2. Provides the Economic and Social Impact Assessment Report to the NSW Government and local Members of Parliament Mr Chris Gulaptis, Member for Clarence and the Hon Thomas George, Member for Lismore and the NSW Greyhound Racing Industry Alliance.
3. Receives a report outlining Council's proposed actions to support members of the Richmond Valley community who will be affected by the proposed closure of the NSW Greyhound Industry when the outcome of the NSW Parliament's consideration of the Greyhound Racing Prohibition Bill 2016 is finalised.

Further, that the following additional information and adjustments, a copy of which had been circulated to each Councillor at the meeting, be incorporated in the Economic and Social Impact Assessment Report.

Include the following case studies in section 6

#### **Local Veterinarian**

- To undertake "breeding work", a veterinarian and the facility needs to be accredited/ registered with Greyhounds Australasia.
- This local vet is the only accredited veterinarian between Brisbane and Newcastle.
- Many breeders and trainers have moved to the Richmond Valley to be near these services and in proximity to what is now regarded as one of the better tracks in NSW (Casino Greyhound Club).
- This area is good for greyhounds and many are attracted to this region because of the well-draining soils and slightly hilly topography. Affordable land on large allotments.
- Estimated loss of turnover which can be attributed to greyhound work is \$450,000 per annum (out of a \$600,000 annual turnover). Over 75% of the business is greyhound related.
- The practice employs 2 full time and 4 part-time staff. With loss of income the practice may not be viable and therefore the likelihood of terminating staff is high.
- The report on the greyhound industry is riddled with incorrect facts and statements. It is hoped people realise this and the truth comes out.
- As a Vet sees all stages of the greyhound development and lifecycle. These dogs are very well looked after. The significant majority of people do the right thing.
- Concerned for the social impact on people in the community and the flow on effects. There is social contact through training and racing; many people live for their dogs.
- Concerned for those involved in the industry and the likelihood of increased stress levels of people particularly those who have invested in property and related infrastructure.

#### **Greyhound Breaker**

- Moved here to establish a business, saw an opportunity in Casino.
- Invested approximately \$500,000 in his property.
- Greyhound breaking is his full time business and employs 2 part time assistants.

- An older demographic participates in greyhounds; many are unemployable in “traditional jobs” and the industry supplements income.
- 15-18% of total dogs in NSW are bred in the Richmond Valley - “it’s a nursery for the industry, good dogs are bred here”.
- Currently has 40 dogs being trained. The training cycle is 4 weeks. Dogs from south east Queensland and down to Newcastle are sent to him to be trained. They are often transported by business who specialise in moving dogs around. They will lose their business if the ban proceeds.
- If the ban goes ahead, he will leave the area, sell his property, and establish his business elsewhere (more than likely Queensland).
- Properties will flood the market if the ban goes ahead as people will be forced to move. This will impact on prices.

#### Other adjustments

#### **Page 3 - adjustments**

- Location of tracks – include specific distances to each race track from Casino e.g. Grafton is 1 hour from Casino.
- Total prize money per annum **is approximately \$800,000**
- 4th dot point - Add 'TAB' before ‘meetings’.

#### **Page 7 - include the following points**

- Casino Greyhound Racing Club offers the opportunity to local community and sporting not for profit organisations to fundraise at their race meetings.
- The Casino Cup attracts owners and trainers from throughout NSW and interstate with prizemoney of \$25,000.
- Many races are named after former owners and trainers to acknowledge their contribution to the industry and this history will be lost.

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

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### **Executive Summary**

The Special Commission of Inquiry into the Greyhound Racing Industry in NSW report was handed to the NSW Government on 16 June 2016 and it announced the Industry would be banned in NSW from 1 July 2017. The NSW Greyhound Racing Industry Alliance has been formed to respond to the proposed ban. Its response sets out what it believes are false claims in the report and advises that the NSW Greyhound Industry is in the process of reforming and should be given the opportunity to complete this process to avoid the need for an industry ban.

Over the last 15-20 years Casino and surrounds has become a greyhound industry hub due to its location with tracks at Casino, Grafton and Lismore within 45 minutes and a 3 hour trip to Brisbane's main track. The affordability of rural land and Council's supportive approach to the establishment of greyhound training facilities has seen significant growth in the industry with many trainers moving to the region from other areas. The Casino Greyhound Club operates a 453 metre greyhound race track at Queen Elizabeth Park.

A detailed economic and social impact assessment report has been prepared which identifies the following impacts on the Richmond Valley economy:

- Have a total dollar loss of \$10.5 million annually
- Cause the loss of 49 jobs across all 19 industries in the LGA
- Reduce wages and salaries across the LGA by \$2.4 million
- Significant social impacts on community members who enjoy greyhounds as part of their livelihood and family.

The Economic and Social Impact Assessment will be forwarded to the NSW Government to inform its consideration of the ban and the support package it has committed to provide industry participants consideration.

### **Background**

At Council's Ordinary meeting of 19 July 2016, it was resolved:

*That Council write to the NSW Government and Local Members of Parliament (Mr Chris Gulaptis, Member for Clarence and the Hon Thomas George, Member for Lismore) to:*

- 1. Express its concern for the economic and social impact the recently announced greyhound racing ban will have on the significant number of families in the Richmond Valley community who participate in and rely on the greyhound industry for their livelihood and the flow on impacts to supporting industries the ban will have, in particular loss of jobs.*
- 2. Advise that an economic and social impact assessment will be prepared for Council's consideration at its August meeting, which will then be provided to the NSW Government to inform its consideration of the ban and the support package it has committed to provide industry participants.*

A letter was sent to the NSW Premier and local Members of Parliament advising Council's concerns about the impact of the proposed ban on members of the community and the local economy. Council has now prepared an economic and social impact assessment of the NSW Government's announced closure of the NSW Greyhound Racing Industry.

### **Community Strategic Plan Links**

Focus Area 2.1 Business, Industry and Agriculture – Council will have a proactive philosophy to develop, promote and support all business, industry and agricultural sectors with a view to provide local employment opportunities.

### **Budget Implications**

The Greyhound Industry ban will leave Council with a direct loss of \$6,500 in annual revenue, increased maintenance costs for a facility which is currently maintained by the Greyhound Club, and the liability for the future cost of decommissioning the recently upgraded greyhound track if the facility is to be utilised for other purposes.

## Report

Over the last 15-20 years Casino and surrounds has become a greyhound industry hub due to its location with tracks at Casino, Grafton and Lismore within 45 minutes and a 3 hour trip to Brisbane's main track. The affordability of rural land and Council's supportive approach to the establishment of greyhound training facilities has seen significant growth in the industry with many trainers moving to the region from other areas.

The Race Track has been upgraded over the last two years to provide a safer racing surface for greyhounds.

The Greyhound industry has a significant impact on the Richmond Valley economy with local businesses that service the industry including:

- Veterinary Services
- Pet food and Rural Supplies stores
- Catering and fast food from visitation
- Fuel purchases from local Service stations
- Other retail outlets

Council has modelled the economic impacts on the Richmond Valley Local Government Area in the event that the Greyhound Industry and its estimated \$6 million annual contribution were removed. The impacts follow:

### Forecast Economic Impact

Impact Summary	Direct Effect	Industrial Effect	Consumption Effect	Total Effect
Output (\$M)	-\$6.000	-\$3.131	-\$1.373	<b>-\$10.504</b>
Employment (Jobs)	-32	-12	-5	<b>-49</b>
Wages and Salaries (\$M)	-\$1.343	-\$0.806	-\$0.304	<b>-\$2.453</b>

The cessation of the industry in the Richmond Valley would:

- Have a total dollar effect of \$10.5 million annually
- Cause the loss of 49 jobs across all 19 industries in the LGA
- Reduce wages and salaries across the LGA by \$2.4 million

To understand the social impacts of the ban Richmond Valley Council officers have had discussions with a number of affected people and businesses and have outlined a number of case studies in the attached assessment which highlight the economic and social impacts and put a personal story to the impact of the proposed closure of the Greyhound Industry.

**Consultation**

Council has received a number of representations from members of the greyhound community whose livelihood and recreational activities will be eliminated by the NSW Government's proposed ban. Council has liaised with a number of people and businesses that will be affected by the proposed ban on greyhound racing to assess the economic and social impact of the closure of the greyhound racing industry.

**Conclusion**

It is clear that the closure of the NSW Greyhound Racing Industry will have a significant impact on the Richmond Valley economy as well as have significant social impacts on our community members who enjoy greyhounds as a part of their livelihood and family life.

Note: A copy of the Richmond Valley Council economic and social impact assessment of the NSW Government's announced closure of the NSW Greyhound Racing Industry was attached to the archived Minutes of this Meeting.

Mayor returned to the meeting at 5.25pm and assumed chair.

**14.2 END OF TERM REPORT****Responsible Officer:**

Vaughan Macdonald (General Manager)

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**RECOMMENDATION**

Recommended that:

1. Council receive and note the End of Term Report 2012-2016 presented to the final Ordinary Meeting of this Council term held on 16 August 2016.
2. The End of Term Report 2012-2016 be appended to Council's 2015/16 Annual Report.

**160816/ 5 RESOLVED** (Cr Mustow/Cr Humphrys)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

## **Executive Summary**

Under the NSW Government's Integrated Planning and Reporting legislation for Local Government, Council is required to produce a report on its progress in implementing the Community Strategic Plan during its term.

The End-of-Term Report provides an update to the Richmond Valley Community on how the Council is progressing towards achieving the social, environmental, economic and civic leadership objectives of the Community Strategic Plan and in doing so provide information about how effective the Community Strategic Plan has been in delivering the desired outcomes.

The End-of-Term Report provides feedback to the community in respect of progress Council has made through its Delivery Program and Operational Plans between 2012 and 2016 against each of the seven focus areas presented in the Richmond Valleys Towards 2025 Community Strategic Plan.

## **Community Strategic Plan Links**

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

## **Budget Implications**

Nil

## **Report**

The End of Term Report outlines Council's progress in implementing the Community Strategic Plan (CSP) during its term of office and must be presented to the final meeting of an outgoing council.

In preparing the report, Council is required to consider its full four year term in delivering on the agreed community outcomes against each of the seven focus areas in the *Richmond Valley Towards 2025 Community Strategic Plan*.

The report provides a summary of the progress on the implementation and effectiveness of the CSP in achieving the social, environmental, economic and civic leadership objectives since its adoption in 2013. The Report provides a comprehensive summary of the outcomes achieved by the Council along with its community partners in meeting the seven key focus areas outlined in the CSP. The report also highlights what Council considers to be the significant achievements during this term of Council (2012- 2016).

A copy of the End of Term Report 2012-2016 has been circulated with the Business Paper.



## Consultation

In preparing the End of Term Report community residents were surveyed on the seven focus areas of the CSP. Residents were invited to provide feedback on council's performance over the past four years. The survey results form part of this report.

## Conclusion

The End of Term Report satisfies the requirements of the Integrated Planning and Reporting legislation and the requirement under the Local Government Regulations to present an End of Term Report to the final meeting of the outgoing council.

Note: A copy of the End of Term Report 2012-2016 was attached to the archived Minutes of this Meeting.

### 14.3 DELIVERY PROGRAM 2013/2017 PROGRESS REPORT (JULY 2013 TO JUNE 2016)

**Responsible Officer:**

Vaughan Macdonald (General Manager)

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## RECOMMENDATION

Recommended that the Progress Report for the period July 2013 to June 2016 on the Delivery Program 2013/2017 be received and noted.

**160816/ 6 RESOLVED** (Cr Morrissey/Cr Sullivan)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

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## Executive Summary

Council adopted its 2013/2017 Delivery Program on 25 June 2013 and adopted a revised 2013/2017 Delivery Program on 28 June 2016. 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 (green, amber, red and blue) and provides commentary on the progress of all Delivery Program actions and milestones. The report represents the period 1 July 2013 to 30 June 2016.

A dashboard has been provided to summarise Council's overall performance in meeting its four year targets. The accumulated percentage of Green and Amber traffic lights (74%) demonstrates a strong performance towards achieving the outcomes detailed in the four year program.

### Community Strategic Plan Links

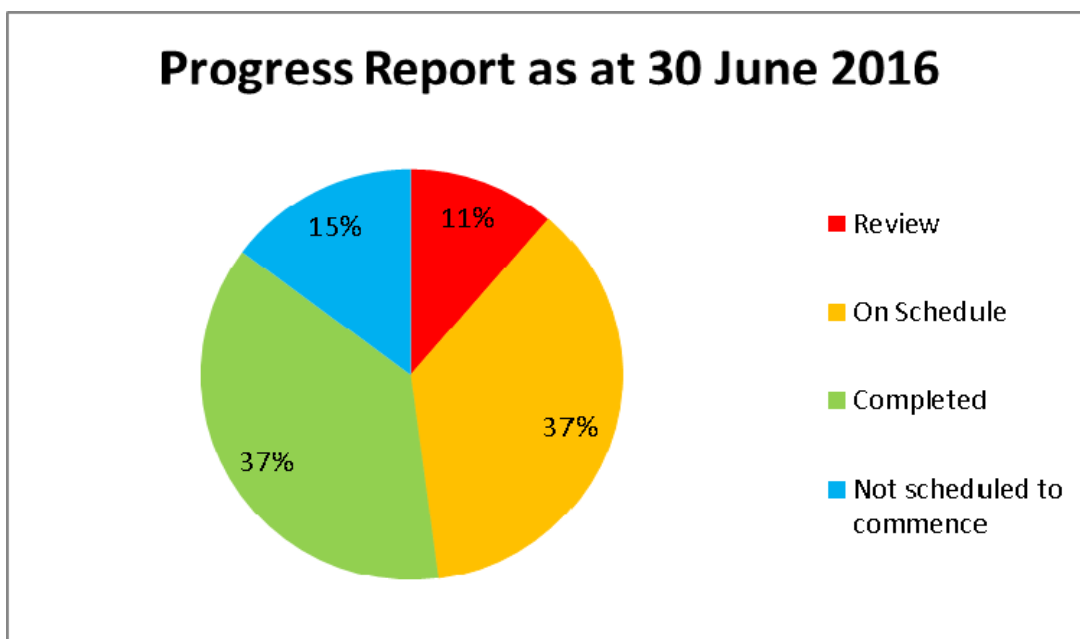
Focus Area 7 Governance and Process - Long term Goal 7.5 Sound Governance and Legislative Practices.

