

Richmond  
Valley  
Council



# **MINUTES**

**Ordinary Council Meeting  
20 August 2019**

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**MINUTES OF RICHMOND VALLEY COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, 10 GRAHAM PLACE, CASINO  
ON TUESDAY, 20 AUGUST 2019 AT 5 PM**

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

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

**IN ATTENDANCE:** Vaughan Macdonald (General Manager), David Timms (Acting Director Infrastructure and Environment), Ryan Gaiter (Chief Financial Officer/Manager Mid-Richmond), Julie Clark (Personal Assistant to the General Manager and Mayor) and Kaela Barber (Managerial Assistant, Infrastructure and Environment)

## **1 ACKNOWLEDGEMENT OF COUNTRY**

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

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

## **2 PRAYER**

The meeting opened with a prayer by the General manager.

## **3 PUBLIC ACCESS AND QUESTION TIME**

### **3.1 PUBLIC ACCESS AND QUESTION TIME – REVIEW OF ENVIRONMENTAL CHARTER**

Ms Liz Stops addressed Council regarding Item 17.6 Richmond Valley Council – Review of Environmental Charter and stated that the points identified in the report were vague and generalised. Ms Stops commented that she would like to see examples of Council's practices which address the points in the charter; particularly those which have impact to the environment and climate change.

Ms Stops further asked the following questions which the General Manager responded:

1. How is efficiency of water use assessed and what measures are taken to 'minimise waste'?

*Council has a water loss monitoring program which flags any areas where water usage is unusual or erratic. This can come from over use, main leakages, or unmetered access. These issues are investigated and rectified either through a maintenance program or immediate response to restrict any wastage.*

*Council continues to work with major industry users to reduce potable water use, and to encourage recycle systems through the introduction of technology and improved processes.*

*Council works closely with ROUS Water in their education program providing information on the efficient use of water, and savings which can be made through improved practices, both*

*domestic and industrial.*

2. What is the weighting given to each of the 'environmental, social and economic factors' when assessing development applications?

*Experienced DA planners assess each DA on a merit based approach and are qualified to assess all aspects of the proposed DA. Council doesn't give a weighting to its assessment of 'environmental, social and economic factors'. Assessment is done on the merits of each application against all requirements of NSW planning laws.*

3. What are the 'appropriate response plans' that Council states are in place for 'environmental emergencies'?

*Council has several response plans pertaining to individual circumstances which may arise.*

*Blue green algae alerts and waterway concerns following the Water NSW procedures and notify NSW Health.*

*Bushfire, flooding and the like are managed through the combined Richmond Valley Local Emergency Management Committee (RV LEMC) to which Richmond Valley Council is an active member. A requirement of this group, is the ongoing review of an Emergency Management Plan (RV EMPLAN) which covers all aspects of emergencies by way of individual Consequence Management Guides (CMGs). Due to the sensitivity and nature of the document, this document is not available to the general public.*

4. What strategies does Council have in place when 'aiming for continual improvement in environmental management'?

*Council's Strategic Planner is involved in multi-agency meetings regarding the health of the Richmond River and preparation of the Evans Head Coastal Management Plan. Objectives in both of these plans seek to improve the overall river and estuarine health and environmental outcomes. NRJO biodiversity reforms/projects seeking/investigating stewardship programs for the improvement of environmental sites.*

*Council continues to seek grant funding and was successful in obtaining \$15,000 for increased planting for flying fox habitat at Queen Elizabeth Park.*

*As an example in 2018/19 Council planted 1018 trees and 4,400 grasses and shrubs across the Valley and plans to plant 2550 trees and 1150 grasses and shrubs in Casino alone this financial year.*

5. What education is being provided, or does Council plan to provide, the Richmond Valley community to assist 'continual improvement in environmental sustainability'?

*Examples of forms of education currently provided by Council are set out below:*

- *BASIX certificates are required for development,*
- *Leadership through projects like solar power at the water treatment plant*
- *Children recently attended a tree planting event in Queen Elizabeth Park*
- *Water saving advice and information especially during periods of water restrictions*
- *Waste education program*

The Mayor thanked Ms Stops for her questions.

## **RESOLUTION 200819/1**

Moved: Cr Robert Hayes

Seconded: Cr Stephen Morrissey

That Council accept the late request from Mr Nathan Scully, President Casino Cobras Football Club and Mr Trevor Walsh, President Broadwater Riley's Hill Community Centre to address Council in relation to Item 17.5 Stronger Country Communities Fund – Round 3.

