

Richmond  
Valley  
Council



# **MINUTES**

**Ordinary Council Meeting  
22 October 2019**

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**MINUTES OF RICHMOND VALLEY COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, 10 GRAHAM PLACE, CASINO  
ON TUESDAY, 22 OCTOBER 2019 AT 5.00 PM**

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

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

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

Thomas, Noble & Russell, Partner Geoff Dwyer – presentation of Item 15.1 2018/19 Richmond Valley Council Financial Statements.

## **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 - ITEM 17.3 CORAKI RURAL TRANSACTION CENTRE**

Mr Don Burgess addressed the meeting in relation to Item 17.3 Coraki Rural Transaction Centre (CRTC) seeking Council to provide financial relief from collecting rates from the Centre.

An alternative proposal is for Council to hold a workshop to devise a strategy which would assist CRTC achieve long term financial sustainability. CRTC currently have an operating loss of \$4,000 pa.

Suggested there are two paths available; one is to close the Centre's operations in 12 months, or the second is to develop a business plan and improve on the current financial status.

Commented Council's Delivery Program appears to align priorities with those of CRTC, where important values such as volunteerism, assisting the disadvantaged and communicating with the

community through the publishing of the Coraki District News are provided.

#### **RESOLUTION 221019/1**

Moved: Cr Robert Mustow

Seconded: Cr Robert Hayes

That Mr Don Burgess address be extended for an additional 5 minutes, to allow completion.

**CARRIED**

The Mayor encouraged CRTC to apply for Council's financial assistance funding and thanked Mr Burgess for his address to the meeting.

#### **4 APOLOGIES**

Nil

#### **5 MAYORAL MINUTES**

##### **5.1 MAYORAL MINUTE - BUSHFIRE RECOVERY RELIEF**

#### **RESOLUTION 221019/2**

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council:

1. Note the significant impacts of the Busbys Flat Road fires and Council's role in the response and recovery effort,
2. Commends the efforts of Council staff who responded quickly and in a very committed manner to support the efforts of the emergency services,
3. Commends the untiring efforts of all emergency services personnel to respond to this natural disaster and how this has saved many lives and properties during these catastrophic events;
4. Note the General Manager is the Chair of Local Recovery Committee which includes NSW Government agencies and together will guide the recovery effort,
5. Note the resource implications of the recovery effort for Council and that efforts to recoup costs through the section 44 and NDRRA funding arrangements will be pursued,
6. Note some minor fees have been waived by the General Manager to support ratepayers to have access to information to enable them to consider their recovery options,
7. Authorise the General Manager to negotiate suitable funding arrangements through the Local Recovery Committee to minimise the impact on Council and provide support to those impacted by the natural disaster, and
8. An update will be provided at the next Councillor Information Session.

At the request of Cr Hayes and supported by fellow Councillors, the following point 9 was added to the Mayoral minute motion.

9. Acknowledge the Mayor for his leadership and also his partner Narelle, for their continual support in providing on ground assistance, during the Disaster.

**CARRIED**

**6 CONFIRMATION OF MINUTES****6.1 MINUTES ORDINARY MEETING HELD ON 17 SEPTEMBER 2019****RESOLUTION 221019/3**

Moved: Cr Sandra Humphrys

Seconded: Cr Jill Lyons

That Council confirms the Minutes of the Ordinary meeting held on 17 September 2019.

**CARRIED**

**6.2 MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING (HELD ELECTRONICALLY) ON 4 SEPTEMBER 2019****RESOLUTION 221019/4**

Moved: Cr Sam Cornish

Seconded: Cr Robert Hayes

That Council receives and endorses the recommendation contained within the minutes of the Local Traffic Committee unanimously recommending installation of a "No Trucks" restriction to the section of Redwood Lane between Duke Street and Cedar Street Meeting held electronically on 4 September 2019.

**.CARRIED**

**7 MATTERS ARISING OUT OF THE MINUTES****7.1 NOTICE OF MOTION - TOWN ENTRY SIGNS (ORDINARY MEETING 17 SEPTEMBER 2019)**

Cr Robert Hayes referred to Item 10.1 Notice of Motion – Town Entry Signs, 17 September 2019, Ordinary Meeting and enquired when a report be provided to Council for consideration?