### Budget Implications

Not applicable.

### Report

The traffic lights in the graph below represent a dashboard of Council's overall performance at the completion of year three of the Delivery Program.



The status is defined as:

- Green:** The action or milestone has been completed.
- Amber:** The action or milestone is on schedule and is being actively managed.
- Red:** The project has not yet commenced, behind schedule, or circumstances have occurred that will prevent the completion of the project as scheduled.
- Blue:** The project has not been budgeted or scheduled to commence in the current year.

The six monthly progress report detailed in the attachment circulated separately with the Business Paper provides a report on the progress of principal activities for the period 1 July 2013 to 30 June 2016 being the completion of year three of the four year program.

### ***Legal***

In accordance with *the Local Government Act 1993*, the General Manager must ensure that progress reports are provided to Council with respect to the principal activities detailed in Council's Delivery Program at least every six months.

### **Consultation**

The progress report has been compiled in consultation with management and staff.

### **Conclusion**

Council's Integrated Planning and Reporting framework consists of a range of plans and reports, including a four year Delivery Program. This report provides a progress report to the Council with respect to the principal activities detailed in the Delivery Program in accordance with the provisions of the *Local Government Act 1993*.

Note: A copy of the Progress Report for the period July 2013 to June 2016 on the Delivery Program 2013/2017 was attached to the archived Minutes of this Meeting.

## **14.4 FINANCIAL ANALYSIS REPORT - JULY 2016**

### **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 July 2016.

### **160816/ 7 RESOLVED (Cr Mustow/Cr Morrissey)**

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

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### **Executive Summary**

The Financial Analysis Report gives an overview of Council's performance in regard to investment returns, investments made and reports the balance of

Council's Investment Portfolio as at the end of the reported month. This overview is both a legislative requirement and essential in keeping Council up to date on the monthly performance of Council's investments.

Council didn't make any new term deposits for the period. Three term deposits matured within the period.

All investments are in accordance with Council's Investment Policy.

Council's cash and term deposit investment portfolio has maturity dates ranging from same day up to 181 days. Deposits are made taking into account cash flow requirements and the most beneficial investment rates available at the time of making any investment.

Council has maintained its investments with NSW Treasury Corporation during this period. The Hourglass Cash Facility Trust has \$8,000,000 invested in it and the Hourglass Strategic Cash Facility Trust has \$8,000,000 invested in it. As of 31 July 2016 the Hourglass Cash Facility Trust is valued at \$8,173,084.68 and the Hourglass Strategic Cash Facility Trust is valued at \$8,178,817.71.

Council's total Investment Portfolio at fair value as at 31 July 2016 was \$27,631,537.33 against a face value of \$27,279,634.94. Council also has \$544,290.08 in General Bank Accounts and \$120,994.55 in Trust Funds as at 31 July 2016.

### **Community Strategic Plan Links**

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

### **Budget Implications**

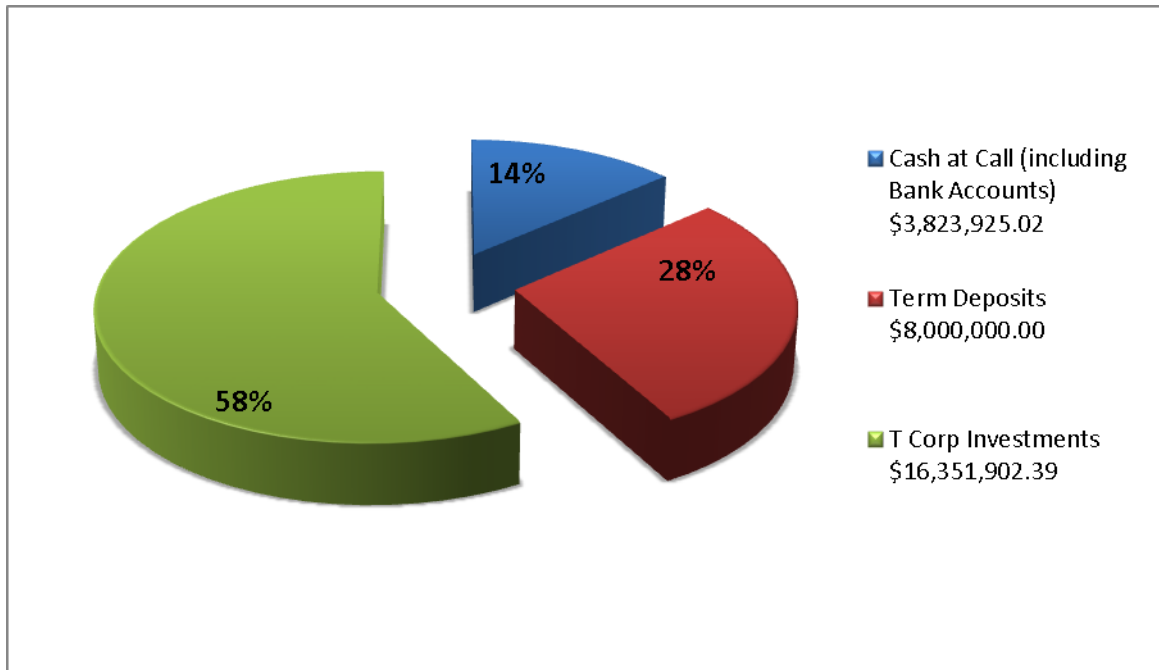
Year to date Council has earned \$31,233.15 in interest and \$42,300.54 in fair value gains for total revenue of \$73,533.69 against a budget of \$878,540.00 which equates to 8.37%.

### **Report**

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

This report includes the provision of fair value for all Council's investments. Council receives indicative market valuations on these investments monthly (where available) and this can be compared to the face value or original cost of the investment when purchased (where available). The notion of fair value is to comply with Australian Accounting Standard AASB 139. The market valuations of fair value valuations are an indication only of what a particular investment is worth at a point in time and will vary from month to month depending upon market conditions. The fair value of Council's Investment Portfolio as at 31 July 2016 was \$27,631,537.33 against a face value of \$27,279,634.94.

The following graph shows a breakup of Council's investment portfolio as at 31 July 2016:



The Reserve Bank of Australia (RBA) didn't adjust the cash rate at its July 2016 meeting, so the cash rate in Australia was 1.75% per annum at June 2016 month end.

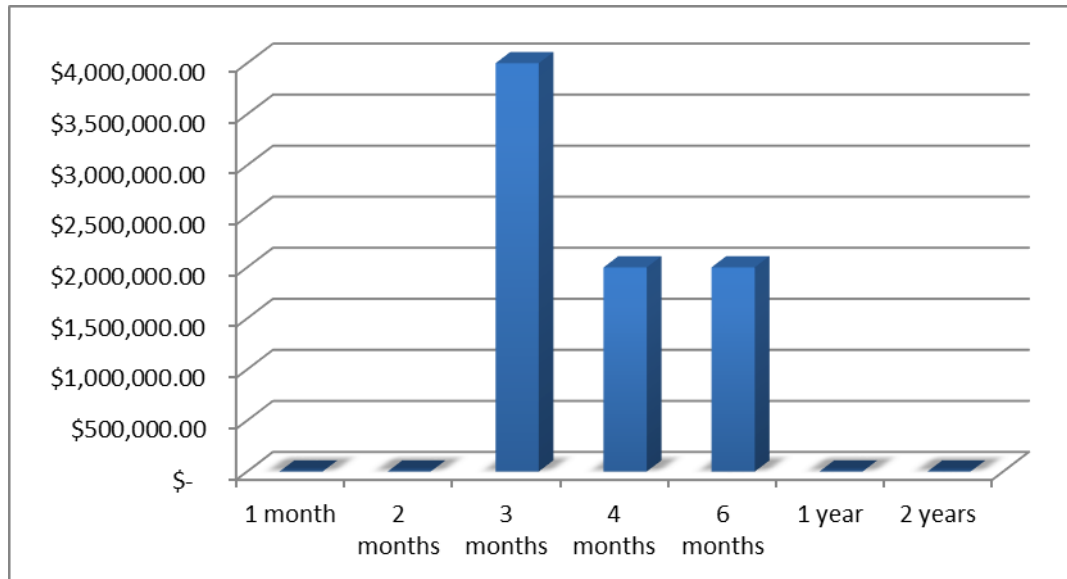
Council has a term deposit portfolio of \$8,000,000 or 28.95% of the total portfolio composition. In terms of investment yields, interest rates available for investments during the period have decreased from the previous report; the average yield of the deposits decreased from 3.02% to 3.00%. The short dated deposit and cash position of the portfolio provides excellent liquidity to Council allowing flexibility to take advantage of higher interest bearing investments as the opportunities arise. Council has invested \$16,000,000 with NSW Treasury Corporation.

Council didn't make any new term deposits during the month of July 2016.

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

Financial Institution	Investment Amount	Maturity Date	Investment Rate per annum	Interest Received
Members Equity Bank	\$1,000,000.00	18/07/2016	3.09%	\$7,703.84
ANZ Ltd	\$1,000,000.00	27/07/2016	3.10%	\$7,643.83
Auswide	\$1,000,000.00	27/07/2016	3.10%	\$7,643.84

The following graph shows Council's term deposit maturities as at 31 July 2016.



### Conclusion

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

RICHMOND VALLEY COUNCIL FINANCIAL ANALYSIS REPORT AT 31 JULY 2016														
Investment Name	Investment Source	Investment Type	Rating	Investment Date	Maturity Date	Interest Basis	Interest Frequency	Current Interest Rate for Month	Original Investment Value	Current Investment Fair Value	Fair Valuation Date	% of Total Portfolio	Capital Guarantee Maturity	
<u>Cash at Call</u>														
CBA Business Online Saver	Commonwealth Bank	At Call	A1+/AA	At Call	Variable		Monthly	0.21%	N/A	3,279,634.94	31/07/2016	11.87%	No	
Total Cash at Call										3,279,634.94		11.87%		
<u>Term Deposits</u>														
Term Deposit	Bank of QLD	Term Deposit	A2/BBB	6/04/2016	4/10/2016	Fixed for Term	Maturity	0.26%	N/A	1,000,000.00	31/07/2016	3.62%	Part	
Term Deposit	Members Equity Bank	Term Deposit	A2/BBB	11/05/2016	9/08/2016	Fixed for Term	Maturity	0.25%	N/A	1,000,000.00	31/07/2016	3.62%	Part	
Term Deposit	Beyond Bank	Term Deposit	A2/BBB+	30/05/2016	29/08/2016	Fixed for Term	Maturity	0.25%	N/A	1,000,000.00	31/07/2016	3.62%	Part	
Term Deposit	National Australia Bank	Term Deposit	A1+/AA-	30/05/2016	29/08/2016	Fixed for Term	Maturity	0.24%	N/A	1,000,000.00	31/07/2016	3.62%	Part	
Term Deposit	Elders Rural Bank	Term Deposit	A2/A-	6/06/2016	4/10/2016	Fixed for Term	Maturity	0.24%	N/A	1,000,000.00	31/07/2016	3.62%	Part	
Term Deposit	AMP Ltd	Term Deposit	A1+/AA-	7/06/2016	5/12/2016	Fixed for Term	Maturity	0.25%	N/A	1,000,000.00	31/07/2016	3.62%	Part	
Term Deposit	Westpac Bank	Term Deposit	A1+/AA-	20/06/2016	18/10/2016	Fixed for Term	Maturity	0.25%	N/A	1,000,000.00	31/07/2016	3.62%	Part	
Term Deposit	Beyond Bank	Term Deposit	A2/BBB+	29/06/2016	28/09/2016	Fixed for Term	Maturity	0.25%	N/A	1,000,000.00	31/07/2016	3.62%	Part	
Total Term Deposits										8,000,000.00		28.95%		
<u>Fixed Interest Securities</u>														
Total Fixed Interest Securities										0.00	0.00			
<u>NSW Treasury Corporation Hourglass Investments</u>														
Cash Facility Trust	NSW Treasury Corporation	Trust	Various	N/A			Monthly		8,000,000.00	8,173,084.68	31/07/2016	29.58%		
Strategic Cash Facility Trust	NSW Treasury Corporation	Trust	Various	N/A			Monthly		8,000,000.00	8,178,817.71	31/07/2016	29.60%		
Total Fixed Interest Securities										16,000,000.00	16,351,902.39		59.18%	
Total Investment Portfolio at Face Value									27,279,634.94					
Total Investment Portfolio at Fair Value										27,631,537.33				
<u>Bank Accounts</u>														
Account Name		Balance \$												
		31-Jul-16												
General Fund Bank Account		532,004.14												
Trust Fund Bank Account		120,994.55												
NAB Cheque Account		0.00												
Evans Head Memorial Areodrome Fund		12,285.94												
Total		665,284.63												
Overall Average Interest Rate for month - Portfolio								0.25%						
Total Bank Account Portfolio										665,284.63				
Total Portfolio										28,296,821.96				

**14.5 MONTHLY BUDGET ADJUSTMENTS - JULY 2016****Responsible Officer:**Ryan Gaiter (Chief Financial Officer/Manager Mid-Richmond)

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**RECOMMENDATION**

Recommended that Council approve the proposed budget adjustments for the month of July 2016, including carry over works from 2015/2016 and that Council note the revised budget position as at 31 July 2016.

**160816/ 8 RESOLVED** (Cr Morrissey/Cr Sullivan)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

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**Executive Summary**

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

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

This report details the proposed adjustments to the 2016/2017 budget, which are predominately to allow for carry over works to be brought forward from 2015/2016. Carry over works represent those projects that were not completed in the previous financial year. This occurs on an annual basis and can be due to a number of factors including weather, timing of grant funding, savings in completion of projects and other reasons. The proposed carry over works from 2015/2016 total \$1,022,054. This includes \$198,951 in operating expenditure and \$823,103 in capital expenditure. These works are to be funded by reserve funding of \$874,968 and grants and contributions of \$147,086.

