

Richmond
Valley
Council



MINUTES

**Ordinary Council Meeting
16 February 2021**

ORDER OF BUSINESS

1	ACKNOWLEDGEMENT OF COUNTRY	5
2	PRAYER	5
3	PUBLIC ACCESS AND QUESTION TIME	5
	3.1 Public Access and Question Time - Item 14.6 DA2021/0071 Site amalgamation	5
4	APOLOGIES	6
5	MAYORAL MINUTES	6
	5.1 Mayoral Minute - Regional Job Precinct for Richmond Valley.....	6
6	CONFIRMATION OF MINUTES	7
	6.1 Minutes Ordinary Meeting held on 15 December 2020.....	7
7	MATTERS ARISING OUT OF THE MINUTES	7
8	DECLARATION OF INTERESTS	7
9	PETITIONS	7
	Nil	
10	NOTICE OF MOTION	7
	10.1 Notice of Motion - Cr Stephen Morrissey - Centre Street, Casino Roundabout.....	7
11	MAYOR'S REPORT	8
	11.1 Mayoral Attendances 8 December 2020 - 8 February 2021	8
12	DELEGATES' REPORTS	9
	12.1 Delegates' Report Submitted to February 2021 Ordinary Meeting.....	9
13	MATTERS DETERMINED WITHOUT DEBATE	10
	13.1 Matters to be Determined Without Debate.....	10
14	GENERAL MANAGER'S REPORTS	10
	14.1 Delivery Program Progress Report (July 2020 - December 2020)	10
	14.2 Richmond Valley Council - Re-determination of Organisational Structure	11
	14.3 Bushfire and Drought Funding Grants Update.....	11
	14.4 Casino Memorial Olympic Pool Masterplan	12
	14.5 DA2021/0147 - Construction of a new building to prepare retail ready products in association with the existing livestock processing facility, signage and associated works - 10615 Summerland Way, Casino.....	13
	14.6 DA2021/0071 – Site amalgamation of Lot 3 and Lot 173, re-subdivision to create two lots being Lot 1 (464m ²) & Lot 2 (500.6m ²) and associated variation to clause 4.6 of RVLEP – 36 & 38 Mangrove Street, Evans Head.....	14
	14.7 Proposed Reclassification of Community Land.....	15
15	FINANCIAL REPORTS	16
	15.1 Quarterly Budget Review Statement for the quarter ended 31 December 2020.....	16
	15.2 Financial Analysis Report - December 2020 and January 2021	17
16	GENERAL BUSINESS	18
	16.1 Destination Management Plan 2021-2025.....	18

16.2	South Ballina Beach Closure.....	18
16.3	Acquisition of crown road for closure in compensation for widening of Manifold Road, Bentley	19
16.4	Classification of Council Land - Lot 8 in DP577269, 15 Reynolds Road Casino	19
16.5	Rural Residential Rezoning 75 Gregors Road Spring Grove (PP2018/02) - Post Exhibition and Consultation Report	20
16.6	Naming of Roads associated with Pacific Highway Project	21
17	MATTERS FOR INFORMATION	21
17.1	Northern Rivers Livestock Exchange Statistics and Financial Performance as at 31 December 2020.....	21
17.2	Customer Experience Report 1 October 2020 to 31 December 2020.....	22
17.3	Local Government NSW - 2020 Local Government NSW Annual Conference: Outstanding Business	22
17.4	Local Government NSW - Annual Report.....	22
17.5	Letter from Minister for Local Government - Towards a Fairer Rating System.....	22
17.6	Grant Application Information Report - December 2020 and January 2021	23
17.7	Development Applications determined under the Environmental Planning and Assessment Act for the period 1 December 2020 to 31 January 2021	23
17.8	Disclosure of Interest - Appointment of Designated Persons.....	23
17.9	Write-off of monies under delegation.....	23
18	QUESTIONS ON NOTICE	24
	Nil	
19	QUESTIONS FOR NEXT MEETING (IN WRITING).....	24
20	MATTERS REFERRED TO CLOSED COUNCIL	24
20.1	Sale of Land by Expression of Interest, 41 Cypress Street Evans Head.....	24
20.2	Tender - Electricity Reverse Auction - Contestable Sites and Street Lighting (Unmetered).....	24
20.3	Tender - Road Safety Barrier Systems.....	24
20.4	Tender - Traffic Control Services.....	24
20.5	Tender - Supply and Delivery of Bulk Fuels, Lubricants and Fuel Cards	24
20.6	Tender - Environmental Monitoring & Reporting Services	25
20.7	Tender - Construction Camira Creek Bridge, Mt Marsh Road.....	25
20.8	Interest Write Off	25
20.9	Write off Water Charges.....	25
21	RESOLUTIONS OF CLOSED COUNCIL	26
20.1	Sale of Land by Expression of Interest, 41 Cypress Street Evans Head.....	26
20.2	Tender - Electricity Reverse Auction - Contestable Sites and Street Lighting (Unmetered).....	26
20.3	Tender - Road Safety Barrier Systems.....	26
20.4	Tender - Traffic Control Services.....	27
20.5	Tender - Supply and Delivery of Bulk Fuels, Lubricants and Fuel Cards	27

20.6 Tender - Environmental Monitoring & Reporting Services 27

20.7 Tender - Construction Camira Creek Bridge, Mt Marsh Road..... 27

20.8 Interest Write Off 28

20.9 Write off Water Charges 28

**MINUTES OF RICHMOND VALLEY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, 10 GRAHAM PLACE, CASINO
ON TUESDAY, 16 FEBRUARY 2021 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 Robert Hayes, Cr Sandra Humphrys, Cr Jill Lyons, Cr Daniel Simpson and Cr Sam Cornish (arrived 6.12pm).