The General Manager advised the matter will be workshopped at a Councillor Information Session, in the near future, prior to being presented to Council.

**8 DECLARATION OF INTERESTS**

Nil

**9 PETITIONS**

Nil

**10 NOTICE OF MOTION**

Nil

**11 MAYOR'S REPORT****11.1 MAYOR ATTENDANCES 10 SEPTEMBER - 16 OCTOBER 2019****RESOLUTION 221019/5**

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council receive and note the Mayor's attendance report 10 September – 16 October 2019 noting the removal of two attendances on 12 October (due to cancellation of the events).

**CARRIED****12 DELEGATE'S REPORTS**

Nil

**13 MATTERS DETERMINED WITHOUT DEBATE****13.1 MATTERS TO BE DETERMINED WITHOUT DEBATE****RESOLUTION 221019/6**

Moved: Cr Sandra Humphrys

Seconded: Cr Jill Lyons

That items 15.2, 15.3 & 17.4 identified be determined without debate.

**CARRIED**

## **14 GENERAL MANAGER'S REPORTS**

### **14.1 OUTCOME OF THE INDEPENDENT PRICING AND REGULATORY TRIBUNAL (IPART) REVIEW INTO THE COST OF THE 2020 NSW GOVERNMENT ELECTIONS**

#### **EXECUTIVE SUMMARY**

Following a tender process for the administration of the 2020 Local Government Elections, Council resolved at the February 2019 Ordinary Meeting to enter into an election arrangement by contract with the NSW Electoral Commissioner and delegated authority to the General Manager to negotiate and execute the contract with the NSW Electoral Commissioner, subject to the outcomes of the Independent Pricing and Regulatory Tribunal (IPART) review into the cost of Local Government Elections.

IPART's final report has now been released, together with the NSW Government response to the report and subsequent advice from the NSW Electoral Commission (NSWEC), on the 2020 Local Government Election cost estimate. The General Manager is now in a position to negotiate and execute the contract with the NSWEC.

There are anomalies that have been identified in relation to the final IPART report, the NSW Government response to the report and advice received from the NSWEC on the 2020 Local Government Election – Cost Estimate. Under IPART's new funding model, costs will be assigned as either direct or core costs and allocated to councils or the NSW Government accordingly. The NSW Government has announced it intends to fund the NSWEC's core costs in relation to the administration of local government elections, thereby reducing councils' election costs, however the NSWEC cost estimate is much higher than expected.

The proposed cost estimate for the 2020 Local Government Election received by the NSWEC is an increase of 34% on the actual cost of the 2016 Local Government election.

The NSW Government's response to the final IPART report includes a commitment in identifying further opportunities for reducing council's election costs.

#### **RESOLUTION 221019/7**

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council write to the Member for Clarence, Chris Gulaptis MP, the Local Government Minister and the President of LGNSW seeking their support to lobby on behalf of Local Government to reduce the cost per elector for future elections through endorsing and encouraging a more cost-effective voting system in accordance with the NSW Government response to the IPART review.

**CARRIED**



## 15 FINANCIAL REPORTS

### 15.1 2018/2019 RICHMOND VALLEY COUNCIL FINANCIAL STATEMENTS

#### EXECUTIVE SUMMARY

Council's financial statements for the year ended 30 June 2019 have been prepared and subjected to external audit by the Audit Office of New South Wales. A copy of the draft financial statements and the draft Auditor's Report have been provided separately to Councillors for their information.