Carry over works in the previous financial year of 2014/2015 totalled \$3,692,832. The proposed carry over works from 2015/2016 of \$1,022,054 is a significant improvement from 2014/2015 and highlights Council's focus on delivering its capital works program.



Council's annual Financial Statements are currently being prepared for audit and as such, the amount of carry over works are still subject to change. Any changes will be included in the Quarterly Budget Review Statement for the quarter ended 30 September 2016 once unexpended grants and final reserve balances are determined.

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

<b>Budget Adjustments July 2016</b>	<b>Proposed Budget Adjustment</b>
Operating Expenditure	198,951
Capital Grants & Contributions	216,541
Capital Expenditure	884,603
Transfers to/(from) Reserves	(874,968)
<b>Net Effect on Budget Result</b>	<b>7,955</b>

### Community Strategic Plan Links

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

### Budget Implications

As detailed in the report.

### Report

The proposed budget adjustments for July 2016, including carry over works from 2015/2016 and effect on the projected budget results for the 2016/2017 financial year are summarised in the table below:

<b>Budget Adjustments July 2016</b>	<b>Original Budget 01-Jul-16</b>	<b>Recommended Changes for Council Resolution</b>	<b>Projected Year End Result 2016/2017</b>
Income from Continuing Operations	<b>57,644,600</b>	216,541	<b>57,861,141</b>
Expenses from Continued Operations	<b>53,506,562</b>	198,951	<b>53,705,513</b>
<b>Operating Result from Continuing Operations</b>	<b>4,138,038</b>	<b>17,590</b>	<b>4,155,628</b>
Add: Non-Cash Expenses	<b>12,747,045</b>	0	<b>12,747,045</b>
Add: Non-Operating Funds Employed	<b>4,737,300</b>	0	<b>4,737,300</b>
Less: Capital Expenditure	<b>19,848,922</b>	884,603	<b>20,733,525</b>
Less: Loan Repayments	<b>1,850,414</b>	0	<b>1,850,414</b>
<b>Estimated Funding Result - Surplus/(Deficit)</b>	<b>(76,953)</b>	<b>(867,013)</b>	<b>(943,966)</b>
Restricted Funds – Increase/(Decrease)	<b>(254,313)</b>	(874,968)	<b>(1,129,281)</b>
<b>Working Funds – Increase/(Decrease)</b>	<b>177,360</b>	<b>7,955</b>	<b>185,315</b>

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

Focus Area	Focus Activity	Proposed Budget Adjustment
<b>Operating Expenditure</b>		
Community & Culture	Social Planning	9,038
Recreation & Open Space	Pools	34,600
Recreation & Open Space	Sports Grounds, Parks & Reserves	3,977
Rural & Urban Development	Planning & Development Services	4,000
Transport & Infrastructure	Sewerage Services	139,336
Governance & Process	Corporate Support Services	8,000
<b>Total Operating Expenditure</b>		<b>198,951</b>
<b>Capital Grants &amp; Contributions</b>		
Recreation & Open Space	Sports Grounds, Parks & Reserves	174,000
Transport & Infrastructure	Roads & Transport Services	42,541
<b>Total Capital Grants &amp; Contributions</b>		<b>216,541</b>
<b>Capital Expenditure</b>		
Community & Culture	Emergency Management	97,410
Recreation & Open Space	Pools	14,939
Recreation & Open Space	Sports Grounds, Parks & Reserves	325,218
Transport & Infrastructure	Cemeteries	8,174
Transport & Infrastructure	Public Toilets	10,395
Transport & Infrastructure	Stormwater Drainage	53,645
Transport & Infrastructure	Roads & Transport Services	319,878
Transport & Infrastructure	Sewerage Services	54,944
<b>Total Capital Expenditure</b>		<b>884,603</b>
<b>Transfers to/(from) Reserves</b>		
Unexpended Grants Reserve	Transfer from Reserve	(191,109)
Stormwater Management Reserve	Transfer from Reserve	(53,645)
Section 94A Reserve	Transfer from Reserve	(57,366)
Unexpended Special Rates Variation Reserve	Transfer from Reserve	(110,062)
Real Estate & Infrastructure Reserve	Transfer from Reserve	(97,410)
Road Rehabilitation Reserve	Transfer from Reserve	(72,000)
Public Cemeteries Perpetual Maintenance Reserve	Transfer from Reserve	(8,174)
Carry Over Works Reserve	Transfer from Reserve	(90,922)
Sewerage Infrastructure Reserve	Transfer from Reserve	(194,280)
<b>Total Transfers to/(from Reserves)</b>		<b>(874,968)</b>
<b>Net Effect on Budget Result</b>		<b>7,955</b>

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

## Conclusion

The report details the proposed budget adjustments for the month of July 2016 as well as the proposed carry over works from 2015/2016. The net impact on the projected budget surplus is \$7,955 for the 2016/2017 financial year, increasing the estimated surplus to \$185,315.

**Budget Adjustments July 2016**

Focus Activity	Project Description	Reason for Adjustment	Current Budget	Proposed Adjustment	Proposed Budget	Effect on Budget - Surplus/ (Deficit)
<b>Operating Expenditure</b>						
Social Planning	Aboriginal Programs	Carry over funds from 2015/2016	7,200	3,744	10,944	(3,744)
Social Planning	Social Planning Projects	Carry over funds from 2015/2016	10,000	5,294	15,294	(5,294)
Pools	Swimming Pool Operations	Carry over operational savings from 2015/2016 to undertake condition and capacity assessments	0	34,600	34,600	(34,600)
Sports Grounds, Parks & Reserves	Key Audit	Carry over funds from 2015/2016	0	3,977	3,977	(3,977)
Planning & Development Services	Local Heritage Grants	Carry over funds from 2015/2016	26,009	4,000	30,009	(4,000)
Sewerage Services	CCTV Mains Conditioning	Carry over funds from 2015/2016	0	139,336	139,336	(139,336)
Corporate Support Services	Noise Prevention Program	Carry over operational savings from 2015/2016 towards Noise Prevention program	5,000	8,000	13,000	(8,000)
<b>Total Operating Expenditure</b>			<b>48,209</b>	<b>198,951</b>	<b>247,160</b>	<b>(198,951)</b>
<b>Capital Grants &amp; Contributions</b>						
Sports Grounds, Parks & Reserves	QE 2 - Cricket Nets Contributions	Capital contributions from Casino RSM Club \$7,500, RSM Cavaliers Cricket Club \$2,000 and Casino District Junior Cricket Association \$7,000	0	(16,500)	(16,500)	16,500
Sports Grounds, Parks & Reserves	Casino Junior Rugby League Association Contribution to Pavilion	Carry over capital contribution	0	(112,500)	(112,500)	112,500
Sports Grounds, Parks & Reserves	McCracken Park Playground	Successful grant funding for Playground upgrade from Dept Family and Community Services	0	(45,000)	(45,000)	45,000
Roads & Transport Services	MR544 Lismore Kyogle Rd - Natural Disaster May 15	Carry over funds from 2015/2016	0	(42,541)	(42,541)	42,541
<b>Total Capital Grants &amp; Contributions</b>			<b>0</b>	<b>(216,541)</b>	<b>(216,541)</b>	<b>216,541</b>

**Budget Adjustments July 2016**

Focus Activity	Project Description	Reason for Adjustment	Current Budget	Proposed Adjustment	Proposed Budget	Effect on Budget - Surplus/ (Deficit)
<b>Capital Expenditure</b>						
Emergency Management	Coraki SES Relocation	Carry over funds from 2015/2016	0	97,410	97,410	(97,410)
Pools	Coraki Pool Shade Structure	Carry over funds from 2015/2016	0	14,939	14,939	(14,939)
Sports Grounds, Parks & Reserves	QE Park 2 - Cricket Nets	Allocation from Park Renewals	0	22,500	22,500	(22,500)
Sports Grounds, Parks & Reserves	QE Park Rugby League Pavilion	Carry over funds from 2015/2016	0	104,545	104,545	(104,545)
Sports Grounds, Parks & Reserves	Crawford Square Skatepark	Carry over funds from 2015/2016 - for path works \$22,930, shade structures and landscaping \$1,300, BMX facility repairs \$1,000 and proposed Broadwater Skatepark planning and specifications \$15,167	0	40,397	40,397	(40,397)
Sports Grounds, Parks & Reserves	Casino Riverfront Amphitheatre	Carry over funds from 2015/2016	650,000	57,366	707,366	(57,366)
Sports Grounds, Parks & Reserves	McCracken Park Playground	Successful grant funding for Playground upgrade from Dept Family and Community Services	0	45,000	45,000	(45,000)
Sports Grounds, Parks & Reserves	Parks Renewals - to be allocated	Allocate \$6,000 towards QE 2 Cricket Nets	185,000	(6,000)	179,000	6,000
Sports Grounds, Parks & Reserves	Casino Showground - Southern Access Upgrade	Carry over funds from 2015/2016	0	15,293	15,293	(15,293)
Sports Grounds, Parks & Reserves	Casino Showground - Campdraft Shelters and Amenities	Carry over funds from 2015/2016	0	46,117	46,117	(46,117)
Cemeteries	Casino Lawn Cemetery - Expansion Earthworks	Carry over funds from 2015/2016	10,000	2,036	12,036	(2,036)
Cemeteries	Evans Head Cemetery - Expansion Infrastructure	Carry over funds from 2015/2016	0	6,138	6,138	(6,138)
Public Toilets	Public Toilet Refurbishments	Carry over savings in additional maintenance funds from 2015/2016	35,000	10,395	45,395	(10,395)
Stormwater Drainage	Casino Drainage Improvements	Carry over funds from 2015/2016	10,000	10,000	20,000	(10,000)
Stormwater Drainage	Ocean Drive Culvert Evans Head	Carry over funds from 2015/2016 to finalise plantings and site restoration following extensive public consultation	0	13,645	13,645	(13,645)
Stormwater Drainage	Drainage Improvements to be allocated	Carry over funds from 2015/2016	0	30,000	30,000	(30,000)
Roads & Transport Services	South Casino Streetscape	Carry over funds from 2015/2016	0	14,228	14,228	(14,228)
Roads & Transport Services	Mongogarrie Road	Carry over funds from 2015/2016	0	332,952	332,952	(332,952)
Roads & Transport Services	Roads to Recovery - to be allocated	Funds allocated towards Mongogarrie Road	252,338	(141,843)	110,495	141,843
Roads & Transport Services	MR145 Woodburn - Coraki Road - Preliminary Survey Works	Carry over funds from 2015/2016	0	72,000	72,000	(72,000)
Roads & Transport Services	MR544 Lismore Kyogle Rd - Natural Disaster May 15	Carry over funds from 2015/2016	0	42,541	42,541	(42,541)
Sewerage Services	Coraki Sewerage Treatment Plant - New Inlet Works	Carry over funds from 2015/2016	0	29,944	29,944	(29,944)
Sewerage Services	Evans Head Sewerage Treatment Plant - EAT Tank Conversion to Holding Tank	Carry over funds from 2015/2016	0	25,000	25,000	(25,000)
<b>Total Capital Expenditure</b>			<b>1,142,338</b>	<b>884,603</b>	<b>2,026,941</b>	<b>(884,603)</b>

**Budget Adjustments July 2016**

Focus Activity	Project Description	Reason for Adjustment	Current Budget	Proposed Adjustment	Proposed Budget	Effect on Budget - Surplus/ (Deficit)
<b>Transfers to/from Reserves</b>						
Unexpended Grants Reserve	Transfer from Reserve	Carry over funding from 2015/2016	(285,865)	(191,109)	(476,974)	191,109
Stormwater Management Reserve	Transfer from Reserve	Carry over funding from 2015/2016	5,280	(53,645)	(48,365)	53,645
Section 94A Reserve	Transfer from Reserve	Carry over funding from 2015/2016	50,000	(57,366)	(7,366)	57,366
Unexpended Special Rates Variation	Transfer from Reserve	Carry over funding from 2015/2016	(207,604)	(110,062)	(317,666)	110,062
Real Estate & Infrastructure Reserve	Transfer from Reserve	Carry over funding from 2015/2016	1,510,579	(97,410)	1,413,169	97,410
Road Rehabilitation Reserve	Transfer from Reserve	Carry over funding from 2015/2016	220,000	(72,000)	148,000	72,000
Public Cemeteries Perpetual Maintenance Reserve	Transfer from Reserve	Carry over funding from 2015/2016	(27,549)	(8,174)	(35,723)	8,174
Carry Over Works Reserve	Transfer from Reserve	Carry over funding from 2015/2016	0	(90,922)	(90,922)	90,922
Sewerage Infrastructure Reserve	Transfer from Reserve	Carry over funding from 2015/2016	686,058	(194,280)	491,778	194,280
<b>Total Transfers to/from Reserves</b>			<b>1,950,899</b>	<b>(874,968)</b>	<b>1,075,931</b>	<b>874,968</b>
<b>Total Budget Movements</b>			<b>(3,141,446)</b>	<b>(425,127)</b>	<b>(3,566,573)</b>	<b>7,955</b>

**14.6 MODEL CODE OF CONDUCT****Responsible Officer:**Deborah McLean (Manager Governance and Risk)

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**RECOMMENDATION**

Recommended that Council adopt the revised Model Code of Conduct and amended Policy 1.1 Code of Conduct - Councillors/Personnel.

**160816/ 9 RESOLVED** (Cr Morrissey/Cr Sullivan)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

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**Executive Summary**

Council previously adopted the Model Code of Conduct for Local Councils in NSW ("Model Code") issued by the Division of Local Government in February 2013. The Division of Local Government has undertaken a review of the previously issued Model Code and in November 2015 published a revised Model Code of Conduct for Local Councils in NSW.

The Model Code of Conduct is made for the purposes of section 440 of the *Local Government Act 1993* ("the Act"). Section 440 of the Act requires every council to adopt a code of conduct that incorporates the provisions of the Model Code.

**Community Strategic Plan Links**

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

**Budget Implications**

Nil.

**Report**

The Office of Local Government undertook a review of the Model Code in November 2015. The amendments to the Model Code are nominal and relate to Part 4, Conflicts of Interest by adding a further clause (b) under section 4.29 relating to non-pecuniary interests.

A copy of the revised Model Code of Conduct for Local Councils in NSW is included in this report.