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

3 PUBLIC ACCESS AND QUESTION TIME

3.1 PUBLIC ACCESS AND QUESTION TIME - ITEM 14.6 DA2021/0071 SITE AMALGAMATION

Mr Adrian Zakaras, Town Planner, Newton Denny & Chapelle addressed the meeting in relation to Item 14.6 - DA2021/0071 - 36 & 38 Mangrove Street, Evans Head speaking in support of the application and provided the following address:

Thank you Mayor and Councillors for the opportunity to speak in favour of the proposed subdivision between 36 & 38 Mangrove Street, Evans Head which is a relatively minor adjustment of common boundaries.

It has been demonstrated that the proposed lot sizes can accommodate, at a minimum, a single dwelling on each allotment which meets the zone objectives of providing housing needs.

The proposal also demonstrates the objectives of Clause 4.1 of the LEP minimum lot size have been met which are to ensure that lot sizes have a practical and efficient layout to meet their intended use, i.e. for residential purposes.

The proposal allows the owner of No 38 to bring the current dwelling into compliance with Council's DCP, a long term solution to existing problems. As illustrated in the detail survey provided the existing dwelling is located 8.5cm from the boundary which doesn't comply with BCA or fire separation requirements.

Council officers have stated their concerns that the proposal will reduce the development potential of no 36. However, when taking into account the DCP requirements of maximum site coverage, setbacks, carparking and open space, the existing size and configuration of no 36 of 611m² realistically allows a maximum density of 2 attached dwellings. The proposed reduced lot size will still enable 2 attached dwellings to be erected.

As indicated in Part A-3.2 of Councils DCP, an area of 250m² is recommended per unit for multi dwelling housing developments thus the existing size of Lot 173 only supports 2 dwellings. In addition to this, multi dwelling housing requires visitor car parking and vehicles to enter and exit in a forward direction. Thus multi dwelling housing, residential flat buildings and the like cannot be supported on the current area and configuration of Lot 173.

There are numerous lots that are significantly less than the 600m² minimum lot size in the Evans Head township including about 15 within the immediate locality. As such, the proposal is in keeping with the character of the locality. Importantly, Clause 4.1C of the LEP provides a mechanism for lots to a size of 350m² to be created in the locality establishing a preferred development pattern of smaller lots in the locality.

There is no restriction to the maximum setback to a side boundary. The 4.95m setback will provide additional road frontage to No 38, whilst not impacting the development potential of No 36.

This is a relatively straight forward application with no objections and mechanisms within Councils LEP to support lots below the minimum lot size and as such should be supported.

The Mayor thanked Mr Zakaras for his address to the meeting.

4 APOLOGIES

RESOLUTION 160221/1

Moved: Cr Sandra Humphrys

Seconded: Cr Robert Hayes

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

CARRIED

5 MAYORAL MINUTES

5.1 MAYORAL MINUTE - REGIONAL JOB PRECINCT FOR RICHMOND VALLEY

RESOLUTION 160221/2

Moved: Cr Robert Mustow

Seconded: Cr Daniel Simpson

That Council writes to the Premier the Hon. Gladys Berejiklian MP, Deputy Premier the Hon. John Barilaro MP and local member Chris Gulaptis MP to thank them for including the Richmond Valley in the NSW Government's Job Precincts initiative.

CARRIED

6 CONFIRMATION OF MINUTES

6.1 MINUTES ORDINARY MEETING HELD ON 15 DECEMBER 2020

RESOLUTION 160221/3

Moved: Cr Jill Lyons

Seconded: Cr Sandra Humphrys

That Council confirms the Minutes of the Ordinary Meeting held on 15 December 2020.

CARRIED

7 MATTERS ARISING OUT OF THE MINUTES

Cr Hayes referred to Item 17.4 Commencement of ePlanning and enquired how the implementation was going?

Director Jones advised a number of applications are being processed through ePlanning which are taking significant staff time, however staff are working towards having Council's processes fully implemented by the 1 July deadline.

8 DECLARATION OF INTERESTS

Nil

9 PETITIONS

Nil

10 NOTICE OF MOTION

10.1 NOTICE OF MOTION - CR STEPHEN MORRISSEY - CENTRE STREET, CASINO ROUNDABOUT

I, Councillor Stephen Morrissey, give notice that at the next Ordinary Meeting of Council to be held on 16 February 2021, I intend to move the following motion:

RESOLUTION 160221/4

Moved: Cr Jill Lyons

Seconded: Cr Daniel Simpson

That Council writes to the Minister for Regional Transport and Roads the Hon. Paul Toole MP, State Member Chris Gulaptis MP and Federal Member Kevin Hogan MP to reiterate the community's serious concerns with traffic and pedestrian safety along Centre Street (Bruxner Highway) at the Richmond and Canterbury Street intersections, and request that roundabouts be provided at these two intersections, and a safer pedestrian crossing facility at the Centre/Barker Street intersection, as a matter of urgency.