**CARRIED**

### **3.2 PUBLIC ACCESS - STRONGER COUNTRY COMMUNITIES FUND - ROUND 3**

Mr Nathan Scully, President Casino Cobras Football Club referred to Item 17.5 Stonger Country Communities Fund – Round 3 report and thanked Council for the opportunity to address Council.

The Casino Cobras Football Club is run solely by volunteers and currently has 450 members to which 400 are actively playing; 360 of those members ranging in age from 6 – 24 years. The Club actively pursues grant funding opportunities to improve the facility and it is estimated the current clubhouse is 45-50 years old. The clubhouse and small storage shed to which equipment is housed, is inadequate and cannot cater for the current members.

Benefits of a new clubhouse and upgraded field would encourage more members, and attract major competitions to the ground, to which the community would benefit significantly.

The Mayor thanked Mr Scully for addressing Council.

### **3.3 PUBLIC ACCESS - STRONGER COUNTRY COMMUNITIES FUND - ROUND 3**

Mr Trevor Walsh, President Broadwater Riley's Hill Community Centre referred to Item 17.5 Stonger Country Communities Fund – Round 3 report and spoke in support of the Broadwater Playground Equipment Project.

Mr Walsh commented on the recent works carried out by Council to the Youth space, BBQ, undercover tables, seating and toilet block facilities and commented that this final upgrade work to the playground equipment would be a wonderful asset to the broadwater community.

In closing, Mr Walsh thanked Councillors and Council staff for the wonderful addition to the local amenity.

The Mayor thanked Mr Walsh for addressing Council.

## **4 APOLOGIES**

Nil

## **5 MAYORAL MINUTES**

Nil

## **6 CONFIRMATION OF MINUTES**

### **6.1 MINUTES ORDINARY MEETING HELD ON 16 JULY 2019**

#### **RESOLUTION 200819/2**

Moved: Cr Sandra Humphrys

Seconded: Cr Stephen Morrissey

That Council confirms the Minutes of the Ordinary meeting held on 16 July 2019.

**CARRIED**

**6.2 MINUTES OF THE INTERNAL AUDIT & RISK COMMITTEE MEETING HELD ON 6 AUGUST 2019****RESOLUTION 200819/3**

Moved: Cr Daniel Simpson  
Seconded: Cr Jill Lyons

That Council receives and adopts the minutes of the Internal Audit and Risk Committee meeting held 6 August 2019.

**CARRIED**

**7 MATTERS ARISING OUT OF THE MINUTES****14.1 Draft Revised Delivery Program 2017/2021, Draft Operational Plan 2019/2020 (including Draft Financial Estimates 2019/2023), Draft Revenue Policy 2019/2020 and Draft Long Term Financial Plan 2019/2029)**

Cr Hayes referred to the above item raised at Council's 16 July Ordinary Meeting whereby clarification was sought as to whether Council had a Revenue Policy for the weigh bridge at the landfill for it to be used for reasons other than rubbish. Cr Hayes asked how the request was progressing and when a report would be forthcoming.

The General Manager advised the matter has been temporary placed on hold as Council staff have been assisting Lismore City Council following a recent fire at its waste facility. The General Manager further confirmed a briefing note will be provided to the September Information Session.

**8 DECLARATION OF INTERESTS**

Nil.

**9 PETITIONS**

Nil

**10 NOTICE OF MOTION**

Nil

**11 MAYOR'S REPORT****11.1 MAYOR AND DEPUTY MAYOR ATTENDANCES 12 JULY 2019 - 12 AUGUST 2019****RESOLUTION 200819/4**

Moved: Cr Robert Mustow  
Seconded: Cr Stephen Morrissey

That Council receive and note the Mayor and Deputy Mayor attendance report 12 July – 12 August 2019.

**CARRIED**

**12 DELEGATE'S REPORTS**

Nil

**13 MATTERS DETERMINED WITHOUT DEBATE****13.1 MATTERS TO BE DETERMINED WITHOUT DEBATE****RESOLUTION 200819/5**

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

That items 14.1, 15.2, 17.2, and 17.7 identified be determined without debate.