**Conclusion**

The Model Code of Conduct sets the minimum requirements of conduct for Council officials in carrying out their functions. The Model Code is prescribed by the *Local Government Act 1993*. Each Council must adopt a Code of Conduct that incorporates the Model Code or is consistent with the Model Code.

It is proposed that Council adopt the revised Model Code as its Code of Conduct.

Council's Policy 1.1 has been amended accordingly and is included with this report.



## Council Policy

<b>Policy Title:</b>	<b>Code of Conduct - Councillors/Personnel</b>
<b>Policy Number:</b>	1.1
<b>Focus Area:</b>	Governance and Process
<b>Responsibility:</b>	Governance and Corporate Risk
<b>Meeting Adopted:</b>	16 August 2016

### OBJECTIVE

To define and maintain suitable standards of conduct and openness in Council decisions and dealings and meet the requirements of Section 440 of the Local Government Act 1993.

### POLICY

Council has adopted "The Model Code of Conduct for Local Councils in NSW – November 2015."

### REVIEW

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





Office of Local Government

# MODEL CODE OF CONDUCT FOR LOCAL COUNCILS IN NSW



November 2015

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## CONTENTS

<b>Part 1</b>	Introduction	2
<b>Part 2</b>	Purpose of the code of conduct	3
<b>Part 3</b>	General conduct obligations	4
<b>Part 4</b>	Conflict of interests	6
<b>Part 5</b>	Personal benefit	11
<b>Part 6</b>	Relationship between council officials	13
<b>Part 7</b>	Access to information and council resources	15
<b>Part 8</b>	Maintaining the integrity of this code	19
<b>Part 9</b>	Definitions	21

## PART 1

# INTRODUCTION

This Model Code of Conduct for Local Councils in NSW ("the Model Code of Conduct") is made for the purposes of section 440 of the *Local Government Act 1993* ("the Act"). Section 440 of the Act requires every council to adopt a code of conduct that incorporates the provisions of the Model Code. For the purposes of section 440 of the Act, the Model Code of Conduct comprises all parts of this document.

Councillors, administrators, members of staff of council, independent conduct reviewers, members of council committees including a conduct review committee and delegates of the council must comply with the applicable provisions of council's code of conduct in carrying out their functions as council officials. It is the personal responsibility of council officials to comply with the standards in the code and regularly review their personal circumstances with this in mind.

Failure by a councillor to comply with the standards of conduct prescribed under this code constitutes misconduct for the purposes of the Act. The Act provides for a range of penalties that may be imposed on councillors for misconduct, including suspension or disqualification from civic office. A councillor who has been suspended on three or more occasions for misconduct is automatically disqualified from holding civic office for five years.

Failure by a member of staff to comply with council's code of conduct may give rise to disciplinary action.

## PART 2

# PURPOSE OF THE CODE OF CONDUCT

The Model Code of Conduct sets the minimum requirements of conduct for council officials in carrying out their functions. The Model Code is prescribed by regulation.

The Model Code of Conduct has been developed to assist council officials to:

- understand the standards of conduct that are expected of them
- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439)
- act in a way that enhances public confidence in the integrity of local government.

## PART 3

# GENERAL CONDUCT OBLIGATIONS

### General conduct

- 3.1** You must not conduct yourself in carrying out your functions in a manner that is likely to bring the council or holders of civic office into disrepute. Specifically, you must not act in a way that:
- a) contravenes the Act, associated regulations, council's relevant administrative requirements and policies
  - b) is detrimental to the pursuit of the charter of a council
  - c) is improper or unethical
  - d) is an abuse of power or otherwise amounts to misconduct
  - e) causes, comprises or involves intimidation, harassment or verbal abuse
  - f) causes, comprises or involves discrimination, disadvantage or adverse treatment in relation to employment
  - g) causes, comprises or involves prejudice in the provision of a service to the community. (*Schedule 6A*)
- 3.2** You must act lawfully, honestly and exercise a reasonable degree of care and diligence in carrying out your functions under the Act or any other Act. (*section 439*)
- 3.3** You must treat others with respect at all times.

### Fairness and equity

- 3.4** You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.
- 3.5** You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.



## Harassment and discrimination

- 3.6** You must not harass, discriminate against, or support others who harass and discriminate against colleagues or members of the public. This includes, but is not limited to harassment and discrimination on the grounds of sex, pregnancy, age, race, responsibilities as a carer, marital status, disability, homosexuality, transgender grounds or if a person has an infectious disease.

## Development decisions

- 3.7** You must ensure that development decisions are properly made and that parties involved in the development process are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the development assessment process.
- 3.8** In determining development applications, you must ensure that no action, statement or communication between yourself and applicants or objectors conveys any suggestion of willingness to provide improper concessions or preferential treatment.

## Binding caucus votes

- 3.9** You must not participate in binding caucus votes in relation to matters to be considered at a council or committee meeting.
- 3.10** For the purposes of clause 3.9, a binding caucus vote is a process whereby a group of councillors are compelled by a threat of disciplinary or other adverse action to comply with a predetermined position on a matter before the council or committee irrespective of the personal views of individual members of the group on the merits of the matter before the council or committee.
- 3.11** Clause 3.9 does not prohibit councillors from discussing a matter before the council or committee prior to considering the matter in question at a council or committee meeting or from voluntarily holding a shared view with other councillors on the merits of a matter.
- 3.12** Clause 3.9 does not apply to a decision to elect the Mayor or Deputy Mayor or to nominate a person to be a member of a council committee.

## PART 4

# CONFLICT OF INTERESTS

- 4.1 A conflict of interests exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your public duty.
- 4.2 You must avoid or appropriately manage any conflict of interests. The onus is on you to identify a conflict of interests and take the appropriate action to manage the conflict in favour of your public duty.
- 4.3 Any conflict of interests must be managed to uphold the probity of council decision-making. When considering whether or not you have a conflict of interests, it is always important to think about how others would view your situation.
- 4.4 Private interests can be of two types: pecuniary or non-pecuniary.

### What is a pecuniary interest?

- 4.5 A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. (*section 442*)
- 4.6 A person will also be taken to have a pecuniary interest in a matter if that person's spouse or de facto partner or a relative of the person or a partner or employer of the person, or a company or other body of which the person, or a nominee, partner or employer of the person is a member, has a pecuniary interest in the matter. (*section 443*)
- 4.7 Pecuniary interests are regulated by Chapter 14, Part 2 of the Act. The Act requires that:
  - a) councillors and designated persons lodge an initial and an annual written disclosure of interests that could potentially be in conflict with their public or professional duties (*section 449*)
  - b) councillors and members of council committees disclose an interest and the nature of that interest at a meeting, leave the meeting and be out of sight of the meeting and not participate in discussions or voting on the matter (*section 451*)
  - c) designated persons immediately declare, in writing, any pecuniary interest. (*section 459*)
- 4.8 Designated persons are defined at section 441 of the Act, and include, but are not limited to, the general manager and other senior staff of the council.
- 4.9 Where you are a member of staff of council, other than a designated person (as defined by section 441), you must disclose in writing to your supervisor or the general manager, the nature of any pecuniary interest you have in a matter you are dealing with as soon as practicable.



## What are non-pecuniary interests?

- 4.10** Non-pecuniary interests are private or personal interests the council official has that do not amount to a pecuniary interest as defined in the Act. These commonly arise out of family, or personal relationships, or involvement in sporting, social or other cultural groups and associations and may include an interest of a financial nature.
- 4.11** The political views of a councillor do not constitute a private interest.

## Managing non-pecuniary conflict of interests

- 4.12** Where you have a non-pecuniary interest that conflicts with your public duty, you must disclose the interest fully and in writing, even if the conflict is not significant. You must do this as soon as practicable.
- 4.13** If a disclosure is made at a council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes. This disclosure constitutes disclosure in writing for the purposes of clause 4.12.
- 4.14** How you manage a non-pecuniary conflict of interests will depend on whether or not it is significant.
- 4.15** As a general rule, a non-pecuniary conflict of interests will be significant where a matter does not raise a pecuniary interest but it involves:
- a) a relationship between a council official and another person that is particularly close, for example, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or of the person's spouse, current or former spouse or partner, de facto or other person living in the same household
  - b) other relationships that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship
  - c) an affiliation between the council official and an organisation, sporting body, club, corporation or association that is particularly strong.

- 4.16** If you are a council official, other than a member of staff of council, and you have disclosed that a significant non-pecuniary conflict of interests exists, you must manage it in one of two ways:
- a) remove the source of the conflict, by relinquishing or divesting the interest that creates the conflict, or reallocating the conflicting duties to another council official
  - b) have no involvement in the matter, by absenting yourself from and not taking part in any debate or voting on the issue as if the provisions in section 451(2) of the Act apply.
- 4.17** If you determine that a non-pecuniary conflict of interests is less than significant and does not require further action, you must provide an explanation of why you consider that the conflict does not require further action in the circumstances.
- 4.18** If you are a member of staff of council, the decision on which option should be taken to manage a non-pecuniary conflict of interests must be made in consultation with your manager.
- 4.19** Despite clause 4.16(b), a councillor who has disclosed that a significant non-pecuniary conflict of interests exists may participate in a decision to delegate council's decision-making role to council staff through the general manager, or appoint another person or body to make the decision in accordance with the law. This applies whether or not council would be deprived of a quorum if one or more councillors were to manage their conflict of interests by not voting on a matter in accordance with clause 4.16(b) above.

## Reportable political donations

- 4.20** Councillors should note that matters before council involving political or campaign donors may give rise to a non-pecuniary conflict of interests.
- 4.21** Where a councillor has received or knowingly benefitted from a reportable political donation:
- a) made by a major political donor in the previous four years, and
  - b) where the major political donor has a matter before council,
- then the councillor must declare a non-pecuniary conflict of interests, disclose the nature of the interest, and manage the conflict of interests in accordance with clause 4.16(b).

**4.22** For the purposes of this Part:

- a) a "reportable political donation" is a "reportable political donation" for the purposes of section 86 of the *Election Funding, Expenditure and Disclosures Act 1981*,
- b) a "major political donor" is a "major political donor" for the purposes of section 84 of the *Election Funding, Expenditure and Disclosures Act 1981*.

**4.23** Councillors should note that political donations below \$1,000, or political donations to a registered political party or group by which a councillor is endorsed, may still give rise to a non-pecuniary conflict of interests. Councillors should determine whether or not such conflicts are significant and take the appropriate action to manage them.

**4.24** If a councillor has received or knowingly benefitted from a reportable political donation of the kind referred to in clause 4.21, that councillor is not prevented from participating in a decision to delegate council's decision-making role to council staff through the general manager or appointing another person or body to make the decision in accordance with the law (see clause 4.19 above).

## **Loss of quorum as a result of compliance with this Part**

**4.25** Where a majority of councillors are precluded under this Part from consideration of a matter the council or committee must resolve to delegate consideration of the matter in question to another person.

**4.26** Where a majority of councillors are precluded under this Part from consideration of a matter and the matter in question concerns the exercise of a function that may not be delegated under section 377 of the Act, the councillors may apply in writing to the Chief Executive to be exempted from complying with a requirement under this Part relating to the management of a non-pecuniary conflict of interests.

**4.27** The Chief Executive will only exempt a councillor from complying with a requirement under this Part where:

- a) compliance by councillors with a requirement under the Part in relation to a matter will result in the loss of a quorum, and
- b) the matter relates to the exercise of a function of the council that may not be delegated under section 377 of the Act.

**4.28** Where the Chief Executive exempts a councillor from complying with a requirement under this Part, the councillor must still disclose any interests they have in the matter the exemption applies to in accordance with the requirements of this Part.



**4.29** A councillor, who would otherwise be precluded from participating in the consideration of a matter under this Part because they have a non-pecuniary conflict of interests in the matter, is permitted to participate in consideration of the matter, if:

- a) the matter is a proposal relating to
  - i) the making of a principal environmental planning instrument applying to the whole or a significant part of the council's area, or
  - ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant part of the council's area, and
- b) the non-pecuniary conflict of interests arises only because of an interest that a person has in that person's principal place of residence, and
- c) the councillor declares the interest they have in the matter that would otherwise have precluded their participation in consideration of the matter under this Part.

## Other business or employment

**4.30** If you are a member of staff of council considering outside employment or contract work that relates to the business of the council or that might conflict with your council duties, you must notify and seek the approval of the general manager in writing. (*section 353*)

**4.31** As a member of staff, you must ensure that any outside employment or business you engage in will not:

- a) conflict with your official duties
- b) involve using confidential information or council resources obtained through your work with the council
- c) require you to work while on council duty
- d) discredit or disadvantage the council.

## Personal dealings with council

**4.32** You may have reason to deal with your council in your personal capacity (for example, as a ratepayer, recipient of a council service or applicant for a consent granted by council). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.

## **PART 5**

# **PERSONAL BENEFIT**

For the purposes of this section, a reference to a gift or benefit does not include a political donation or contribution to an election fund that is subject to the provisions of the relevant election funding legislation.

### **Gifts and benefits**

- 5.1** You must avoid situations giving rise to the appearance that a person or body, through the provision of gifts, benefits or hospitality of any kind, is attempting to secure favourable treatment from you or from the council.
- 5.2** You must take all reasonable steps to ensure that your immediate family members do not receive gifts or benefits that give rise to the appearance of being an attempt to secure favourable treatment. Immediate family members ordinarily include parents, spouses, children and siblings.

### **Token gifts and benefits**

- 5.3** Generally speaking, token gifts and benefits include:
- a) free or subsidised meals, beverages or refreshments provided in conjunction with:
    - i) the discussion of official business
    - ii) council work related events such as training, education sessions, workshops
    - iii) conferences
    - iv) council functions or events
    - v) social functions organised by groups, such as council committees and community organisations
  - b) invitations to and attendance at local social, cultural or sporting events
  - c) gifts of single bottles of reasonably priced alcohol to individual council officials at end of year functions, public occasions or in recognition of work done (such as providing a lecture/training session/address)
  - d) ties, scarves, coasters, tie pins, diaries, chocolates or flowers
  - e) prizes of token value.