CARRIED

11 MAYOR'S REPORT

11.1 MAYORAL ATTENDANCES 8 DECEMBER 2020 - 8 FEBRUARY 2021

RESOLUTION 160221/5

Moved: Cr Robert Mustow

Seconded: Cr Sandra Humphrys

That Council receives and notes the Mayor's attendance report 8 December 2020 – 8 February 2021.

CARRIED

12 DELEGATES' REPORTS

12.1 DELEGATES' REPORT SUBMITTED TO FEBRUARY 2021 ORDINARY MEETING

MOTION

Moved: Cr Sandra Humphrys

Seconded: Cr Robert Mustow

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

An amendment was moved by Cr Simpson. Seconded by Cr Hayes.

That Council:

1. Receives and notes the Delegates' Report for the month of December 2020.
2. Urgently writes to Rous County Council to re-iterate Richmond Valley Council's position, resolved at its 18 August 2020 meeting, that Rous' Future Water Project 2060 includes continuation of investigations into the proposed Dunoon Dam including cultural heritage, landholder views, environmental impacts, ecological offset requirements, geotechnical assessments and the potential for State and Federal Government funding assistance for its construction.
3. Due to the serious importance of the Future Water Strategy and the need for future water security for the entire Northern Rivers region, Council make representations to the Federal and NSW Governments to seriously consider their position on this matter in the interests of the future of the region.

The motion was withdrawn.

The amendment then became the motion.

RESOLUTION 160221/6

Moved: Cr Daniel Simpson

Seconded: Cr Robert Hayes

That Council:

1. Receives and notes the Delegates' Report for the month of December 2020.
2. Urgently writes to Rous County Council to re-iterate Richmond Valley Council's position, resolved at its 18 August 2020 meeting, that Rous' Future Water Project 2060 includes continuation of investigations into the proposed Dunoon Dam including cultural heritage, landholder views, environmental impacts, ecological offset requirements, geotechnical assessments and the potential for State and Federal Government funding assistance for its construction.
3. Due to the serious importance of the Future Water Strategy and the need for future water security for the entire Northern Rivers region, Council make representations to the Federal and NSW Governments to seriously consider their position on this matter in the interests of the future of the region.

CARRIED

13 MATTERS DETERMINED WITHOUT DEBATE

13.1 MATTERS TO BE DETERMINED WITHOUT DEBATE

RESOLUTION 160221/7

Moved: Cr Sandra Humphrys

Seconded: Cr Jill Lyons

That items 14.4, 16.1, 16.3 and 16.4 identified be determined without debate.

CARRIED

14 GENERAL MANAGER'S REPORTS

14.1 DELIVERY PROGRAM PROGRESS REPORT (JULY 2020 - DECEMBER 2020)

EXECUTIVE SUMMARY

Council adopted the revised 2017/2021 Delivery Program in June 2020. In accordance with the *Local Government Act 1993* the General Manager must ensure that progress reports are provided to the Council reporting on the progress of all principal activities detailed in the Delivery Program at least every six months. This report relates to and provides information about the achievement of the targeted outcomes prescribed in the Delivery Program.

The report is presented in a traffic light indicator format and provides commentary on the progress of all Delivery Program actions and milestones and progress against the Community Strategic Plan (CSP) performance measures for each community objective within the four priority areas of the CSP. The report represents the results at the end of the first half of the 2020/2021 Delivery Program.

A dashboard has been provided to summarise Council's overall performance in meeting its targets. The percentage of on schedule and completed activities (93%) demonstrates a solid performance for the first six months of the fourth year of the five-year program (as extended by 12 months due to the delay in the local government election caused by the COVID-19 pandemic).

RESOLUTION 160221/8

Moved: Cr Robert Mustow

Seconded: Cr Sandra Humphrys

That Council receives and notes the Progress Report (July 2020 - December 2020) on the Delivery Program 2017/2021.

CARRIED

14.2 RICHMOND VALLEY COUNCIL - RE-DETERMINATION OF ORGANISATIONAL STRUCTURE

EXECUTIVE SUMMARY

Section 333 of the *Local Government Act 1993* (the Act) provides for Council to re-determine its organisational structure from time to time.

RVC has been working hard to improve its performance as a customer-focused and progressive council. It is now time to set up our organisation for the next phase of growth and maturity in how we operate, make decisions and deliver services. A review of the organisation's performance, current projects and future opportunities has been undertaken by the General Manager with input from the Management Team.

The Richmond Valley has a lot to offer and this organisational review aims to ensure that everything is in place so that Council can continue to support the Valley to grow and prosper and deliver the lifestyle and opportunities our community deserves.

Importantly, the revised structure seeks to retain local employment and does not propose job losses through redundancy. It will strengthen our leadership and help us to operate as one positive and progressive RVC team. The proposed organisational structure is shown in Attachment 1.