*A Powerpoint presentation by Council's Auditor Thomas, Noble & Russell was provided by Mr Geoff Dwyer.*

#### RESOLUTION 221019/8

Moved: Cr Robert Mustow

Seconded: Cr Daniel Simpson

That:

1. Council adopt the general purpose financial statements, special purpose financial statements and special schedules for the year ended 30 June 2019.
2. Council certify the following in respect of the general purpose financial statements and special purpose financial statements for the year ended 30 June 2019:
  - (a) Council's general purpose financial statements and special purpose financial statements have been prepared in accordance with:
    - (i) The *Local Government Act 1993 (NSW)* and the regulations made thereunder, and
    - (ii) The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board, and
    - (iii) The Local Government Code of Accounting Practice and Financial Reporting.
  - (b) The general purpose financial statements and special purpose financial statements present fairly Council's financial position and operating result for the year ended 30 June 2019 and:
    - (i) The reports are in accordance with Council's accounting and other records,
    - (ii) The signatories to this statement being the Mayor, a Councillor, General Manager and Responsible Accounting Officer are not aware of anything that would make the financial statements false or misleading in any way,
    - (iii) Council fix Tuesday 19 November 2019 as the date for the meeting to present the financial statements for the year ended 30 June 2019 to the public and invite submissions in writing. Council provide appropriate public notice of this meeting
    - (iv) Council receive and note the Auditor's reports and thank the Auditors, Thomas, Noble and Russell and the Audit Office of New South Wales for their presentation, and
    - (v) Council adopt the restricted assets (reserves) schedule as detailed in this report.

**CARRIED**

**15.2 FINANCIAL ANALYSIS REPORT - SEPTEMBER 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 30 September 2019 including General Bank Accounts and Trust Funds is shown below.

Investment Portfolio	General Bank Accounts	Trust Funds	Total
\$48,486,536	\$621,742	\$87,050	\$49,195,329

The weighted average rate of return on Council's investments for September 2019 was 2.82% which is above the 90 Day Bank Bill Index for September of 0.95%.

**RESOLUTION 221019/9**

Moved: Cr Sandra Humphrys

Seconded: Cr Jill Lyons

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

**CARRIED**

**15.3 INVESTMENT POLICY UPDATE****EXECUTIVE SUMMARY**

Council reviews its Investment Policy on an annual basis or whenever it is deemed necessary to effect a change in the policy. The policy was presented to Council in July 2019 but has since been revised to include important information about Environmentally Sustainable Investments (ESI's). These changes are detailed within this report.

**RESOLUTION 221019/10**

Moved: Cr Sandra Humphrys

Seconded: Cr Jill Lyons

That Council note the recommended change and adopt the revised Investment Policy.

**CARRIED**

**16 TENDER REPORTS**

Nil

**17 GENERAL BUSINESS****17.1 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 for 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.

In accordance with the above resolution, the charter was presented to the Ordinary Council meeting held on 20 August 2019 however was deferred until Council workshopped potential changes, prior to it being adopted.

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 it is recommended for adoption with no amendments.

**RESOLUTION 221019/11**

Moved: Cr Daniel Simpson

Seconded: Cr Jill Lyons

That Council adopt the Environmental Charter for a further review in two years.

**CARRIED**

## **17.2 NORTHERN REGIONAL PLANNING PANEL - NOMINATION OF TECHNICAL EXPERT REPRESENTATIVE**

### **EXECUTIVE SUMMARY**

On 16 July 2019, Councillor Hayes was nominated as one of Council's representatives on the Northern Regional Planning Panel. Council's second (technical expert) representative position, formally held by the Director of Planning at Kyogle Council, was held over pending continued enquiries with adjoining Councils.

Since that time, Council has made further enquiries with neighbouring Councils resulting in the General Manager of Lismore City Council (LCC) formally seeking to enter into a reciprocal expert Panel Membership arrangement with Richmond Valley Council (RVC).

The purpose of this report is to outline the negotiations undertaken with LCC and to seek authorisation for the General Manager to enter into a reciprocal Panel membership arrangement to provide technical expert representation on the Panel.

### **RESOLUTION 221019/12**

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

Recommended that:

1. Delegation be granted to the General Manager to enter into a resource sharing (reciprocal) arrangement with an adjoining Council to ensure Richmond Valley Council has a Northern Regional Planning Panel member which meets the technical expertise requirements of the *Environmental Planning and Assessment Act 1979*, and
2. Delegation be granted to the General Manager to subsequently appoint an appropriate technical member (and an alternative, as required) to the Northern Regional Planning Panel.