**CARRIED****14 GENERAL MANAGER'S REPORTS****14.1 OCTOBER ORDINARY MEETING - REQUEST TO AMEND DATE****EXECUTIVE SUMMARY**

The Local Government NSW Annual Conference is scheduled to be held 14-16 October 2019 at Warwick Farm, Sydney. This Conference is the annual policy-making event for NSW general-purpose councils and associate members. It is the pre-eminent event of the local government year where local councillors come together to share ideas and debate issues that shape the way councils are governed. Councillors and General Managers are strongly encouraged to attend therefore a request is made that Council's Ordinary meeting scheduled for 15 October be held on Tuesday 22 October, to allow attendance at the conference by Council representatives.

**RESOLUTION 200819/6**

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

That Council defer the Ordinary meeting scheduled for 15 October 2019 to 22 October 2019, to allow attendance at the Local Government NSW Annual Conference to be held 14-16 October 2019.

**CARRIED**



## 14.2 DELIVERY PROGRAM PROGRESS REPORT (JANUARY 2019 TO JUNE 2019)

### EXECUTIVE SUMMARY

Council adopted the revised 2017/2021 Delivery Program in June 2019. In accordance with the *Local Government Act 1993* the General Manager must ensure that progress reports are provided to the Council reporting on the progress of all principal activities detailed in the Delivery Program at least every six months. This report relates to and provides information about the achievement of the targeted outcomes prescribed in the Delivery Program.

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

A dashboard has been provided to summarise Council's overall performance in meeting its four-year targets. The number of on schedule and completed traffic lights (91%) demonstrates a solid performance for the final 6 months of the second year of the four-year program.

### RESOLUTION 200819/7

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council:

1. Receive and note the Progress Report (January 2019 to June 2019) on the Delivery Program 2017/2021; and
2. Recognise the efforts and commitment by staff in achieving this outcome and request the General Manager pass on Councillors' thanks and appreciation.

**CARRIED**

## 14.3 RICHMOND UPPER-CLARENCE REGIONAL LIBRARY - ANNUAL REPORT 2018/2019

### EXECUTIVE SUMMARY

Each year Richmond Valley Council, 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 2018/19 Annual Report also provides the achievements made during the period 1 July 2018 to 30 June 2019.

The NSW Government has announced increased funding in 2019/20. Richmond Valley Council will receive \$121,758, an increase of \$42,881 on 2018/19 and Kyogle Council will receive \$86,162, an increase of \$48,659 on 2018/19. This total increase of \$91,540 will be used for operational costs including library resources, technology and staffing. This increase in funding has been the result of over 20 years of lobbying.

**RESOLUTION 200819/8**

Moved: Cr Robert Mustow

Seconded: Cr Sandra Humphrys

That the Richmond-Upper Clarence Regional Library 2018/2019 Annual report which highlights the important services provided across the Richmond Valley and Kyogle areas be received and noted.

**CARRIED**

**15 FINANCIAL REPORTS****15.1 MONTHLY BUDGET ADJUSTMENTS JULY 2019****EXECUTIVE SUMMARY**

This report details proposed carry over works for the financial year ended 30 June 2019 as well as the proposed adjustments to the 2019/2020 original budget for the month of July 2019.

Carry over works represent those projects that were not fully completed in the previous financial year of 2018/2019. This is an annual occurrence and can be due to several factors. These include savings in completion of projects, where those funds can then be utilised on new or additional projects, weather events, and the timing of grant funding and the associated expenditure of those funds.

The proposed adjustments for carry over works total \$3,523,378, comprising \$265,650 in operating expenditure and \$3,257,728 in capital expenditure. This represents only 0.01% of budgeted operating expenditure and 10.6% of budgeted capital expenditure for 2018/2019. Council's annual Financial Statements are currently being prepared for audit and as such, the final carry over budgets are still subject to change. Any changes will be included in the Quarterly Budget Review Statement as at 30 September 2019, once unexpended grants and final reserve balances have been audited.

This report also details proposed adjustments to the 2019/2020 original budget for the month of July 2019. The main adjustment includes the proposed addition of \$250,000 for the reconstruction of 500m of MR145 at Codrington. Several pavement failures, incorrect cross-fall and rutting, are causing safety concerns for motorists, particularly in the wet. With the four year Regional Roads Repair program being fully allocated, it is proposed to fund these works from Section 7.11 Heavy Haulage reserves. Other adjustments include a reduction to the original budget for 2019/2020 for the Woodburn Riverside Park playground upgrade as more works were completed than what was originally budgeted for in 2018/2019, reducing the remaining expenditure in 2019/2020 from \$200,000, to \$75,854.