RESOLUTION 160221/9

Moved: Cr Sandra Humphrys

Seconded: Cr Jill Lyons

That Council re-determines the organisational structure in accordance with Section 333 of the *Local Government Act 1993* and designates the position of Director Community Service Delivery as a Senior Staff position in accordance with the Organisational Structure Chart contained in this report.

CARRIED

14.3 BUSHFIRE AND DROUGHT FUNDING GRANTS UPDATE

EXECUTIVE SUMMARY

In response to the devastating fires that impacted Australia in 2019-2020, the Federal Government provided funding under the Disaster Recovery Funding Arrangements (DFRA) to the most severely impacted local government areas. This funding is intended to support recovery efforts for councils and their communities. Richmond Valley Council received \$1,416,667 and resolved to allocate the funds to a number of projects at its ordinary meeting on 20 March 2020.

It has been 12 months since this funding was announced and an update is provided on the progress of the nominated projects. It should be noted that some of the funds have not been fully expended due to project savings and COVID-19 impacts, with events being unable to be held. This has resulted in \$109,139 of surplus funds. The report includes recommendations on additional projects that could be funded with the surplus. It also provides an update on other bushfire and drought communities program projects.

RESOLUTION 160221/10

Moved: Cr Daniel Simpson

Seconded: Cr Robert Hayes

That Council:

1. Notes the progress on bushfire and drought communities program projects; and
2. Approves the additional projects identified within this report to be funded with surplus bushfire recovery funding.

CARRIED

14.4 CASINO MEMORIAL OLYMPIC POOL MASTERPLAN

EXECUTIVE SUMMARY

Over the past two years, Council has been working on a vision to redevelop the Casino Memorial Olympic Pool into a state-of-the-art community facility. Following extensive community consultation, review and design, the final Masterplan for the upgrade has now been completed.

The final plan includes a \$13.9m redevelopment of the site in three-stages, providing a facility that will be operational 12 months of the year and improve the user experience for all ages and abilities.

Stage 1 predominately involves the reconstruction of the 50m and toddlers pool, the installation of state of the art and best practice water filtration systems and the refurbishment of the existing amenities. Council has already obtained \$3.2m in government funding towards this part of the project.

Stage 2 will eventually see the construction of an indoor 25m multi-purpose pool, new family friendly amenities, the modernisation of the centre entrance, kiosk, staff facilities and gymnasium and the construction of a new swimming club house, storage areas and a large twin flume water slide.

RESOLUTION 160221/11

Moved: Cr Sandra Humphrys

Seconded: Cr Jill Lyons

That Council

1. Notes the community consultation process undertaken to develop the final pool master plan and design;
2. Adopts the Casino Memorial Pool Upgrade – Final Masterplan and all the elements proposed within; and
3. Continues to seek grant funding opportunities to complete the redevelopment in its entirety.

CARRIED

14.5 DA2021/0147 - CONSTRUCTION OF A NEW BUILDING TO PREPARE RETAIL READY PRODUCTS IN ASSOCIATION WITH THE EXISTING LIVESTOCK PROCESSING FACILITY, SIGNAGE AND ASSOCIATED WORKS - 10615 SUMMERLAND WAY, CASINO

EXECUTIVE SUMMARY

A Development Application has been received for alterations and additions to an existing livestock processing facility consisting of a new building to be operated in conjunction with the Northern Cooperative Meat Company (The Casino Food Co-op).

The current application seeks to:

- Remove eight (8) established exotic trees and bitumen from the affected car park area.
- Relocate existing emergency shelter.
- Construct a new single storey building with a mezzanine level to prepare retail ready products.
- New signage and associated works including bulk earthworks, construction of new retaining walls, diversion of existing sewer and new trade waste drainage.

A variation to the Height of Buildings development standard under *Richmond Valley Local Environmental Plan (RVLEP) 2012* has been requested. The variation exceeds 10% and therefore the application is referred to Council for determination.

RESOLUTION 160221/12

Moved: Cr Daniel Simpson

Seconded: Cr Robert Hayes

That:

1. Council grants, pursuant to Clause 4.6 of *Richmond Valley Local Environmental Plan 2012*, a variation in respect of Clause 4.3 Height of Buildings.
2. Development Application No. 2021/0147 be approved subject to the conditions contained in this report.

CARRIED

14.6 DA2021/0071 – SITE AMALGAMATION OF LOT 3 AND LOT 173, RE-SUBDIVISION TO CREATE TWO LOTS BEING LOT 1 (464M2) & LOT 2 (500.6M2) AND ASSOCIATED VARIATION TO CLAUSE 4.6 OF RVLEP – 36 & 38 MANGROVE STREET, EVANS HEAD

EXECUTIVE SUMMARY

A Development Application has been received for the site amalgamation of Lot 3 and Lot 173, re-subdivision to create two lots being proposed Lot 1 (464m²) and proposed Lot 2 (500.6m²) and associated variation to the minimum subdivision lot size development standard pursuant to Clause 4.6 of the *Richmond Valley Local Environmental Plan 2012 (RVLEP)* at 36 and 38 Mangrove Street, Evans Head. The existing site at 38 Mangrove Street (Lot 3) provides an approved single dwelling and is currently below minimum lot size. The adjoining site at 36 Mangrove Street (Lot 173) meets the minimum lot size and is currently vacant.