## Gifts and benefits of value

- 5.4** Notwithstanding clause 5.3, gifts and benefits that have more than a token value include, but are not limited to, tickets to major sporting events (such as state or international cricket matches or matches in other national sporting codes (including the NRL, AFL, FFA, NBL)), corporate hospitality at a corporate facility at major sporting events, discounted products for personal use, the frequent use of facilities such as gyms, use of holiday homes, free or discounted travel.

## How are offers of gifts and benefits to be dealt with?

- 5.5** You must not:

- a) seek or accept a bribe or other improper inducement
- b) seek gifts or benefits of any kind
- c) accept any gift or benefit that may create a sense of obligation on your part or may be perceived to be intended or likely to influence you in carrying out your public duty
- d) accept any gift or benefit of more than token value
- e) accept an offer of cash or a cash-like gift, regardless of the amount.

- 5.6** For the purposes of clause 5.5(e), a “cash-like gift” includes but is not limited to gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internal credit, memberships or entitlements to discounts.

- 5.7** Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, this must be disclosed promptly to your supervisor, the Mayor or the general manager. The recipient, supervisor, Mayor or general manager must ensure that any gifts or benefits of more than token value that are received are recorded in a Gifts Register. The gift or benefit must be surrendered to council, unless the nature of the gift or benefit makes this impractical.

## Improper and undue influence

- 5.8** You must not use your position to influence other council officials in the performance of their public or professional duties to obtain a private benefit for yourself or for somebody else. A councillor will not be in breach of this clause where they seek to influence other council officials through the appropriate exercise of their representative functions.

- 5.9** You must not take advantage (or seek to take advantage) of your status or position with or of functions you perform for council in order to obtain a private benefit for yourself or for any other person or body.



## PART 6

# RELATIONSHIP BETWEEN COUNCIL OFFICIALS

### Obligations of councillors and administrators

- 6.1** Each council is a body politic. The councillors or administrator/s are the governing body of the council. The governing body has the responsibility of directing and controlling the affairs of the council in accordance with the Act and is responsible for policy determinations, for example, those relating to workforce policy.
- 6.2** Councillors or administrators must not:
- a) direct council staff other than by giving appropriate direction to the general manager in the performance of council's functions by way of council or committee resolution, or by the Mayor or administrator exercising their power under section 226 of the Act (*section 352*)
  - b) in any public or private forum, direct or influence or attempt to direct or influence, any other member of the staff of the council or a delegate of the council in the exercise of the functions of the member or delegate (*Schedule 6A of the Act*)
  - c) contact a member of the staff of the council on council related business unless in accordance with the policy and procedures governing the interaction of councillors and council staff that have been authorised by the council and the general manager
  - d) contact or issue instructions to any of council's contractors or tenderers, including council's legal advisers, unless by the Mayor or administrator exercising their power under section 226 of the Act. This does not apply to council's external auditors or the Chair of council's audit committee who may be provided with any information by individual councillors reasonably necessary for the external auditor or audit committee to effectively perform their functions.

### Obligations of staff

- 6.3** The general manager is responsible for the efficient and effective operation of the council's organisation and for ensuring the implementation of the decisions of the council without delay.
- 6.4** Members of staff of council must:
- a) give their attention to the business of council while on duty
  - b) ensure that their work is carried out efficiently, economically and effectively
  - c) carry out lawful directions given by any person having authority to give such directions
  - d) give effect to the lawful decisions, policies, and procedures of the council, whether or not the staff member agrees with or approves of them
  - e) ensure that any participation in political activities outside the service of the council does not conflict with the performance of their official duties.

## Obligations during meetings

- 6.5** You must act in accordance with council's Code of Meeting Practice, if council has adopted one, and the *Local Government (General) Regulation 2005* during council and committee meetings.
- 6.6** You must show respect to the chair, other council officials and any members of the public present during council and committee meetings or other formal proceedings of the council.

## Inappropriate interactions

- 6.7** You must not engage in any of the following inappropriate interactions:
- a) Councillors and administrators approaching staff and staff organisations to discuss individual or operational staff matters other than broader workforce policy issues.
  - b) Council staff approaching councillors and administrators to discuss individual or operational staff matters other than broader workforce policy issues.
  - c) Council staff refusing to give information that is available to other councillors to a particular councillor.
  - d) Councillors and administrators who have lodged a development application with council, discussing the matter with council staff in staff-only areas of the council.
  - e) Councillors and administrators being overbearing or threatening to council staff.
  - f) Councillors and administrators making personal attacks on council staff in a public forum.
  - g) Councillors and administrators directing or pressuring council staff in the performance of their work, or recommendations they should make.
  - h) Council staff providing ad hoc advice to councillors and administrators without recording or documenting the interaction as they would if the advice was provided to a member of the community.
  - i) Council staff meeting with applicants or objectors alone AND outside office hours to discuss applications or proposals.
  - j) Councillors attending on-site inspection meetings with lawyers and/or consultants engaged by council associated with current or proposed legal proceedings unless permitted to do so by council's general manager or, in the case of the Mayor or administrator, exercising their power under section 226 of the Act.



## **PART 7**

# **ACCESS TO INFORMATION AND COUNCIL RESOURCES**

### **Councillor and administrator access to information**

- 7.1** The general manager and public officer are responsible for ensuring that members of the public, councillors and administrators can gain access to the documents available under the *Government Information (Public Access) Act 2009*.
- 7.2** The general manager must provide councillors and administrators with information sufficient to enable them to carry out their civic office functions.
- 7.3** Members of staff of council must provide full and timely information to councillors and administrators sufficient to enable them to carry out their civic office functions and in accordance with council procedures.
- 7.4** Members of staff of council who provide any information to a particular councillor in the performance of their civic duties must also make it available to any other councillor who requests it and in accordance with council procedures.
- 7.5** Councillors and administrators who have a private (as distinct from civic) interest in a document of council have the same rights of access as any member of the public.

### **Councillors and administrators to properly examine and consider information**

- 7.6** Councillors and administrators must properly examine and consider all the information provided to them relating to matters that they are dealing with to enable them to make a decision on the matter in accordance with council's charter.

### **Refusal of access to documents**

- 7.7** Where the general manager and public officer determine to refuse access to a document sought by a councillor or administrator they must act reasonably. In reaching this decision they must take into account whether or not the document sought is required for the councillor or administrator to perform their civic duty (see clause 7.2). The general manager or public officer must state the reasons for the decision if access is refused.

## Use of certain council information

**7.8** In regard to information obtained in your capacity as a council official, you must:

- a) only access council information needed for council business
- b) not use that council information for private purposes
- c) not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from any information to which you have by virtue of your office or position with council
- d) only release council information in accordance with established council policies and procedures and in compliance with relevant legislation.

## Use and security of confidential information

**7.9** You must maintain the integrity and security of confidential documents or information in your possession, or for which you are responsible.

**7.10** In addition to your general obligations relating to the use of council information, you must:

- a) protect confidential information
- b) only release confidential information if you have authority to do so
- c) only use confidential information for the purpose it is intended to be used
- d) not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
- e) not use confidential information with the intention to cause harm or detriment to your council or any other person or body
- f) not disclose any information discussed during a confidential session of a council meeting.

## Personal information

**7.11** When dealing with personal information you must comply with:

- a) the *Privacy and Personal Information Protection Act 1998*
- b) the *Health Records and Information Privacy Act 2002*
- c) the Information Protection Principles and Health Privacy Principles
- d) council's privacy management plan
- e) the Privacy Code of Practice for Local Government

## Use of council resources

- 7.12** You must use council resources ethically, effectively, efficiently and carefully in the course of your official duties, and must not use them for private purposes (except when supplied as part of a contract of employment) unless this use is lawfully authorised and proper payment is made where appropriate.
- 7.13** Union delegates and consultative committee members may have reasonable access to council resources for the purposes of carrying out their industrial responsibilities, including but not limited to:
- a) the representation of members with respect to disciplinary matters
  - b) the representation of employees with respect to grievances and disputes
  - c) functions associated with the role of the local consultative committee.
- 7.14** You must be scrupulous in your use of council property, including intellectual property, official services and facilities, and must not permit their misuse by any other person or body.
- 7.15** You must avoid any action or situation that could create the appearance that council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.
- 7.16** You must not use council resources, property or facilities for the purpose of assisting your election campaign or the election campaign of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.
- 7.17** You must not use council letterhead, council crests and other information that could give the appearance it is official council material for:
- a) the purpose of assisting your election campaign or the election campaign of others, or
  - b) for other non-official purposes.
- 7.18** You must not convert any property of the council to your own use unless properly authorised.
- 7.19** You must not use council's computer resources to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature.

## Councillor access to council buildings

- 7.20** Councillors and administrators are entitled to have access to the council chamber, committee room, Mayor's office (subject to availability), councillors' rooms, and public areas of council's buildings during normal business hours and for meetings. Councillors and administrators needing access to these facilities at other times must obtain authority from the general manager.
- 7.21** Councillors and administrators must not enter staff-only areas of council buildings without the approval of the general manager (or delegate) or as provided in the procedures governing the interaction of councillors and council staff.
- 7.22** Councillors and administrators must ensure that when they are within a staff area they avoid giving rise to the appearance that they may improperly influence council staff decisions.



## **PART 8**

# **MAINTAINING THE INTEGRITY OF THIS CODE**

- 8.1** You must not conduct yourself in a manner that is likely to undermine confidence in the integrity of this code or its administration.

### **Complaints made for an improper purpose**

- 8.2** You must not make a complaint or cause a complaint to be made under this code for an improper purpose.
- 8.3** For the purposes of clause 8.2, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:
- a) to intimidate or harass another council official
  - b) to damage another council official's reputation
  - c) to obtain a political advantage
  - d) to influence a council official in the exercise of their official functions or to prevent or disrupt the exercise of those functions
  - e) to influence the council in the exercise of its functions or to prevent or disrupt the exercise of those functions
  - f) to avoid disciplinary action under this code
  - g) to take reprisal action against a person for making a complaint under this code except as may be otherwise specifically permitted under this code
  - h) to take reprisal action against a person for exercising a function prescribed under the procedures for the administration of this code except as may be otherwise specifically permitted under this code
  - i) to prevent or disrupt the effective administration of this code.

### **Detrimental action**

- 8.4** You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made under this code except as may be otherwise specifically permitted under this code.
- 8.5** You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under this code except as may be otherwise specifically permitted under this code.

- 8.6** For the purposes of clauses 8.4 and 8.5 detrimental action is an action causing, comprising or involving any of the following:
- a) injury, damage or loss
  - b) intimidation or harassment
  - c) discrimination, disadvantage or adverse treatment in relation to employment
  - d) dismissal from, or prejudice in, employment
  - e) disciplinary proceedings.

### **Compliance with requirements under this code**

- 8.7** You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under this code.
- 8.8** You must comply with a reasonable and lawful request made by a person exercising a function under this code.
- 8.9** You must comply with a practice ruling made by the Office of Local Government.
- 8.10** Where you are a councillor or the general manager, you must comply with any council resolution requiring you to take action as a result of a breach of this code.

### **Disclosure of information about the consideration of a matter under this code**

- 8.11** You must report breaches of this code in accordance with the reporting requirements under this code.
- 8.12** You must not make allegations of suspected breaches of this code at council meetings or in other public forums.
- 8.13** You must not disclose information about the consideration of a matter under this code except for the purposes of seeking legal advice unless the disclosure is otherwise permitted under this code.

### **Complaints alleging a breach of this part**

- 8.14** Complaints alleging a breach of this Part (Part 8) by a councillor, the general manager or an administrator are to be made to the Office of Local Government.
- 8.15** Complaints alleging a breach of this Part by other council officials are to be made to the general manager.

## PART 9

# DEFINITIONS

In the Model Code of Conduct the following definitions apply:

<b>the Act</b>	the <i>Local Government Act 1993</i>
<b>act of disorder</b>	see the definition in clause 256 of the Local Government (General) Regulation 2005
<b>administrator</b>	an administrator of a council appointed under the Act other than an administrator appointed under section 66
<b>Chief Executive</b>	Chief Executive of the Office of Local Government
<b>committee</b>	a council committee
<b>conflict of interests</b>	a conflict of interests exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your public duty
<b>council committee</b>	a committee established by resolution of council
<b>“council committee member”</b>	a person other than a councillor or member of staff of a council who is a member of a council committee
<b>council official</b>	includes councillors, members of staff of council, administrators, council committee members, conduct reviewers and delegates of council
<b>councillor</b>	a person elected or appointed to civic office and includes a Mayor
<b>delegate of council</b>	a person (other than a councillor or member of staff of a council) or body, and the individual members of that body, to whom a function of the council is delegated
<b>designated person</b>	see the definition in section 441 of the Act
<b>election campaign</b>	includes council, State and Federal election campaigns
<b>personal information</b>	information or an opinion about a person whose identity is apparent, or can be ascertained from the information or opinion
<b>the Regulation</b>	the Local Government (General) Regulation 2005

The term “you” used in the Model Code of Conduct refers to council officials.

The phrase “this code” used in the Model Code of Conduct refers also to the procedures for the administration of the Model Code of Conduct prescribed under the Local Government (General) Regulation 2005.

For more information on the Office of Local  
Government Code of Conduct visit our website

[www.olg.nsw.gov.au](http://www.olg.nsw.gov.au)



Office of  
Local Government



**14.7 CUSTOMER SERVICE FRAMEWORK AND CHARTER****Responsible Officer:**Simon Adcock (Chief Operating Officer)

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**RECOMMENDATION**

Recommended that:

1. The customer service framework and charter be adopted by Council.
2. A customer service standards report be submitted quarterly to Council identifying areas for improvement and strategies implemented.

**160816/ 10 RESOLVED** (Cr Morrissey/Cr Sullivan)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

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**Executive Summary**

Customer service is at the forefront of the success of any organisation. Council is committed to providing the community with quality customer service and is striving to achieve this by implementing a customer service framework and charter.

The customer service charter outlines the standards of customer service that we will provide to the community. The customer service framework outlines how customer service will continue to be improved over the next two years.

**Community Strategic Plan Links**

Focus Area 7 Our Governance and Process - Long Term Goal 7.7.1 Ensure customers are able to contact council in an efficient and effective manner, design and implement a whole of council customer service framework

**Budget Implications**

It is recommended that the customer service framework and charter be implemented and as there will be a financial requirement for all staff customer service training that a budget submission be made for the council to consider in the 2017/2018 budget process.