**CARRIED**

### 17.3 CORAKI RURAL TRANSACTION CENTRE

#### EXECUTIVE SUMMARY

Council has been approached by Coraki Rural Transaction Centre (CRTC) requesting financial support. The request states that the CRTC is currently running at an operating loss of approximately \$4,000.00 each year which is being funded from their reserves and is not sustainable in the long term. The request goes on to recommend a solution where Council either reduces or eliminates the CRTC land and sewerage rates. Council at this point in time does not have any specific policy for allowing financial assistance on general land rates for not-for-profit or other community organisations.

#### RESOLUTION 221019/13

Moved: Cr Daniel Simpson

Seconded: Cr Sandra Humphrys

That:

1. Council note the consultation which has taken place between Council staff and the Coraki Rural Transaction Centre to try and assist with reducing their operational costs.
2. Council consider whether a policy should be written to assist not-for-profit and community organisations suffering financial hardship, by workshopping the matter at Councillors November Information Session.

**CARRIED**

### 17.4 ACCESSIBILITY, LIVEABILITY AND AGED ADVISORY COMMITTEE

#### EXECUTIVE SUMMARY

Council Officers have assessed the functionality of the current Accessibility, Liveability and Aged Advisory Committee of Richmond Valley Council and identified that the demand and support for this group has not been sufficient to substantiate the ongoing facilitation. The functions which formed part of the original purpose of the committee are well covered in other community committees which also currently exist.

#### RESOLUTION 221019/14

Moved: Cr Sandra Humphrys

Seconded: Cr Jill Lyons

That:

1. Council disband the Accessibility, Liveability and Aged Advisory Committee and;
2. Council ensure that accessibility and liveability remain agenda items on other relevant community forums;
3. The Members of the Committee be formally thanked for their contribution and encouraged to remain engaged with Council through the consultation opportunities outlined in this report.

**CARRIED**

**18 MATTERS FOR INFORMATION****RESOLUTION 221019/15**

Moved: Cr Stephen Morrissey  
Seconded: Cr Jill Lyons

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

**CARRIED**

**18.1 LAUNCH OF YOUR COUNCIL WEBSITE - MINISTER FOR LOCAL GOVERNMENT****RESOLUTION 221019/16**

Moved: Cr Stephen Morrissey  
Seconded: Cr Jill Lyons

That Council receive and note the Launch of Your Council Website – Minister for Local Government Report.

**CARRIED**

**18.2 DISCLOSURE OF INTERESTS - COUNCILLORS AND DESIGNATED PERSONS****RESOLUTION 221019/17**

Moved: Cr Stephen Morrissey  
Seconded: Cr Jill Lyons

That the Disclosure of Interest Pecuniary Interest Returns for the period 1 July 2018 to 30 June 2019 be received and noted.

**CARRIED**

**18.3 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 SEPTEMBER 2019 TO 30 SEPTEMBER 2019****RESOLUTION 221019/18**

Moved: Cr Stephen Morrissey  
Seconded: Cr Jill Lyons

That Council receive and note the development application report for the period 1 September 2019 to 30 September 2019.

**CARRIED**

**18.4 GRANT APPLICATION INFORMATION REPORT - SEPTEMBER 2019****RESOLUTION 221019/19**

Moved: Cr Stephen Morrissey  
Seconded: Cr Jill Lyons

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

September 2019.

**CARRIED**

**19 QUESTIONS ON NOTICE**

Nil

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

**20.1 QUESTIONS IN WRITING FROM CR JILL LYONS**

Cr Jill Lyons submitted the following questions in writing:-

1. Regarding the sinking road problem in Coraki at the intersection of Richmond Terrace and Allwood St is the council considering what action to take?  
If action is being considered what might be included in that consideration?
2. Regarding the recently re-fenced area along the riverside behind Windsor Park Coraki does the Council propose to maintain a mowing schedule and how that would be implemented?  
With regard to that area the dual use by people and animals would seem to be undesirable both for people and animals.  
Has the council excluded the area's use for animal grazing?

The Meeting closed at 6.20 pm.

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

.....  
**CHAIRPERSON**