The site is zoned R1 – General Residential. Clause 4.1 of the *RVLEP* stipulates a minimum lot size of 600m² for the locality. The proposed subdivision will result in both lots being below the prescribed minimum lot size development standard. Proposed Lot 1 being 464m² and proposed Lot 2 being 500.6m².

The applicant has requested, pursuant to clause 4.6 of the LEP a variation to the minimum lot size to permit the creation of both lots. The variation is in excess of 10% of the development standard and therefore must be determined by the Council in accordance with Secretary of the Department of Planning and Environment's notification of assumed concurrence.

RESOLUTION 160221/13

Moved: Cr Robert Hayes

Seconded: Cr Daniel Simpson

That Council defers the matter to a future meeting to allow further options to be considered.

CARRIED

14.7 PROPOSED RECLASSIFICATION OF COMMUNITY LAND**EXECUTIVE SUMMARY**

Richmond Valley Council manages approximately 351 ha of greenspace, including sporting fields, parks, playgrounds, streetscapes and environmental reserves. The expense associated with the maintenance of these areas is a significant cost for Council. There is high demand for residential land in Casino and an opportunity to use any funds from sale of surplus community land to invest in upgrading facilities that have high community usage.

A Facilities Needs Review was previously conducted by Council to consider the use, operation and management of these facilities. The review identified ten parcels of community land that were identified as surplus to community needs and recommended that these sites be further investigated for potential disposal. Any community land considered for disposal would first need to be reclassified to operational land.

The ten sites identified in the Facilities Needs Review report have recently been reviewed and five of the sites have now been short listed as land proposed to be considered for reclassification and potential disposal.

The reclassification process is a statutory process under the *Local Government Act 1993* (LG Act) which includes consultation with the community. It is proposed that Council commence the process to consider the reclassification of these five sites.

RESOLUTION 160221/14

Moved: Cr Robert Mustow

Seconded: Cr Sandra Humphrys

That Council commences the statutory process, which includes community consultation, to consider the reclassification from community land to operational land for the following public land: RSM Park, Dan Phelan Park, Sunnyside Park, Melaleuca Park and Russell Park.

CARRIED

15 FINANCIAL REPORTS**15.1 QUARTERLY BUDGET REVIEW STATEMENT FOR THE QUARTER ENDED 31 DECEMBER 2020****EXECUTIVE SUMMARY**

This report outlines the proposed adjustments for the 2020/2021 budget for the quarter ended 31 December 2020. These adjustments exclude all previously adopted Monthly Budget Adjustments.

The proposed changes see Council's projected operating surplus from continuing operations for 2020/2021 increase to \$8,360,854, from the 30 September 2020 revised budget surplus of \$2,973,215. The operating result before capital grants and contributions has also improved to a projected loss of \$4,839,820.

Income from continuing operations has increased by \$6,596,951, to a projected total of \$77,936,623. This is largely due to budgeted natural disaster funding from the 2019 bushfires and February 2020 flood event. Expenses from continuing operations have increased by \$1,209,312, to a projected total of \$69,575,769.

Council's capital works program has been reviewed, resulting in an increase of \$2,024,284, to a projected total of \$34,476,635. This is one of Council's largest capital works programs. The increase is largely due to natural disaster funding.

A detailed Quarterly Budget Review Statement for the second quarter of the 2020/2021 year has been circulated separately to each Councillor. These changes are disclosed by Priority Areas on pages 2-8 of the Quarterly Budget Review Statement and detailed explanations are provided on pages 9-15.

A Powerpoint presentation was provided to the meeting outlining the Quarterly Budget Review Statement for the quarter ending 31 December 2020.

RESOLUTION 160221/15

Moved: Cr Robert Mustow
Seconded: Cr Daniel Simpson

That Council adopts the Quarterly Budget Review Statement as at 31 December 2020 and approves the recommended variations.

CARRIED

15.2 FINANCIAL ANALYSIS REPORT - DECEMBER 2020 AND JANUARY 2021**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 31 December 2020 and 31 January 2021 is shown below.

Month	Bank Accounts	Term Deposits	Floating Rate Notes	TCorp IM Funds	Total
December 2020	\$15,819,127	\$21,000,000	\$750,000	\$20,111,833	\$57,680,960
January 2021	\$13,972,893	\$21,000,000	\$750,000	\$20,089,605	\$55,812,498

The weighted average rate of return on Council's investments for December 2020 was 1.06% which was above the Bloomberg AusBond Bank Bill Index for December of 0.01%, which is Council's benchmark.

The weighted average rate of return on Council's investments for January 2021 was 0.02% which was also above the benchmark.

RESOLUTION 160221/16

Moved: Cr Daniel Simpson

Seconded: Cr Sandra Humphrys

That Council adopts the Financial Analysis Report detailing investment performance for the months of December 2020 and January 2021.

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 are a founding member of the Northern Rivers NSW brand initiative.