**Report**

The customer service charter and framework is attached.

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**Conclusion**

The customer service framework and charter outline our customer service standards and how customer service will be improved over the next two years.

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**Customer Service Framework & Charter**

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**Richmond Valley Council**

*Customer Service Framework & Charter*



**Table of Contents**

Customer Service Framework – Critical Factors ..... 3

Purpose..... 4

The Customer Service Framework..... 5

Action Plan ..... 6

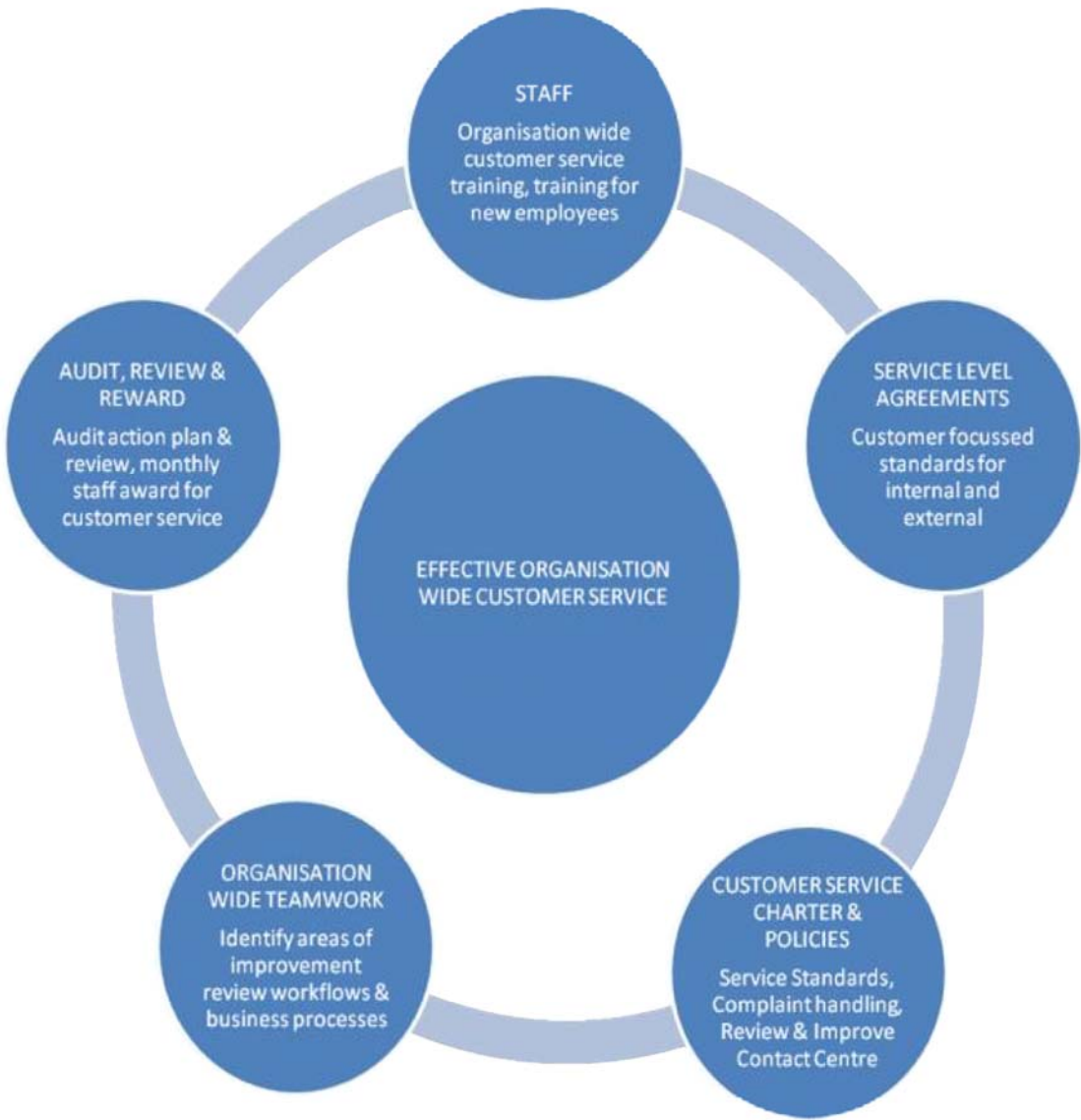
Charter..... ..8



*Customer Service Framework & Charter*

**Customer Service Framework – Critical Factors**

Critical factors for the organisation to be customer centric and focussed are as follow:



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## ***Customer Service Framework & Charter***

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### **Purpose**

The purpose of this document is to outline the steps for the development and implementation of a customer service framework and charter ensuring the ongoing delivery of a quality customer service orientated organisation. There is a variety of reasons to strengthen customer service within Council. These include –

#### *Community*

- Meeting growth and changing public expectations
- Providing greater return on investment to the ratepayer
- Addressing customer complaints
- Making Council's services more accessible to the public
- Ensuring the number of communication channels with the public is adequate and meets future needs

#### *Organisation*

- Building an internal understanding of the organisation and its values
- Understanding and responding to the organisations customers and their expectations
- Reducing the number of customer complaints
- Develop an organisational culture that values, reinforces, and continuously improves customer service
- Standardisation of customer service protocols throughout the organisation
- Providing adequate training to provide staff with the correct tools to identify and provide effective customer service

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## ***Customer Service Framework & Charter***

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### **The Customer Service Framework**

The customer service framework has seven elements. These are explained below:

#### *Leadership*

A key component in any customer service framework is the leadership and commitment by the General Manager and Executive Team.

- Required to play an active leadership role
- Drive the implementation and resource of the plan
- Show commitment to the framework
- Promote innovation and determine priorities of innovation
- Review the progress of the framework
- Ensure all teams participate actively in implementing the plan

These actions will relay a clear message to the organisation that we need to work together to provide clear direction to achieve improved customer service outcomes.

#### *The Customer Service Team*

- Take a leadership role
- Take ownership and be involved in the process
- Participate positively and be advocates of the framework
- Review and improve contact centre

#### *All Staff*

- Staff development training across the organisation
- Induction training for new employees

#### *Customer Service Policies*

- Complaint Handling
- Customer Service Standards
- Customer Service Charter

#### *Organisation-wide Teamwork*

- Identify areas of improvement via review of business workflows and customer service protocols

#### *Service Level Agreements*

- Development and implementation of council wide customer service level agreements that are focussed on accountability, performance improvements and best practice.

## ***Customer Service Framework & Charter***

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### *Audit, Review & Reward*

- Audit and review the action plan, reward staff for exceptional customer service, make improvement to the framework as needed.

### **Action Plan**

The action plan for implementation of the framework has identified 5 distinct phases. These are outlined and explained below:





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## ***Customer Service Framework & Charter***

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### *Phase One – Review & Improve Contact Centre*

- Undertake a review of the contact centre role within council, processes undertaken and identify areas for improvement
- Review current reporting and ensure it is customer centric and the data is relevant to highlight areas that require improvement
- Undertake benchmarking of the contact centre

### *Phase Two - Customer service level agreements*

- Development of organisation wide customer service level agreements for each section within council. The agreements will establish customer service focused standards and levels for both internal and external customers across the organisation.

### *Phase Three – Review business processes and customer service adherence to identify areas of improvement*

- Review business processes and determine areas of improvement required to assist with staff providing customer focussed standards for both internal and external customers.

### *Phase Four – Staff training across the organisation*

- Create a customer service excellence culture, it is the way the organisation does business
- Create customer standards to create our own communication style
- Ensure staff are aware of the different styles of communications to avoid conflict with customers
- Take ownership of behaviours and attitudes in complaint handling
- Encourage internal networking and how to use each other as a resource to solve customer enquiries/complaints
- Customer Service Training received at induction of new staff
  - All staff to spend allocated time in the customer service team to be advised of the overview of the functions of the administration and counter areas and overview of the functions of councils corporate system and how it assists customer service



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## ***Customer Service Framework & Charter***

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### *Phase Five – Customer services audit, review & reward*

- Mystery shoppers and after service surveys- measure the quality of service by phone and counter
- Benchmarking programme – measure the effectiveness of customer service within the organisation compared to similar organisations
- CRM Reporting – measure the level of service provided to the community

The improvements to customer service will require an ongoing commitment. The action plan will be completed by the end of 2017. There will be a financial requirement to cover all staff customer service training. A budget submission will be made for the Council to consider funding this item in the 2017/18 budget process.

## **Customer Service Charter**

### **Service Standards**

In support of the customer service framework we will achieve these service standards by providing our customers with

#### *Access to timely and efficient services by:*

- Outlining our policies and procedures
- Preventing unnecessary return visits to council
- Publishing information on our website
- Referring you to other service providers if your query is not answerable by council

#### *Friendly, professional service by:*

- Treating you with respect
- Displaying empathy and understanding
- Eliminating acronyms and jargon
- Offering solutions
- Valuing your personal information by maintaining your confidentiality
- Listening to your feedback on our service

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## ***Customer Service Framework & Charter***

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*A fair decision making process by:*

- Complying with relevant legislation
- Ensuring staff have appropriate knowledge
- Displaying transparent decision making processes
- Making decisions once we have all the information we require in a timely fashion
- Notifying you of the outcome and reasons for the decision
- Notifying you of your options for an appeal

### *Service Standards*

#### *In Person*

- Our administration offices at Casino is open at 8:30 and closes at 5:00 Monday to Friday, our office at Evans Head is open 9:00 and closes at 5:00 Monday to Friday, 9:30 to 12:00 Saturday

#### *Telephone*

- In the call centre we will answer 80% of calls within 20 seconds.
- Our average wait time will be less than 15 seconds
- Less than 5% of callers will hang up before we answer
- 80% calls resolved without further contact with the customer
- We identify ourselves as “Richmond Valley Council”
- If you call a staff member direct they will return your call within one business day.

#### *Correspondence*

- General enquiries to customer service will be answered within five business days
- Enquiries referred to other departments will be answered within 14 business days
- If your correspondence cannot meet the above standards then an acknowledgment sent advising of the reasons and an anticipated time frame.
- If correspondence is forwarded via email an auto response is sent

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## ***Customer Service Framework & Charter***

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### *Reporting*

Reporting on our Charter standards will be done on a quarterly basis to council with areas for improvement identified and necessary strategies implemented.

**14.8 RICHMOND-UPPER CLARENCE REGIONAL LIBRARY - ANNUAL REPORT 2015/2016****Responsible Officer:**Gary Ellem (Manager Regional Library)

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**RECOMMENDATION**

Recommended that Council notes the Richmond-Upper Clarence Regional Library 2015/16 Annual Report which highlights the important services provided in Casino, Evans Head, Coraki, Kyogle and by the Mobile Library.

**160816/ 11 RESOLVED** (Cr Mustow/Cr Morrissey)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

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**Executive Summary**

Each year Richmond Valley, as the Administering Council, prepares an Annual Report for the Richmond-Upper Clarence Regional Library. The report includes details of the activities conducted throughout the year and a report on the services provided for the community for the Regional Library Service.

The Richmond-Upper Clarence Regional Library 2015/16 Annual Report also provides a highlight of the achievements made during the period 1 July 2015 to 30 June 2016.

**Community Strategic Plan Links**

Focus Area 3 Community and Culture - Long term Goal 3.2 Events, Art and Culture

**Budget Implications**

Nil.

**Report**

In accordance with Clause 4.7 of the Richmond-Upper Clarence Regional Library Agreement dated 21 June 2010, between Richmond Valley Council (the Administering Council) and Kyogle Council (the Delegating Council), an Annual Report is required to be prepared for the Regional Library Service.

In accordance with the agreement and as the Administering Council, Richmond Valley Council has prepared a report and provided a copy to Kyogle Council as the Delegating Council.

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The report includes details of the activities of the Regional Library Service and a report outlining the services provided throughout the 2015/16 financial year.

A copy of the audited statement of accounts, also required to be provided in the agreement, will be consolidated into the Richmond Valley Council Financial Statements which will be available at a future Council meeting.

In addition, the report outlines a number of highlights during the 2015/16 period. The main highlights are summarised below:

- 122,334 patrons and visitors visited the Library and its facilities during the period
- 1,156 new members joined the library during the period
- The Library ran 525 programs during the year, an increase of 39% on the previous year
- 1,315 loans of the eService
- New mobile library officially launched
- Refurbishment of the Evans Head Library carried out
- Two successful Public Library Infrastructure Grant applications - \$177,230 for a Casino Library internal fitout and \$108,635 for implementation of RFID
- 202 scheduled children/youth events were held across the region
- Successful introduction of Lego Club at Casino, Kyogle, Evans Head and Coraki Libraries
- Successful introduction of Adult-colouring at Casino and Evans Head
- Reading Book Clubs continue to prosper at Casino and Kyogle Libraries
- Mural completed on the external wall at the Casino Library

A copy of the Richmond-Upper Clarence Regional Library Annual Report 2015/16 is provided for the information of Council and a copy has been circulated separately to each Councillor.

### **Consultation**

Nil.

### **Conclusion**

The Richmond-Upper Clarence Regional Library Annual Report 2015/16 has been prepared in accordance with the Richmond-Upper Clarence Regional Library Agreement. Copies will be made available at Casino, Evans Head, Coraki, Kyogle and the Mobile Library as well as Richmond Valley Council and Kyogle Council for Library members and the community to access.

Note: A copy of the Richmond-Upper Clarence Regional Library 2015/16 Annual Report was attached to the archived Minutes of this Meeting.

**14.9 ADOPTION OF THE CASINO FLYING-FOX CAMP MANAGEMENT PLAN****Responsible Officer:**Andrew Hanna (Manager Environment and Regulatory Services)

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**RECOMMENDATION**

Recommended that Council adopt the Casino Flying-Fox Camp Management Plan.

**160816/ 12 RESOLVED** (Cr Mustow/Cr Morrissey)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

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**Executive Summary**

A Flying-Fox Management Plan was prepared for Council by consultants Arbor Ecological in 2015/16. The Plan identifies a range of actions which may be implemented to reduce the impact a flying fox camp in Casino has on the local community.

