

Richmond  
Valley  
Council



# **MINUTES**

**Ordinary Council Meeting  
15 December 2020**

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**MINUTES OF RICHMOND VALLEY COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, 10 GRAHAM PLACE, CASINO  
ON TUESDAY, 15 DECEMBER 2020 AT 5.00PM**

*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:** Angela Jones (Acting General Manager), Ryan Gaiter (Chief Financial Officer/Manager Mid-Richmond), Kate Alder-Conn (Governance Coordinator), Julie Clark (Personal Assistant to the General Manager and Mayor), Daniel Goulding (IT Support Officer)

## **1 ACKNOWLEDGEMENT OF COUNTRY**

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

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

## **2 PRAYER**

The meeting opening with a prayer by the Acting General Manager.

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

Nil

## **4 APOLOGIES**

### **RESOLUTION 151220/1**

Moved: Cr Stephen Morrissey

Seconded: Cr Jill Lyons

That the apology received from General Manager Vaughan Macdonald be accepted and leave of absence granted.

**CARRIED**

## **5 MAYORAL MINUTES**

The Mayor thanked Council staff members for providing Christmas decorations in the Chambers for the meeting, they brightened the area and enhanced the Christmas festivities.

**6 CONFIRMATION OF MINUTES****6.1 MINUTES ORDINARY MEETING HELD ON 17 NOVEMBER 2020****RESOLUTION 151220/2**

Moved: Cr Sandra Humphrys

Seconded: Cr Sam Cornish

That Council confirms the Minutes of the Ordinary Meeting held on 17 November 2020.

**CARRIED**

**7 MATTERS ARISING OUT OF THE MINUTES**

Nil

**8 DECLARATION OF INTERESTS**

Nil

**9 PETITIONS**

Nil

**10 NOTICE OF MOTION**

Nil

**11 MAYOR'S REPORT****11.1 MAYORAL ATTENDANCES 8 NOVEMBER - 7 DECEMBER 2020****RESOLUTION 151220/3**

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council receives and notes the Mayor's attendance report 8 November – 7 December 2020.

**CARRIED**

**12 DELEGATES' REPORTS****12.1 DELEGATES' REPORT SUBMITTED TO DECEMBER 2020 ORDINARY MEETING****RESOLUTION 151220/4**

Moved: Cr Robert Mustow

Seconded: Cr Sandra Humphrys

That Council receives and notes the Delegates' Report for the month of November 2020.

**CARRIED**

**13 MATTERS DETERMINED WITHOUT DEBATE****13.1 MATTERS TO BE DETERMINED WITHOUT DEBATE****RESOLUTION 151220/5**

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That Item 15.1 be determined without debate.

**CARRIED**

**14 GENERAL MANAGER'S REPORTS****14.1 ADOPTION OF RAIL TRAIL MASTER PLAN****EXECUTIVE SUMMARY**

Following public exhibition of the Northern Rivers Rail Trail Casino to Bentley Draft Master Plan, a final master plan has been prepared for Council's consideration. The project has attracted strong community interest, with 72 submissions received during the exhibition period and further feedback provided at stakeholder workshops. Once the Master Plan and other Phase One works are completed, Council will be ready to move to the design and construction phase of the \$7.5m project. The Rail Trail has been funded from the Federal Government's National Tourism Icons Program.

**RESOLUTION 151220/6**

Moved: Cr Sandra Humphrys

Seconded: Cr Sam Cornish

That Council adopts the Northern Rivers Rail Trail Casino to Bentley Final Master Plan.

**CARRIED**

## 15 FINANCIAL REPORTS

### 15.1 FINANCIAL ANALYSIS REPORT - NOVEMBER 2020

#### 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* s.625, Local Government (General) Regulation 2005 cl.212, Australian Accounting Standard (AASB 9) and Council's Investment Policy.

The value of Council's Investment Portfolio as at 30 November 2020 including General Bank Accounts and Trust Funds is shown below.

Investment Portfolio	General Bank Accounts	Trust Funds	Total
\$53,802,250	\$2,492,205	\$87,050	\$56,381,505

The weighted average rate of return on Council's investments for November 2020 was 6.57% which was above the Bloomberg AusBond Bank Bill Index for November of 0.01%, which is Council's benchmark.

#### RESOLUTION 151220/7

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That Council adopts the Financial Analysis Report detailing investment performance for the month of November 2020.

**CARRIED**

## 16 GENERAL BUSINESS

### 16.1 DESTINATION MANAGEMENT PLAN 2021-2025

#### EXECUTIVE SUMMARY

Richmond Valley Council has an important leadership role in strategic destination management across the local government area. This includes funding support and coordination of destination marketing initiatives, events and visitor information services, as well as strategic planning, and infrastructure development to support sustainable tourism development. Council also works with other tourism bodies on the Northern Rivers and is a founding member of the Northern Rivers NSW brand initiative.