The Richmond Valley Destination Management Plan 2021-2025 was prepared to support further growth of the local visitor economy and encourage tourism business investment to the area.

Public consultation provided the opportunity for tourism-related businesses to have input into the final plan.

RESOLUTION 160221/17

Moved: Cr Sandra Humphrys

Seconded: Cr Jill Lyons

That Council adopts the Richmond Valley Destination Management Plan 2021 to 2025.

CARRIED

16.2 SOUTH BALLINA BEACH CLOSURE**EXECUTIVE SUMMARY**

Ballina Shire Council has made a decision to close the South Ballina beaches to vehicles as of 1 March 2021. During a stakeholder meeting which was held on 22 December 2020, it was highlighted that the closure of this area would likely lead to heavier traffic on Richmond Valley Council beaches. The decision by Ballina Shire Council to close the beaches was due to poor driver behaviour and environmental impacts.

RESOLUTION 160221/18

Moved: Cr Robert Hayes

Seconded: Cr Sandra Humphrys

That Council:

1. Commences closure of the Boundary Creek access point and restricts driving on Airforce and Broadwater beaches to a point south of the Coffee Rocks (approximately 100m). This process to involve liaison with Ballina Shire Council, DPIE, NPWS, indigenous groups, emergency services and commercial fishers.
2. Sets the speed limit of the beach at 20 km/hr.
3. Develops a communications strategy to ensure community members are informed of the new access arrangements.
4. Continues to monitor enforcement activities at the beach and receives a further report detailing the type and number of penalty infringement notices issued and the revenue

raised from these fines.

In Favour: Crs Robert Mustow, Sam Cornish, Robert Hayes, Sandra Humphrys and Daniel Simpson

Against: Cr Jill Lyons

CARRIED 5/1

16.3 ACQUISITION OF CROWN ROAD FOR CLOSURE IN COMPENSATION FOR WIDENING OF MANIFOLD ROAD, BENTLEY

EXECUTIVE SUMMARY

This report seeks to transfer an unformed Crown Road within Lot 43 of DP 844059 known as 705 Manifold Road to Richmond Valley Council for the purposes of giving in compensation for road widening to the affected landholder.

RESOLUTION 160221/19

Moved: Cr Sandra Humphrys

Seconded: Cr Jill Lyons

That Council:

1. Requests the transfer of the subject Crown Road to Richmond Valley Council in accordance with Section 44 of the *Roads Act 1993*.
2. Undertakes the relevant statutory process to formally close the subject road.
3. Offers the closed road to the adjoining landholder in compensation affected by the road widening of Manifold Road.

CARRIED

16.4 CLASSIFICATION OF COUNCIL LAND - LOT 8 IN DP577269, 15 REYNOLDS ROAD CASINO

EXECUTIVE SUMMARY

At its meeting of 20 October 2020 Council resolved to acquire Lot 8 in DP577269 as part of its proposed industrial land development at Reynolds Rd Casino.

In order for the land to be incorporated in the proposed development the parcel of land is required to be classified as operational land.

In accordance with section 31 of the *Local Government Act 1993*, a resolution is required to adopt this classification.

RESOLUTION 160221/20

Moved: Cr Sandra Humphrys

Seconded: Cr Jill Lyons

That Lot 8 in DP577269, 15 Reynolds Rd Casino, be classified as operational land.

CARRIED

16.5 RURAL RESIDENTIAL REZONING 75 GREGORS ROAD SPRING GROVE (PP2018/02) - POST EXHIBITION AND CONSULTATION REPORT

EXECUTIVE SUMMARY

Planning Proposal (PP2018/02) proposes to rezone part of 75 Gregors Road Spring Grove to enable its development as a rural residential estate comprising of 18 lots plus a residue. A Gateway Determination was issued on 19 February 2019 conditional upon additional site investigations, undertaking agency consultation and community consultation.

Agency engagement was completed with several changes being made to the Planning Proposal, including the addition of an area of Zone E2 Environmental Conservation. As a result, there are no outstanding policy inconsistencies or objections for agencies which would prevent the LEP Amendment from proceeding.

The Planning Proposal and Gateway Determination were publicly exhibited from 23 November 2020 to 18 December 2020, as per the *Richmond Valley Council Community Participation Plan 2020*, with five submissions being received. While the submissions were not opposed to the proposal they raised a number of valid issues which will be required to be addressed in detail at the Development Application phase of the project.

Having regard to issues raised it is recommended that Council supports the rezoning.

RESOLUTION 160221/21

Moved: Cr Robert Mustow

Seconded: Cr Daniel Simpson

That:

1. Council receives and notes the report on Planning Proposal PP2018/0002;
2. Pursuant to authorisations under Section 3.36(2) of the *Environmental Planning and Assessment Act*, Council proceeds to make a local environmental plan to give effect to PP2018/0002; and
3. Local Plan-making authorisation from the Planning Secretary (dated 19 February 2019) be delegated to the General Manager to make the final Local Environmental Plan Amendment (previously delegated per Resolution No. 181218/13).