The Plan has been prepared in accordance with the *NSW Office of Environment and Heritage (OEH) Flying-Fox Camp Management Policy 2015*. Management actions have been prioritised based on their likelihood to address impacts in a cost effective way over a five year period and beyond.

The priority management action includes vegetation removal to create buffers between residential areas and flying-fox habitat. A medium to long term strategy is to carry out roost tree planting and rehabilitation works in a preferred alternative roost area which is relatively remote from residential and business areas. Its aim is to attract flying foxes to roost there and be less problematic.

Community education, public health assessments and assisting with home and property modifications and provision of subsidies or materials to affected community members to mitigate impacts such as car covers and cleaning equipment are also identified as priority management options.

The Flying-Fox Management Plan has been reviewed by OEH and their comments considered and is now presented to Council for adoption.

**Community Strategic Plan Links**

Focus Area 3 Community and Culture – Long Term Goal 3.3 and Focus Area 4 Recreation and Open Space - Long Term Goal 4.3.

## **Budget Implications**

Council has committed \$20,000 in 2016/17 towards flying-fox management and to enable implementation of actions in the plan.

Grant submissions are currently open under the Department of Local Government Flying-Fox Grants Program based on a minimum dollar for dollar funding. Council will be applying for funds under this program to increase the financial capacity to carry out works and achieve an effective implementation program.

## **Report**

The Casino Flying-Fox camp is located along the riverbanks of the Richmond River generally between Irving Bridge and the footbridge. They roost in trees growing along the banks and within the riverbed itself.

The location of the camp shifts in response to numbers and other factors such as weather and condition of trees. The arrival of Little Red Flying-Fox en-masse causes the camp to swell significantly and expand in all directions. Often this will cause the more stable grey headed and black flying fox to move downstream.

Little red flying-fox tend to arrive in mid-summer and stay for about 8 – 12 weeks; however their arrival in January this year saw them stay for about four months and camp for much of this along both sides of the riverbank just upstream of the Irving Bridge up to the railway bridge. Their numbers were the largest recorded in Casino with counts estimated at over 100,000. The extended stay this year and the large number is thought to be related to a bumper flowering of eucalypt and melaleuca trees.

Little red flying-fox have the greatest impact in Casino. They are a noisy flying-fox and tend to be much more unsettled than the grey headed and black flying-fox. Complaints to Council from the community about the impacts of flying-fox are much greater when the little-reds arrive and people tend to tolerate flying-fox when the grey headed and black are the only ones in the camp.

A Flying-fox camp is also located in Evans Head occupying a small section of littoral rainforest about 1.8 Ha in size between Airforce beach Skatepark / carpark area and the Silver Sands Holiday Park. From time to time flying-fox have also camped in bushland between Beech St Evans Head and the beach north of the surf club. Numbers of flying-fox in the Evans Head camp is much lower than the Casino camp with numbers generally around 2000. Although their impact on the community is still apparent, there is a much greater buffer to houses and businesses compared to the Casino camp and with fewer numbers the conflict is not as significant.

A Management Plan was prepared and adopted by Council for the Evans Head camp in 2009. This largely related to providing education and carrying out revegetation works and artificial roosts in areas of the littoral rainforest as far as possible away from the Silver Sands Holiday Park and people camping there.





*Little red flying-fox at river bend Casino March 2016*

### ***Existing Works Undertaken***

In response to community concerns about flying-fox, Council dedicated \$20,000 in the 2013/14 financial budget as an ongoing annual commitment to manage the issue.

Council prepared a Review of Environmental Factors (REF) in 2014 after liaising with staff from OEH in relation to carrying out works to provide a buffer between trees where flying fox roost and sensitive receivers such as residences, schools and business premises.

Since then, Council has carried out trimming and tree removal works focusing on highly impacted residential premises along with works to create a buffer between the Casino Public School and pre-school. These works have significantly reduced the impact of flying-fox on these properties and feedback from property owners has been positive and grateful.

The REF is limited in its capacity to permit work and is limited to short-term actions. The need for a more detailed plan with longer-term options has been recognised.





Works carried out under the REF - 2015

### ***Management Plan***

This Management Plan provides a guide to enable management actions to be carried out aimed at reducing the impacts of flying-fox on the community and conflict between landholders and flying-foxes as well as minimise impacts to flying-fox themselves and other natural values such as native trees and river bank stability.

The plan recognises the commitment by Council to lessen the impact of flying-fox in Casino and intent to continue to advocate on behalf of the community to the NSW State Government to assist with flying-fox management.

The plan is consistent with the *NSW Office of Environment and Heritage (OEH) Flying-Fox Camp Management Policy 2015* and prepared in accordance with the associated Camp Management Plan Template.

The plan provides an assessment of the Casino camp such as species present, vegetation they roost in, history of the camp, legislative requirements, impact of flying-fox including health effects, ecological considerations and importance and their preferences and habitat.

This assessment provides the basis for the recommended actions aimed at reducing conflicts between flying-fox and the community. A range of management actions are provided for implementation by Council.

### ***Management Actions***

Actions identified to be implemented are prioritised with the most urgent being 'high priority' and to be acted on as soon as practicable. Moderate priority actions will generally follow the high priority and low priority actions may be triggered following from the success of the outcomes of high and medium priority actions. The "do nothing" option is not considered feasible as it does not address community concerns and is considered to be unacceptable to Council.

High priority actions include vegetation removal to create a separation buffer, planting and rehabilitation works in alternative roost areas remote from urban areas, community education initiatives, address community health concerns, facilitate house and property modifications and provide protection measures.

Low priority actions include nudging flying-foxes away from human settlement and dispersing the camp. *OEH Best Practice Camp Management Guidelines* identify nudging should be considered as a last option and only if other measures have failed.

Dispersal of camps is generally not supported by OEH and only as a last resort under certain circumstances. OEH documents identify that dispersal is challenging for the following reasons:

- dispersal can be expensive and can have uncertain outcomes;
- dispersal may result in relocating the animals rather than resolving the issue. Past disturbances in Australia have sometimes failed to remove flying-foxes from the area or have resulted in flying-foxes relocating to other nearby areas where similar community impacts have occurred;
- attempts to disperse camps are often contentious;
- disturbing flying-foxes may have an adverse impact on animal health; and
- the cumulative impacts of flying-fox camp dispersals may negatively impact on the conservation of the species and the ecosystem services flying-foxes provide.

A review of 17 attempted flying-fox dispersals between 1990 and 2013 found that:

- in all cases, dispersed animals did not abandon the local area.
- in 16 of the 17 cases, dispersal did not reduce the number of flying-foxes in a local area.
- dispersed animals did not move far (in approx. 63% of cases the animals only moved <600m from the original site). In 85% of cases, new camps were established nearby.
- in all cases, it was not possible to predict where bats would move to and if new camps would form.

Conflict was often not resolved. In 71% of cases conflict was still being reported either at the original site or within the local area years after the initial dispersal actions.

**Funding**

Council has dedicated \$20,000 in the budget for the 2016/17 year. Applications are open under the Department of Local Government's Flying-Fox Grant program. The funds are available on a minimum dollar for dollar basis and Councils Environment and Regulatory Services section is applying for grant funds to match the existing budget. If successful the total funds available to implement management actions will be \$40,000.

A budget of \$40,000 will increase the scope of works and enable works to continue that commenced under the Review of Environmental Factors (REF) process. These works will include creating separation buffers to properties, provide improved services for householders including provision of measures to protect property and provide avenues for house modification works and landscaping to discourage roosting of flying fox. Vegetation plantings will also be carried out as well as rehabilitation works on existing plantings carried out in 2009 to create suitable flying fox roost areas further away from properties.

**Consultation**

The Draft Plan was released for public comment and was accompanied by a media release and public notices in local newspapers and Councils website inviting submissions and informing members of the public where the draft plan may be viewed. A questionnaire was also made available as part of the process. A Facebook page relating to flying-fox management at the Casino camp was established and linked to Councils webpage.

**Conclusion**

Flying-foxes roost permanently along the Casino Richmond River banks due to suitable riverine roosting habitat and dependable pollen and nectar food supplies within nightly foraging range.

The camp is located predominantly on Crown Land under the care, control and management of Richmond Valley Council. Adjacent to the camp are private residences, a business, Casino Public School and public recreational park areas. Impacts are reported from residents living in close proximity to the flying-fox camp, particularly relating to human health, foul smells, excessive noise, sleep loss, faecal mess, damage to painted surfaces, cleaning requirements, and damage to the Richmond River riparian vegetation where flying-foxes roost. Complaints to Council escalate when large numbers of little red flying-foxes roost annually in large numbers for up to eight weeks from around mid-summer to early autumn.

A Flying-Fox Management Plan has been prepared by a consulting ecologist and identifies management options available for Council to reduce impacts of the flying-fox camp on nearby properties. The draft plan presented to Council for adoption has been prepared in accordance with OEH recommendations and guidelines and has involved significant community consultation and liaison with relevant stakeholders.

In accordance with OEH, management actions recommended for implementation are grouped into the following levels:

- Level 1 Actions, routine camp management actions;
- Level 2 Actions, creation of buffers; and
- Level 3 Actions, camp disturbance or dispersal.

Council is primarily responsible for implementing all actions unless otherwise noted, and in partnership with stakeholders noted.

Planned activities will be staged over five years and as Council financial and staffing resources allow. Works are set to commence immediately following finalisation.

Sourcing external funds to implement management actions is planned where practicable. Progress and outcomes from management actions will be reviewed and reported annually.

Note: A copy of the adopted Casino Flying-Fox Camp Management Plan was attached to the archived Minutes of this Meeting.

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## **15 MATTERS FOR INFORMATION**

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### **RECOMMENDATION**

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

**160816/ 13 RESOLVED** (Cr Morrissey/Cr Sullivan)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

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### **15.1 GRANT APPLICATION INFORMATION - JULY 2016**

#### **Responsible Officer:**

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

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#### **Report**

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

Council wasn't notified as being unsuccessful with any grant applications during the month of July 2016. Council applied for three grants during the month of July 2016 which will require \$76,000.00 of Council funding towards projects costing \$150,830.00 in total if successful. No grant projects were approved although Council received funding for one grant during the reporting period totalling \$45,000.00.

### ***Grant Applications Submitted***

<b>Project ID</b>	<b>10214</b>
Funding Body	Department of Family and Community Services
Funding Name	Community Building Partnership 2016
Government Level	State
Project Name	Playground Replacement at Woodburn Oval
Project Value (excl GST)	\$31,170.00
Grant Amount (excl GST)	\$15,000.00
Council/Other (excl GST)	\$16,170.00
Date Application Submitted	18 July 2016
Comment (if required)	N/A

<b>Project ID</b>	<b>10215</b>
Funding Body	Department of Family and Community Services
Funding Name	Community Building Partnership 2016
Government Level	State
Project Name	Coraki Youth Hall Toilet Upgrade
Project Value (excl GST)	\$99,478.00
Grant Amount (excl GST)	\$49,739.00
Council/Other (excl GST)	\$49,739.00
Date Application Submitted	22 July 2016
Comment (if required)	N/A

<b>Project ID</b>	<b>10216</b>
Funding Body	Department of Family and Community Services
Funding Name	Community Building Partnership 2016
Government Level	State
Project Name	Rappville Hall Toilet Upgrade
Project Value (excl GST)	\$20,182.00
Grant Amount (excl GST)	\$10,091.00
Council/Other (excl GST)	\$10,091.00
Date Application Submitted	22 July 2016
Comment (if required)	N/A

***Grants that have been approved and/or received***

<b>Project ID</b>	<b>10203</b>
Funding Body	Department of Family and Community Services
Funding Name	Social Housing Community Improvement Fund 2015/2016
Government Level	State
Project Name	McCracken Park Open Space Enhancement
Project Value (excl GST)	\$45,000.00
Grant Amount (excl GST)	\$45,000.00
Council/Other (excl GST)	\$ 0.00
Date Application Submitted	14 December 2015
Comment (if required)	This project is now fully grant funded.
Date Approved/Received	\$45,000.00 received 14 July 2016.
Total Funds Received To Date	\$45,000.00 (total funding received)

**Community Strategic Plan Links**

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

**Budget Implications**

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

**15.2 COUNCIL FINANCES AND THE FOSSIL FUEL INDUSTRY****Responsible Officer:**

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

**Report**

This report provides information on Council's finances and their relationship to the fossil fuel industry. The impact of divesting away from financial institutions that invest in the fossil fuel industry has been assessed as requested by Council by way of resolution at the Ordinary Meeting on 19 July 2016. Further detailed analysis would be required to determine the exact financial cost of a change in investment policy, which would need to be implemented in a transitional way.

Council's finances can be categorised in three areas as follows:

- Banking
- Investments and
- Loans



Council's banking services are predominantly provided by the Commonwealth Bank of Australia with some minor services provided by the National Australia Bank. Both of these institutions are invested in organisations that operate in the fossil fuel industry. It should be noted that all the four 'major' banking institutions in Australia are in the same position (Commonwealth Bank of Australia, National Australia Bank, Australia and New Zealand Banking Group and Westpac Banking Corporation) and that Council's banking service requirements are complex enough that it would not be recommended to have this function performed by an institution outside of the four major banks. As at 31 July 2016 Council had a total of \$3,944,919.57 in bank accounts, all held with the Commonwealth Bank of Australia.

Council's investment portfolio as at 31 July 2016 consists of \$8,000,000 in term deposits and \$16,000,000 in New South Wales Treasury Corporation Facility Trust Accounts. The term deposit balance per institution was as follows:

- \$1,000,000 invested with Bank of Queensland
- \$1,000,000 invested with Members Equity Bank
- \$2,000,000 invested with Beyond Bank
- \$1,000,000 invested with National Australia Bank
- \$1,000,000 invested with Elders Rural Bank
- \$1,000,000 invested with AMP Limited
- \$1,000,000 invested with Westpac Bank

Of these institutions National Australia Bank, AMP Limited and Westpac Bank invest in the fossil fuel industry, Bank of Queensland doesn't invest in the fossil fuel industry directly and Members Equity Bank, Beyond Bank and Elders Rural Bank have no investment relationship to the fossil fuel industry.