The draft Richmond Valley Destination Management Plan 2021-2025 has been prepared to support further growth of the local visitor economy and encourage tourism business investment to the area. The public consultation provides the opportunity for tourism related businesses to have input into the final Plan.

**RESOLUTION 151220/8**

Moved: Cr Robert Mustow  
Seconded: Cr Daniel Simpson

That Council places the draft Richmond Valley Destination Management Plan 2021 to 2025 on public exhibition for 40 days and invites the community to make submissions.

**CARRIED**

**16.2 NAMING OF ROADS ASSOCIATED WITH PACIFIC HIGHWAY PROJECT****EXECUTIVE SUMMARY**

With the Pacific Highway upgrade nearing completion, Council is required to name new service roads and rename the sections of realigned Pacific Highway for addressing purposes.

In 2018 Council resolved to adopt recommended proposed road names, however four (4) names were rejected by the Geographical Names Board of NSW or not supported by residents during the consultation process.

Council staff have researched historical associations for alternative names and obtained pre-approval on alternative proposed names from the Geographical Names Board of NSW for Council and community consideration.

**RESOLUTION 151220/9**

Moved: Cr Daniel Simpson  
Seconded: Cr Robert Hayes

That Council:

1. Determines a preferred name for the new service roads and realignment of the Pacific Highway. The proposed names being:
  - a) Well Road
  - b) McLaren Road
  - c) Langs Way
  - d) Paringa Drive
2. Undertakes relevant consultation for naming roads as per the Roads Regulation 2018.
3. Notes that a further report on the proposed final road names will be provided, following the consultation period.

**CARRIED**

**17 MATTERS FOR INFORMATION****RESOLUTION 151220/10**

Moved: Cr Stephen Morrissey  
Seconded: Cr Robert Hayes

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

**CARRIED**



**17.1 LOCAL GOVERNMENT ELECTIONS - MINISTER FOR LOCAL GOVERNMENT****RESOLUTION 151220/11**

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That Council receives and notes the correspondence from the Minister for Local Government regarding the additional funding package secured for the upcoming Local Government Elections to be held in September 2021.

**CARRIED**

**17.2 GRANT APPLICATION INFORMATION REPORT - NOVEMBER 2020****RESOLUTION 151220/12**

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That Council receives and notes the Grant Application Information Report for the month of November 2020.

**CARRIED**

**17.3 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 NOVEMBER TO 30 NOVEMBER 2020****RESOLUTION 151220/13**

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That Council receives and notes the development application report for the period 1 November to 30 November 2020.

**CARRIED**

**17.4 COMMENCEMENT OF EPLANNING****RESOLUTION 151220/14**

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That Council receives and notes the commencement of ePlanning at Richmond Valley Council on 1 January 2021.

**CARRIED**

**18 QUESTIONS ON NOTICE**

Nil

**19 QUESTIONS FOR NEXT MEETING (IN WRITING)****19.1 QUESTION IN WRITING - BUSHFIRE RECOVERY EFFORT AT WHIPORIE**

Cr Simpson provided the following question on notice:

I recently observed an article in the Northern Rivers Times that claimed that Whiporie has been completely forgotten by Council in the bushfire recovery effort. Could the General Manager please outline details of any communication with the Whiporie community along with details of actions taken to assist Whiporie with their recovery.

The Acting General Manager advised that the Whiporie community received the following support and assistance after the fire events of 2019:-

- Community Hall Grants Program – Phone contact was made to halls across the LGA including the Whiporie Hall committee contact in July 2020, follow up email in August 2020 with an application form and guidelines for the program and contact numbers for council staff were emailed to hall contacts. No application was received from the Whiporie Hall under this program or under the community financial assistance grants program.
- Generator for the Hall – a charitable organisation has donated a generator to the Hall this year as part of its bushfire recovery assistance
- Outreach – Council Mobile Library attends Whiporie each fortnight. Red Cross volunteer/s attend with the mobile library to assist community members with grant information and can assist with completing grants using the mobile library computers, prior to COVID, Red Cross volunteer/s attended the shop to speak to community members.
- Mailout to Bushfire Impacted area – January 2020 a mailout was completed to all properties within the fire scar with recovery information and contacts for assistance & grants.
- Residents have received recovery information via a number of community newsletters; which have included recovery articles, newspapers, social media and council's website have had recovery information available throughout the disaster and this year.
- Whiporie Bus Bay – Richmond Valley Council was engaged by TfNSW to improve road side drainage that included a new pipe crossing on the northern entrance/exit and prepare a pavement for the bus bay that included both entrances/exits to the north and south. The works also included double/double bitumen seal. These works were completed on the 24/1/2020 at a cost of \$74,417.20.
- Bungawalbin Whiporie Road Vegetation – \$210,427
- Immediate reconstruction works incl guardrail, signs, guide posts - \$50,034
- Mt Marsh Road – vegetation - \$13,605.
- Committed Essential Public Asset reconstruction funding- bridges and culvert structures, side tracks, tree works totalling \$840,000.