In summary, the proposed changes will have no impact on the projected budget surplus of \$193,256 for 2019/2020 as the carry over works are fully funded from unexpended grants and contributions or other reserves. Likewise, the proposed budget adjustments for the month of July 2019 are either a reallocation of funds between projects or fully funded from reserves.

Although the final end of year result for 2018/2019 is still being prepared for audit, at this stage the projected budget result from the March 2019 Quarterly Budget Review remains unchanged at a surplus of \$256,638 which includes the \$60,000 that was allocated towards unsealed roads maintenance as per Council resolution at its 16 April Meeting.

The report provides further details of the proposed budget changes as well as the revised 2019/2020 budget position as at 31 July 2019.

**RESOLUTION 200819/9**

Moved: Cr Daniel Simpson

Seconded: Cr Sam Cornish

That

1. Council approve carry over works for the financial year ended 30 June 2019;
2. Council approve the proposed adjustments to the 2019/2020 original budget for the month of July 2019; and
3. Council note the revised 2019/2020 budget position as at 31 July 2019.

**CARRIED**

**15.2 FINANCIAL ANALYSIS REPORT - JULY 2019****EXECUTIVE SUMMARY**

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

The value of Council's Investment Portfolio as at 31 July 2019 including General Bank Accounts and Trust Funds is shown below.

Investment Portfolio	General Bank Accounts	Trust Funds	Total
\$45,088,732	\$564,917	\$87,050	\$45,740,699

The weighted average rate of return on Council's investments for July 2019 was 4.60% which is above the 90 Day Bank Bill Index for July of 1.01%.

**RESOLUTION 200819/10**

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

Recommended that Council adopt the Financial Analysis Report detailing investment performance for the month of July 2019.

**CARRIED**

**16 TENDER REPORTS**

Nil

## 17 GENERAL BUSINESS

### 17.1 OPENING OF PUBLIC TOILETS AT STAN PAYNE OVAL

#### EXECUTIVE SUMMARY

At the Ordinary Council Meeting held on 21 May 2019, Item 10.1, being a Notice of Motion from Cr Hayes regarding the Stan Payne Oval toilets, Council resolved:

1. *That Council consider opening the toilet facilities at Stan Payne Oval in Evans Head 7 days per week for use by the users of the adjacent newly upgraded children's park and playground.*
2. *A report be brought back to a future Council meeting on this issue.*

This report addresses the resolution by providing information on the issue and an analysis of budget implications to service the community's request.

The recent replacement of the playground equipment at Stan Payne Oval has been incredibly well received by the community and visitors with feedback received suggesting there is a strong desire for public toilets to be constructed near the playground and they be available to the public 7 days per week to provide suitable amenities for the users of the park.

Council's Asset section has developed a proposed scope of works for Stan Payne Oval which includes the addition of an 'all abilities' unisex toilet to address the community's needs.

#### RESOLUTION 200819/11

Moved: Cr Robert Hayes

Seconded: Cr Daniel Simpson

That Council allocate funding to construct a new 'all abilities' unisex toilet near the new playground equipment at Stan Payne Oval and undertake associated works in line with this report.

**CARRIED**

### 17.2 CROWN ROAD TRANSFER - GREENRIDGE

#### EXECUTIVE SUMMARY

Department of Planning, Industry and Environment – (Crown Lands) has been processing a crown road closure application which has been halted following the receipt of an objection from the adjoining property owner and a submission from Council.

Location within the crown road reserve is a table drain which takes water away from Casino Coraki Road. Council's initial submission to the proposal requested that an easement be created over the table drain within the proposed closed road, to allow access to the table drain for future maintenance.

Department of Planning, Industry and Environment – (Crown Lands) has suggested that given the importance of the drainage infrastructure to Council, the road reserve be transferred to Council so it can control the future maintenance.

**RESOLUTION 200819/12**

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

That:

1. Council apply to Department of Planning, Industry and Environment – (Crown Lands) to transfer the crown road reserve to Council's control as shown in the below diagram.
2. Council record in its Asset database the limits of the road to be maintained.