CARRIED

16.6 NAMING OF ROADS ASSOCIATED WITH PACIFIC HIGHWAY PROJECT

EXECUTIVE SUMMARY

At the December 2020 Ordinary Meeting, Council resolved to undertake public consultation as per the *Roads Regulation 2018* for road naming due to the realignment of the Pacific Highway.

This report recommends Council endorse the proposed road names and formalises the names and extents of existing road names for adoption.

At the time of writing this report, final endorsement is pending from the Local Aboriginal Land Council for the use of the Aboriginal name 'Paringa' as a suitable road name through the Broadwater Village. It is proposed that Council formally adopt this name subject to the final endorsement of the Local Aboriginal Land Council. Should this name be rejected/refused an alternative road name will need to be identified and, further public consultation undertaken.

RESOLUTION 160221/22

Moved: Cr Daniel Simpson

Seconded: Cr Jill Lyons

That Council:

1. Formally adopts the following road names:
 - (a) Well Road
 - (b) McLaren Road
 - (c) Langs Way
 - (d) Tuckombil Road
 - (e) Uralba Street
 - (f) River Street
2. Formally adopts the following road name subject to endorsement from the Local Aboriginal Land Council:
 - (a) Paringa Drive

CARRIED

17 MATTERS FOR INFORMATION

RESOLUTION 160221/23

Moved: Cr Robert Hayes

Seconded: Cr Sandra Humphrys

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

CARRIED

17.1 NORTHERN RIVERS LIVESTOCK EXCHANGE STATISTICS AND FINANCIAL PERFORMANCE AS AT 31 DECEMBER 2020

RESOLUTION 160221/24

Moved: Cr Robert Hayes

Seconded: Cr Sandra Humphrys

That Council receives and notes the performance of the Northern Rivers Livestock Exchange as at 31 December 2020.

CARRIED**17.2 CUSTOMER EXPERIENCE REPORT 1 OCTOBER 2020 TO 31 DECEMBER 2020****RESOLUTION 160221/25**

Moved: Cr Robert Hayes
Seconded: Cr Sandra Humphrys

That Council receives and notes the Customer Experience Report for the period 1 October 2020 to 31 December 2020.

CARRIED**17.3 LOCAL GOVERNMENT NSW - 2020 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE: OUTSTANDING BUSINESS****RESOLUTION 160221/26**

Moved: Cr Robert Hayes
Seconded: Cr Sandra Humphrys

That Council receives and notes the correspondence to and from Local Government NSW regarding the 2020 Local Government NSW Annual Conference: Outstanding Business.

CARRIED**17.4 LOCAL GOVERNMENT NSW - ANNUAL REPORT****RESOLUTION 160221/27**

Moved: Cr Robert Hayes
Seconded: Cr Sandra Humphrys

That Council receives and notes the correspondence to Local Government NSW regarding the LG NSW annual report.

CARRIED**17.5 LETTER FROM MINISTER FOR LOCAL GOVERNMENT - TOWARDS A FAIRER RATING SYSTEM****RESOLUTION 160221/28**

Moved: Cr Robert Hayes
Seconded: Cr Sandra Humphrys

That Council receives and notes the correspondence from the Hon. Shelly Hancock MP, Minister for Local Government and the submission provided by Council in response.

CARRIED

17.6 GRANT APPLICATION INFORMATION REPORT - DECEMBER 2020 AND JANUARY 2021**RESOLUTION 160221/29**

Moved: Cr Robert Hayes
Seconded: Cr Sandra Humphrys

That Council receives and notes the Grant Application Information Report for the months of December 2020 and January 2021.

CARRIED

17.7 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 DECEMBER 2020 TO 31 JANUARY 2021**RESOLUTION 160221/30**

Moved: Cr Robert Hayes
Seconded: Cr Sandra Humphrys

That Council receives and notes the Development Application report for the period 1 December 2020 to 31 January 2021.

CARRIED

17.8 DISCLOSURE OF INTEREST - APPOINTMENT OF DESIGNATED PERSONS**RESOLUTION 160221/31**

Moved: Cr Robert Hayes
Seconded: Cr Sandra Humphrys

That Council receives and notes the newly appointed designated person positions tabled for the information of Council.

CARRIED

17.9 WRITE-OFF OF MONIES UNDER DELEGATION**EXECUTIVE SUMMARY**

At the April 2015 Ordinary Meeting Council resolved to provide a summary report on a bi-annual basis outlining the write-offs made during the period under the General Manager's delegation.

This summary report covers the period commencing 1 July 2020 – 31 December 2020.

RESOLUTION 160221/32

Moved: Cr Robert Hayes
Seconded: Cr Sandra Humphrys

That Council receives and notes the information provided in this report.

CARRIED

18 QUESTIONS ON NOTICE

Nil

19 QUESTIONS FOR NEXT MEETING (IN WRITING)**19.1 PACIFIC HIGHWAY/RIVER STREET WOODBURN - STATUS UPDATE AND PEDESTRIAN CROSSING**

The following question on notice was provided by Cr Simpson to the meeting:

Question:

Could the General Manager please outline where we are at with the handback of what was the Pacific Highway/River Street, Woodburn and comment on the process required to obtain a pedestrian crossing in Woodburn?