**20 MATTERS REFERRED TO CLOSED COUNCIL****RESOLUTION 151220/15**

Moved: Cr Stephen Morrissey

Seconded: Cr Jill Lyons

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the *Local Government Act 1993*:

**20.1 Tender - Design Bridge Construction on Bora Codrington Road, Bora Ridge**

This matter is considered to be confidential under Section 10A(2) - (d)(i) 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 commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**20.2 Tender - Evans Head Library Renovation**

This matter is considered to be confidential under Section 10A(2) - (d)(i) 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 commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**20.3 Tender - Transport and Disposal of Mixed Waste**

This matter is considered to be confidential under Section 10A(2) - (c) 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 information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

**20.4 Tender - Rockface Stabilisation Manifold Road, Bentley**

This matter is considered to be confidential under Section 10A(2) - (d)(i) 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 commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**20.5 Proposed Option to Sell Council Land at Reynolds Road, Casino**

This matter is considered to be confidential under Section 10A(2) - (c) 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 information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

**CARRIED**

The Acting General Manager reported that no written representations had been received in respect to the items 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 that 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 10(2) as outlined above.

**RESOLUTION 151220/16**

Moved: Cr Stephen Morrissey

Seconded: Cr Jill Lyons

That:

1. Council resolved to enter Closed Council to consider the business identified in Items 20.1, 20.2, 20.3, 20.4 and 20.5, together with any late reports tabled at the meeting.
2. Pursuant to section 10A(2) – (c) 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 5.45pm. The public left the Chamber.

The Open Council meeting resumed at 6.10pm.

**21 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 Acting General Manager.

**20.1 TENDER - DESIGN BRIDGE CONSTRUCTION ON BORA CODRINGTON ROAD, BORA RIDGE**

That Council:

1. Awards the tender to Ozwide Bridge and Rail Civil Pty Ltd for the construction of Bora Codrington Bridge, Bora Codrington Road, at the assessed tendered rate of \$317,517.00 inclusive of GST.
2. Authorises the General Manager to enter into and endorse relevant contracts and documents, including affixing the Seal of Council where appropriate, generally in accordance with the details contained within this report.

**20.2 TENDER – EVANS HEAD LIBRARY RENOVATION**

That:

1. G.J Bennett & S.C Robertson be approved as the preferred tenderer for the internal renovation and reconstruction of the Evans Head Library, valued at \$510,785 (ex GST).
2. The General Manager be authorised to negotiate and finalise the terms and conditions of any contract or agreement, including reducing or extending the scope of works, in line with the content of this report and the available budget, and affixing the seal of Council where necessary.

**20.3 TENDER – TRANSPORT AND DISPOSAL OF MIXED WASTE**

That Council:

1. Declines all submissions received for Tender VP212865 Transport and Disposal of Mixed Waste.
2. Determines not to call fresh tenders, as there is a level of confidence that a commercial outcome can be reached with one of the contractors that tendered.
3. Apply Clause 178 (3)(e) of the Local Government (General) Regulation 2005 to authorise the General Manager to enter into direct negotiations with tenderers with a view to negotiating a commercially acceptable outcome and finalise the General Conditions of Contract including affixing the seal of Council where necessary.
4. Receive a report on the outcomes of the negotiation process when they have been finalised.

**20.4 TENDER – ROCKFACE STABILISATION MANIFOLD ROAD, BENTLEY**

That Council:

1. Awards the tender to Pan Civil Pty Ltd for the draped mesh rock face stabilisation system construction on Manifold Road for the tendered rate of \$223,905 inclusive of GST.
2. Authorises the General Manager to enter into and endorse relevant contracts and documents, including affixing the Seal of Council where appropriate, generally in accordance with the details contained within this report.

**20.5 PROPOSED OPTION TO SELL COUNCIL LAND AT REYNOLDS ROAD, CASINO**

That Council:

1. Authorises the General Manager to negotiate the granting of an option to purchase and subsequent sale of land on Reynolds Road, Casino generally in accordance with the details contained within this report.
2. Authorises the General Manager to enter into and endorse relevant documents, contracts and transfers, including affixing the seal of Council where appropriate, for the option to purchase and subsequent sale of the land generally in accordance with the details contained within this report.

The Meeting closed at 6.15pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 16 February 2021.

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**CHAIRPERSON**