**CARRIED**

**17.3 DRAFT COMMUNITY PARTICIPATION PLAN AND DRAFT DEVELOPMENT CONTROL PLAN FOR PUBLIC EXHIBITION****EXECUTIVE SUMMARY**

Community Participation Plans (CPP) are a new requirement under the *Environmental Planning and Assessment Act 1979* (the Act). A CPP outlines how and when Council will engage the community across its development assessment and strategic planning functions under the Act.

The draft CPP is presented to Council so it can be publicly exhibited.

Accompanying the Draft CPP is a Draft Development Control Plan (DCP) Amendment. The aim of the Draft DCP Amendment is to remove the Advertised Development functions from the *Richmond Valley Development Control Plan 2015*, as contained in Part J, as these functions will reside in the CPP once it becomes effective.

All NSW Planning Authorities, including councils, are required to have a final version of their first CPP published on the NSW Planning Portal by 1 December 2019.

**RESOLUTION 200819/13**

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council:

1. receive and note the:
  - (a) *Draft Richmond Valley Council Community Participation Plan 2019* (Aug 2019); and
  - (b) *Draft Richmond Valley Council Development Control Plan 2015 (Amendment No.1) – Community Participation Plan* (Aug 2019); and
2. publicly exhibit the draft plans for a minimum period of 28 days, with written submissions accepted during the exhibition period.

**CARRIED**

## 17.4 CANIABA ROAD PETITION

### EXECUTIVE SUMMARY

Council recently received a petition from property owners on Caniaba Road, Meldrums Road, Figtree Lane and several other road users demanding Council bitumen seal Caniaba Road. The petition also requested dust fall analysis be carried out and a speed reduction be put in place. Council has inspected the road and considered the petition.

The road is classified a Category "B" road within Council's unsealed road hierarchy. The objective of Category "B" roads is to maintain a gravel depth of approximately 75mm and to be trafficable in the majority of weather conditions. It is possible that water may cross the road in minor storm events. The traffic volumes are not excessive in relation to its category.

Full gravel re-sheeting of Caniaba Road is not considered necessary and in fitting with Council's long-term asset management strategies bitumen sealing the road is not considered appropriate.

The gravel used on the road is of the same quality used across every gravel road within the Richmond Valley and the need for dust fall analysis is not considered necessary.

No other unsealed rural road within the LGA has a speed limit and it is not considered necessary on Caniaba Road.

### RESOLUTION 200819/14

Moved: Cr Robert Mustow

Seconded: Cr Sandra Humphrys

That Council:

1. Note the petition received and the information provided on how Council manages its road network.
2. Provide additional gravel and undertake drainage improvements in a number of localised areas by the end of 2019,
3. Erect Gravel Road warning signs to advise of changing surface conditions.

**CARRIED**

## 17.5 STRONGER COUNTRY COMMUNITIES FUND - ROUND 3

### EXECUTIVE SUMMARY

Round 3 of the Stronger Country Communities Fund (SCCF) closes on 27 September 2019 and Council is required to confirm candidate projects eligible for the fund. A distinct difference from the first two rounds of this Fund is that community groups and not for profit groups can apply for the funds allocated to the Richmond Valley area. Criteria for the Fund state that at least 50% must apply to projects relative to youth – (classified as 12 to 25 years old). A list of suitable projects is set out in the report.

### RESOLUTION 200819/15

Moved: Cr Daniel Simpson

Seconded: Cr Robert Hayes

That:

1. Council adopt the following candidates to submit applications for the SCCF Round 3; and
2. Council prioritise the list resolved by Council as follows:
  - a) Colley Park Soccer Clubrooms (1)

- b) Broadwater Playground equipment (2)
- c) Woodburn Riverside Park Boardwalk (3)
- d) Colley Park Ground Improvements (4)
- e) Colley Park Youth Outdoor Basketball Court (5)

**CARRIED**

## **17.6 RICHMOND VALLEY COUNCIL - REVIEW OF ENVIRONMENTAL CHARTER**

### **EXECUTIVE SUMMARY**

Council adopted an Environmental Charter in July 2016. The Charter sets out Council's commitment to environmental sustainability in its operation and activities. The resolution to adopt the Charter in 2016 also included it to be reviewed annually, however at the Ordinary Council meeting held on 15 August 2017, it was resolved to amend this requirement so that the Charter would be reviewed every two years.