From 1 July 2015 until now Council has also invested funds with the following institutions:

- Australia and New Zealand Banking Group
- Auswide Bank
- Bankwest
- Defence Bank
- Greater Bank (formerly Greater Building Society)
- Newcastle Permanent Building Society
- People's Choice Credit Union

Of these institutions Australia and New Zealand Banking Group invests in the fossil fuel industry, Bankwest is owned by the Commonwealth Bank of Australia which invests in the fossil fuel industry and the Greater Bank doesn't invest in the fossil fuel industry directly. Auswide Bank, Defence Bank, Newcastle Permanent Building Society and People's Choice Credit Union have no investment relationship to the fossil fuel industry

If Council was to divest from institutions that invest in the fossil fuel industry it would be left with limited options for term deposit investments which may be at lower interest rates. Also Council is required to diversify its investment portfolio in accordance with Council's Investment Policy. This means limiting the amount



of funds invested with any particular institution. The impact of this would be substantial and may lead to even lower interest rates being achieved as Council would be forced to invest with other institutions in order to maintain diversification of the portfolio.

Council has significant funds (\$16,000,000) invested with New South Wales Treasury Corporation which at 31 July 2016 were valued in total at \$16,351,902.39. New South Wales Treasury Corporation doesn't currently have any restrictions on investments although a representative indicated that the institution is currently in the process of developing a policy position.

Council currently has nine loans that as at 30 June 2016 had remaining principal balances of \$26,114,766.45 in total. These loans are with the following institutions:

- Commonwealth Bank of Australia
- National Australia Bank
- Australia and New Zealand Banking and
- New South Wales Treasury Corporation

As previously discussed these institutions all invest or could potentially invest funds in the fossil fuel industry. Council assesses the interest rates and terms offered when seeking loan funding. If Council was required to borrow funds from other institutions these would likely be at higher interest rates. In addition to this there are generally significant costs or bank fees associated with 'breaking' an existing loan contract.

### **Community Strategic Plan Links**

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

### **Budget Implications**

If Council were to divest its banking, investments and loans from institutions investing in the fossil fuel industry it would be likely to have a detrimental impact on the budget in terms of reduced investment returns and increased debt servicing costs.

## **15.3 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 JULY 2016 TO 31 JULY 2016**

### **Responsible Officer:**

Angela Jones (Director Infrastructure 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,

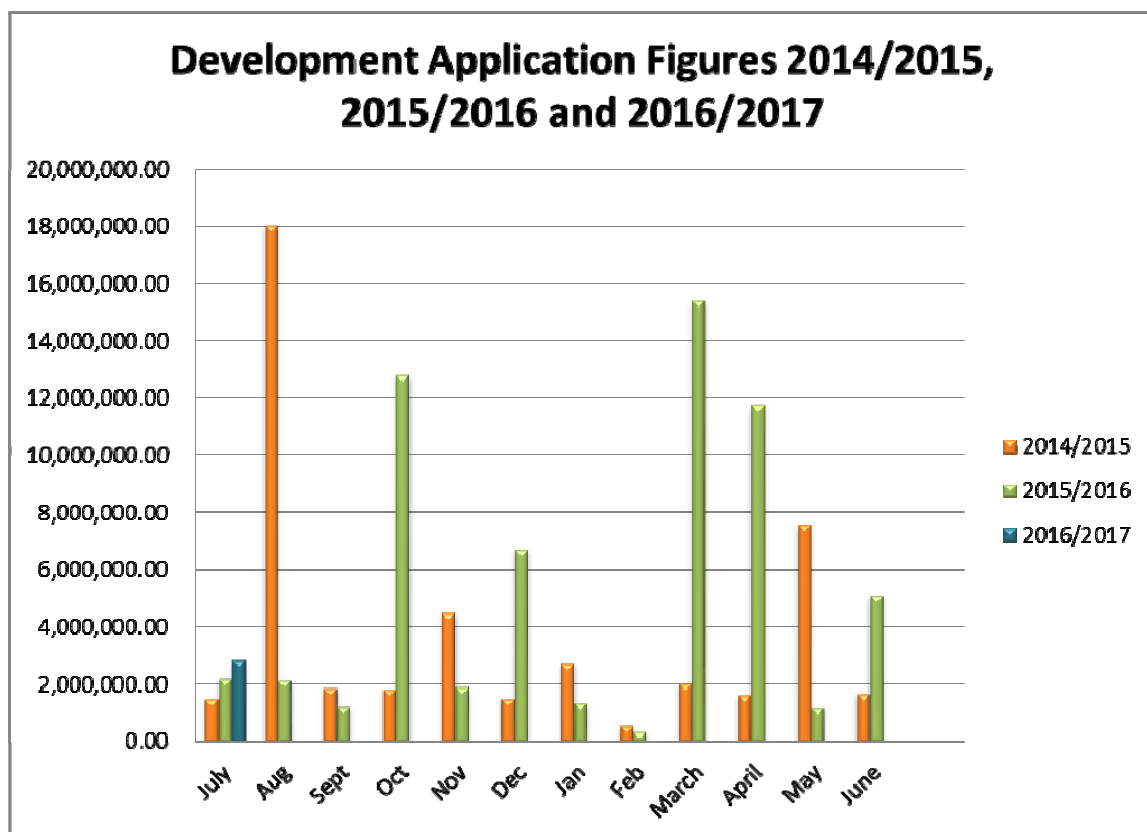
including Section 96 approvals, applications that are refused and withdrawn, and applications with no development value such as subdivisions.

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.

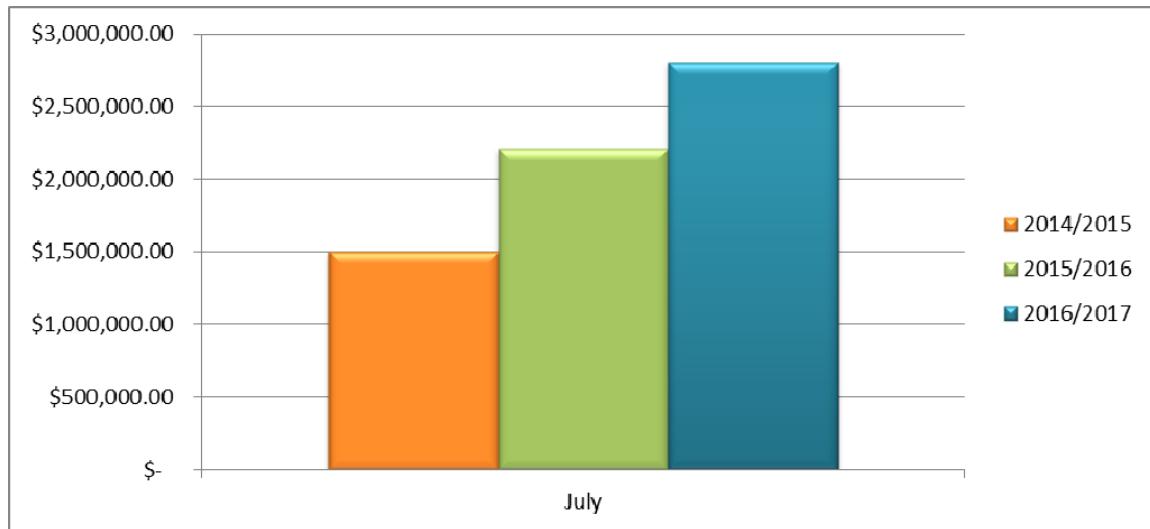
The total number of Development Applications and Complying Development Applications determined within the Local Government area for the period 1 July 2016 to 31 July 2016 was 25, with a total value of \$2,805,228.00

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

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



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



***Activity for the month of July.***

General Approvals (excluding Subdivisions, Section 96s)	22
Section 96 amendments to original consent	2
Subdivision	0
Refused	0
Withdrawn	0
Complying Development (Private Certifier Approved)	1
<b>TOTAL</b>	<b>25</b>

**Community Strategic Plan Links**

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

Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 July to 31 July 2016							
Application ID	Applicant	Owners	Location	Parcel Description	Development	Determination Date	Estimated Cost
DA2016/0061	DJ Straney JM Straney	Mr D J Straney Mrs J M Straney	9 Evans Road, Evans Head	Lot 1 DP 250736	Dwelling Extensions	20/07/2016	\$ 140,000.00
DA2016/0162	AJ McMillan KM McMillan	Mr A J McMillan Mrs K M McMillan	28 Lakeside Drive, Casino	Lot 69 DP 811976	Shed & Alterations to Existing Dwelling	20/07/2016	\$ 31,150.00
DA2016/0185	NE Newlands	Ms N E Newlands	1990 Bruxner Highway, Clovass	Lot 23 DP 813040 Lot 1 DP 822869	Change of Use from Shed to Dwelling	8/07/2016	\$ 100,000.00
DA2016/0189	LRI Zaiko BL Zaiko	Mr L R I Zaiko Mrs B L Zaiko	65 Centre Street, Casino	Lot C DP 381178	Carport and Shed	7/07/2016	\$ 40,000.00
CDC2016/0020	K Porter	Ms K L Porter	5 Wiangarie Street, Casino	Lot 5 DP 742942	Second Dwelling	29/07/2016	\$ 50,000.00
DA2016/0198	NR Gifford BJ Gifford	Mrs B J Gifford Mr N R Gifford	56-62 Bridge Street, Coraki	Lot 21 DP 4912	Shed	13/07/2016	\$ 19,850.00
DA2014/0062.01	AGS Commercial Pty Ltd	Mr G A Donnelly Mrs D J Donnelly	Bruxner Highway, Irvington	Lot 2 DP 611419	Farm Shed (Tea Tree Distillery)	8/07/2016	\$ -
DA2015/0152.01	Coastal Precast Products	Mr P McHugh	9610 Pacific Highway, Woodburn	Lot A DP 397688	Section 96 Modification	21/07/2016	\$ -
DA2016/0203	SM Pezzutti DJ Pezzutti	Mr D J Pezzutti Mrs S M Pezzutti	17 Bottlebrush Crescent, Evans Head	Lot 28 DP 857316	Shed	13/07/2016	\$ 17,056.00
DA2016/0207	JB Butts	Mr J B Butts	Forest Street, Coraki	Lot 8 Sec 4 DP 758291	Combined Dwelling and Shed	18/07/2016	\$ 100,000.00
DA2016/0212	AGS Commercial Pty Ltd	Mr B N Law	55 Brahman Way, North Casino	Lot 23 DP 1075303	Shed	27/07/2016	\$ 57,000.00
DA2016/0213	Perry Homes (Aust) Pty Ltd	Mr R A Edwards Mrs R A Edwards	Ironbark Place, Naughtons Gap	Lot 3 DP 1176405	Dwelling & Associated Earthworks	8/07/2016	\$ 268,000.00
DA2015/0134.01	P Fields	Mrs P Fields	16 Anson Avenue, Evans Head	Lot 14 DP 248931	Alterations and Additions to existing Residential Flat Building and Strata Subdivision	8/07/2016	\$ 230,000.00
DA2016/0215	JL Darmanin RM Darmanin	Mr J L Darmanin Mrs R M Darmanin	37-39 River Street, Woodburn	Lot 41 DP 828607	New Single Dwelling	6/07/2016	\$ 230,000.00
DA2016/0218	GH Wynne	Mr G H Wynne	14 Adam Street, Casino	Lot C DP 398977	Shed	11/07/2016	\$ 19,600.00
DA2016/0221	Steve Ryan Builder	Mr P J Lowndes	Queensland Road, Casino	Lot 142 DP 831644	New Single Dwelling	11/07/2016	\$ 274,000.00
DA2016/0222	TMMM Constructions Pty Ltd t/as GJ Gardner Homes	Shishka Pty Ltd	16 Johnston Street, Casino	Lot 1 DP 572749	Dual Occupancy to create 2 x 3 bedroom dwellings	21/07/2016	\$ 395,001.00
DA2016/0223	Trueline Patios & Extensions Northern Rivers	Mr C J Gray Mrs S L Gray	50 Hereford Drive, North Casino	Lot 34 DP 832648	Awning	11/07/2016	\$ 27,850.00
DA2016/0226	Professional Planning Group	Mr J A Radley Mrs E L Radley	Ironbark Place, Naughtons Gap	Lot 4 DP 1176405	New Single Dwelling	20/07/2016	\$ 376,751.00
DA2016/0227	Digi Marketing Corporate	Mr W G Bennett Mr N H R Simpkins Mr G G McKenna	166-172 Walker Street, Casino	Lot 1 DP 772398	Business Identification Signage	21/07/2016	\$ 12,920.00

Application ID	Applicant	Owners	Location	Parcel Description	Development	Determination Date	Estimated Cost
DA2016/0228	Trueline Patios & Extensions Northern Rivers	Mr N W Budge Mrs J A Budge	40 Savilles Road, Backmede	Lot 2 DP 568056	Patio Roof	18/07/2016	\$ 16,350.00
DA2017/0001	SH Clark LM Clark	Mrs L M Clark Mr S H Clark	425 Shannonbrook Road, Shannon Brook	Lot 28 DP 755633	Farm Shed	28/07/2016	\$ 75,000.00
DA2017/0012	KM Miller	Ms K M Miller	32 Boundary Street, Casino	Lot 6 DP 244627	Swimming Pool	29/07/2016	\$ 36,000.00
CDC2017/0001	Techton Building Services	Baptist Care NSW & ACT	3 Spring Street, Coraki	Lot 1 DP 40531	Group Home	12/07/2016	\$ 250,000.00
CDC2017/0002	JP Kingsley MJ Cook	Mr J P Kingsley Ms M J Cook	21 Heathwood Place, North Casino	Lot 7 DP 1132283	Swimming Pool	28/07/2016	\$ 38,700.00

**16 QUESTIONS ON NOTICE**

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Nil.

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

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Nil.

**18 MATTERS REFERRED TO CLOSED COUNCIL**

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Nil.

**19 RESOLUTIONS OF CLOSED COUNCIL**

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Nil.

Cr Mustow expressed appreciation to the Mayor and Cr Sullivan, who were not standing for re-election, for their years of service to local government.

The Meeting closed at 5.40pm.

**CONFIRMED** - Date to be confirmed after local government election.

**CHAIRMAN**