Response:

The General Manager advised a response would be provided to the March Ordinary meeting.

20 MATTERS REFERRED TO CLOSED COUNCIL

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 Sale of Land by Expression of Interest, 41 Cypress Street Evans Head

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.

20.2 Tender - Electricity Reverse Auction - Contestable Sites and Street Lighting (Unmetered)

This matter is considered to be confidential under Section 10A(2) - (d)(ii) 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 competitor of the council.

20.3 Tender - Road Safety Barrier Systems

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.

20.4 Tender - Traffic Control Services

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 Tender - Supply and Delivery of Bulk Fuels, Lubricants and Fuel Cards

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.

20.6 Tender - Environmental Monitoring & Reporting Services

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.

20.7 Tender - Construction Camira Creek Bridge, Mt Marsh Road

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.

20.8 Interest Write Off

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).

20.9 Write off Water Charges

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).

The 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 160221/33

Moved: Cr Sandra Humphrys

Seconded: Cr Sam Cornish

That:

1. Council resolved to enter Closed Council to consider the business identified in Items 20.1, 20.2, 20.3, 20.4, 20.5, 20.6, 20.7, 20.8 and 20.9 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 7.15pm. The public left the Chamber.

The Open Council meeting resumed at 7.27pm.

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 General Manager and Director Infrastructure and Environment.

20.1 Sale of Land by Expression of Interest, 41 Cypress Street Evans Head

That Council:

1. Delegates to the General Manager the authority to negotiate between the top two non-conditional submissions for the sale of the land at 41 Cypress Street Evans Head, and
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 - Electricity Reverse Auction - Contestable Sites and Street Lighting (Unmetered)

That Council receives and notes the Tender RA351920RVC Electricity Reverse Auction – Contestable Sites and Street Lighting (unmetered) and the contractual arrangement for 36 months entered into with Origin Energy for both contracts.

20.3 Tender - Road Safety Barrier Systems

That:

1. For the Supply and Installation of Road Safety Barrier Systems Council appoints the following Tenders to a panel of suppliers for the period 1 April 2021 to 31 March 2024
 - A1 Highways Pty Ltd
 - AJ & LJ Irwin, Trading as Irwin Fencing Pty Ltd
 - Guardrail Systems Pty Ltd
 - GRI Road Services Pty Ltd

- Schramm Group Pty Ltd
2. For the Supply Only of Road Safety Barriers Components Council appoints the following Tenders to a panel of suppliers for the period 1 April 2021 to 31 March 2024
 - A1 Highways Pty Ltd
 - Ingal Civil Products Pty Ltd
 - Schramm Group Pty Ltd
 3. A provision is allowed for a further 12 months extension to this contact based on the satisfactory supplier performance, which may take this contract through to 31 March 2025.
 4. The Common Seal of Council be affixed to any documentation where required.

20.4 Tender - Traffic Control Services

That:

1. The below 5 tenderers that represented best value be appointed as Panel Suppliers for this contract for the period 1 April 2021 to 30 June 2024.
 - Ahoy Traffic Control and Labour Hire Services Pty Ltd
 - Atlas Traffic Pty Ltd
 - Complete Staff Solutions Pty Ltd
 - DOB Enterprises t/as Watchout Training and Traffic Control
 - Lack Group Traffic Pty Ltd
2. A provision be allowed for a 12 months extension based on satisfactory supplier performance, which may take this contract through to 30 June 2025.
3. The Common Seal of Council be affixed to any documentation where required.

20.5 Tender - Supply and Delivery of Bulk Fuels, Lubricants and Fuel Cards

That:

1. Ampol Australia Petroleum Pty Ltd be awarded the contract for the supply of Bulk Distillate and ULP to Council for the period 1 April 2021 to 31 March 2024.
2. A provision be allowed for a 12 months extension based on satisfactory supplier performance which may take this contract through to 31 March 2025.
3. The Common Seal of Council be affixed to any documentation where required.

20.6 Tender - Environmental Monitoring & Reporting Services

That:

1. Council accept the tender from Australian Wetlands Consulting Pty Ltd which represents best value for Council at \$95,952.60 (exclusive of GST) over initial three year contract term.
2. An option to extend for a further one year be awarded on satisfactory performance and the yearly amount to be increased as per the Consumer Price Index (CPI).
3. The Common Seal of Council be affixed to any documentation where required.

20.7 Tender - Construction Camira Creek Bridge, Mt Marsh Road

That Council:

1. Awards the tender to Ozwide Bridge and Rail Civil Pty Ltd for the construction of Camira Creek Bridge, Mount Marsh Road, at the assessed tendered rate of \$622,799 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.

20.8 Interest Write Off

That Council accepts the payment of \$19,538.20 as settlement of the unpaid rates and water charges and writes back the interest charges totalling \$16,749.27 to form a nil outstanding balance on the property in Woodburn as set out in this report.

20.9 Write off Water Charges

That Council:

1. Credits the amount of \$2881.20 to the water account of the Evans Head property the subject of this report; and
2. Investigate relocating the meter to the owner's property to reduce the risk of a re-occurrence.

The Meeting closed at 7.33pm.

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

.....
CHAIRPERSON