Richmond Valley Council undertakes a range of environmental projects and activities consistent with the Community Strategic Plan and the adopted Environmental Charter helps establish Council's future direction and commitment to all environmental matters.

There is a growing demand for business, including local government, to demonstrate a responsible approach to its business activities. There are also several legislative responsibilities placed on Councils to meet environmental standards and comply with certain requirements.

The Environmental Charter adopted in 2016 has been reviewed in line with Council's Community Strategic Plan and is recommended it be adopted with no amendments.

### **RESOLUTION 200819/16**

Moved: Cr Daniel Simpson

Seconded: Cr Robert Hayes

That Council defer the adoption of the Richmond Valley Council – Review of Environmental Charter until Council workshops potential changes prior to it being reported back to Council.

**CARRIED**

## **17.7 ROCK FISHING SAFETY ACT 2016**

### **EXECUTIVE SUMMARY**

Council resolved to opt-in to the *Rock Fishing Safety Act 2016* from 26 January 2019 of which was administered by the Minister for Agriculture and Western NSW. During this time, education workshops have been held as part of a six month educational period to allow the community to adjust to the new legislation. The below report details the change in Ministerial duties as part of the March 2019 Government Gazette and the results from the educational workshops held.

### **RESOLUTION 200819/17**

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

That Council consider the impact of the change in Ministerial duties as per Government Gazette and extend the educational period of the Rock Fishing Safety Act 2016 until 26 July 2020.

**CARRIED**

**18 MATTERS FOR INFORMATION****RESOLUTION 200819/18**

Moved: Cr Stephen Morrissey

Seconded: Cr Daniel Simpson

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

**CARRIED**

**18.1 GRANT APPLICATION INFORMATION REPORT - JULY 2019****RESOLUTION 200819/19**

Moved: Cr Stephen Morrissey

Seconded: Cr Daniel Simpson

That Council receive and note the Grant Application Information Report for the month of July 2019.

**CARRIED**

**18.2 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 JULY 2019 TO 31 JULY 2019****RESOLUTION 200819/20**

Moved: Cr Stephen Morrissey

Seconded: Cr Daniel Simpson

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

**CARRIED**

**18.3 CORRESPONDENCE SUBMITTED TO AUGUST 2019 ORDINARY MEETING****RESOLUTION 200819/21**

Moved: Cr Stephen Morrissey

Seconded: Cr Daniel Simpson

That Council receive and note correspondence submitted to the August 2019 Ordinary Meeting.

**CARRIED**

**19 QUESTIONS ON NOTICE**

Nil



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

### **20.1 QUESTIONS IN WRITING FROM CR DANIEL SIMPSON**

Cr Daniel Simpson submitted the following questions in writing:

1. Does the Council have a process in place to monitor development applications that have been approved and have commenced, but have not obtained interim or final approval?
2. Is there a best practice standard issued by either the Department of Local Government or Department of Planning in relation to development applications that have not obtained interim or final approval?
3. Is there any potential liability for Council if approved and commenced development applications are not signed off?
4. Is there any potential liability for Council in regards to Fire Safety Statements that have not been issued by businesses, when annual submission is required?

## **21 MATTERS REFERRED TO CLOSED COUNCIL**

### **21.1 Write Off Bad Debt**

This matter is considered to be confidential under Section 10A(2) - (a) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).

This matter is classified confidential due to its content containing personnel issues.

It is not appropriate for personnel issues to be discussed in public. As part of Council process, the outcome of consideration of the matter will be disclosed to the public.

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

The Chair called for verbal representations from the gallery.

There were no representations from the gallery.

The Chair advised under section 10A of the Local Government Act 1993, the media and public are to be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.

**RESOLUTION 200819/22**

Moved: Cr Sandra Humphrys

Seconded: Cr Stephen Morrissey

That:

1. Council resolved to enter Closed Council to consider the business identified in Item 21.1, together with any late reports tabled at the meeting.
2. Pursuant to section 10A(1)-(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
3. The correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993*.

**CARRIED**

Council closed its meeting at 6.12 pm. The public left the Chamber.

The Open Council Meeting resumed at 6.19 pm.

**22 RESOLUTIONS OF CLOSED COUNCIL**

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

**21.1 WRITE OFF BAD DEBT**

That Council write off the bad debt as set out in the 'Write off Bad Debt' Report.

The Meeting closed at 6.20 pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 17 September 2019.

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**CHAIRPERSON**