

Richmond
Valley
Council



MINUTES

**Ordinary Council Meeting
15 March 2022**

ORDER OF BUSINESS

1	ACKNOWLEDGEMENT OF COUNTRY	4
2	PRAYER	4
3	PUBLIC ACCESS AND QUESTION TIME	4
4	APOLOGIES	5
5	MAYORAL MINUTES	5
	5.1 Mayoral Minute - Northern Rivers Flood Event.....	5
6	CONFIRMATION OF MINUTES	5
	6.1 Minutes Ordinary Meeting held on 15 February 2022	5
7	MATTERS ARISING OUT OF THE MINUTES	6
8	DECLARATION OF INTERESTS	6
9	PETITIONS	6
	Nil	
10	NOTICE OF MOTION	6
	Nil	
11	MAYOR'S REPORT	6
	11.1 Mayoral Attendances 7 February - 10 March 2022.....	6
12	DELEGATES' REPORTS	6
	12.1 Delegates' Report March 2022.....	6
13	MATTERS DETERMINED WITHOUT DEBATE	7
	13.1 Matters to be Determined Without Debate.....	7
14	GENERAL MANAGER	7
	14.1 Richmond Valley Flood Event - Status report.....	7
	14.2 Richmond Valley Flood Recovery Planning.....	8
15	ORGANISATIONAL SERVICES	9
	15.1 Financial Analysis Report - February 2022.....	9
16	COMMUNITY SERVICE DELIVERY	9
	Nil	
17	PROJECTS & BUSINESS DEVELOPMENT	9
	Nil	
18	GENERAL BUSINESS	9
	Nil	
19	MATTERS FOR INFORMATION	9
	19.1 Disclosure of Interest Returns - Mayor & Councillors.....	10
	19.2 Grant Application Information Report - February 2022	10
	19.3 Development Applications - February 2022.....	10
20	QUESTIONS ON NOTICE	10
	Nil	

21	QUESTIONS FOR NEXT MEETING (IN WRITING)	10
22	MATTERS REFERRED TO CLOSED COUNCIL	11
	22.1 Tender - Supply and Delivery of Stationery T522122OROC.....	11
23	RESOLUTIONS OF CLOSED COUNCIL	12

**MINUTES OF RICHMOND VALLEY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, 10 GRAHAM PLACE, CASINO
ON TUESDAY, 15 MARCH 2022 AT 6PM**

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 Patrick Deegan, Cr Debra McGillan (arrived at 6.15pm).

IN ATTENDANCE: Vaughan Macdonald (General Manager), Angela Jones (Director Community Service Delivery), Ryan Gaiter (Director Organisational Services), Ben Zeller (Director Projects & Business Development), Jenna Hazelwood (Leader Strategy), Julie Clark (Personal Assistant to the General Manager and Mayor), Simon Breeze (IT Support Coordinator).

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

Mr Rodney Falconer, Conservation Officer Birdlife Northern Rivers/NSW addressed Council with regard to Item 19.3 Development Applications – February 2022, specifically DA2021/0289 Primitive Camping Ground (14) sites.

Mr Falconer commented that the subject site is a complex wetland that has extremely high nature conservation values with one of the highest biodiversity levels in Australia. He stated there are a number of threatened flora species (including at least 10 nationally endangered species) as well as significant vegetation communities that provide important habitat for fifty threatened fauna species (including nine nationally endangered). The Bungawalbin Wetlands have a high diversity of native fish species including rare and threatened species. Mr Falconer asked Council to reconsider the approval of this development.

A recording of Mr Falconer's address is available at:

<https://richmondvalley.nsw.gov.au/council/council-meetings/council-meeting-videos/>

Dr Richard Gates, President Evans Head Memorial Aerodrome Committee Inc. addressed Council and expressed his sympathy for residents of Richmond Valley and those of neighbouring local government areas who have been affected by the current flood.

The following items were discussed;

- Item 14.2 Richmond Valley Flood Recovery Planning – Dr Gates expressed concerns regarding drainage at the southern end of the Aerodrome site and the significant water issues being observed during the recent rain event. He also believed the adjoining housing development had contributed to water issues to the aerodrome.
- Item 19.3 Development Applications – February 2022 – Dr Gates expressed concern in relation to the approval for DA2021/0289 Primitive Camping Ground (14) sites. He noted that Bungawalbin Creek flooding was experienced early in the recent flood event. He also expressed concerns regarding flood risk on the site proposed for the “Iron Gates” development and noted that the results of the recent floods identify climate changes is in effect.
- Item 15.1 Financial Analysis Report – February 2022 – Dr Gates expressed the view that the recent flooding event was a result of climate change and that Council should not be investing in fossil fuels. He asked Council to consider taking investments away from the fossil fuel industry.

A recording of Dr Gates’ address is available at:

<https://richmondvalley.nsw.gov.au/council/council-meetings/council-meeting-videos/>

4 APOLOGIES

Nil

5 MAYORAL MINUTES

5.1 MAYORAL MINUTE - NORTHERN RIVERS FLOOD EVENT

RESOLUTION 150322/1

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council notes the political attention our Valley is receiving following the flood event, and supports continued efforts to advocate for financial and other support, both short and long term, to assist our Valley and the Northern Rivers region to recover.

.CARRIED

6 CONFIRMATION OF MINUTES

6.1 MINUTES ORDINARY MEETING HELD ON 15 FEBRUARY 2022

RESOLUTION 150322/2

Moved: Cr Robert Hayes

Seconded: Cr Sam Cornish

That Council confirms the Minutes of the Ordinary Meeting held on 15 February 2022.

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 7 FEBRUARY - 10 MARCH 2022

RESOLUTION 150322/3

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council receives and notes the Mayor's attendance report from 7 February –10 March 2022.

CARRIED

12 DELEGATES' REPORTS

12.1 DELEGATES' REPORT MARCH 2022

RESOLUTION 150322/4

Moved: Cr Robert Hayes

Seconded: Cr Sandra Humphrys

That Council receives and notes the Delegates' Report for the month of March 2022.

CARRIED

13 MATTERS DETERMINED WITHOUT DEBATE**13.1 MATTERS TO BE DETERMINED WITHOUT DEBATE****RESOLUTION 150322/5**

Moved: Cr Sandra Humphrys

Seconded: Cr Sam Cornish

That item 15.1 identified be determined without debate.

CARRIED

14 GENERAL MANAGER**14.1 RICHMOND VALLEY FLOOD EVENT - STATUS REPORT****EXECUTIVE SUMMARY**

The Richmond Valley has experienced one of the most significant flood events in its history, and every community within the local government area has been directly impacted. Some 2800 homes have been affected by flood waters, with approximately 1600 experiencing significant flooding.

As the waters continue to recede, Council is gaining a clearer picture of the extent of the damage and the magnitude of the task ahead to rebuild the Richmond Valley and help our communities recover. Early estimates of the damage bill for critical infrastructure exceed \$150 million. It is expected that the recovery process will take at least three years.

The initial focus during the event was on providing direct support to Emergency Services, restoring critical services such as drinking water, sewerage and waste collection, and repairing major roads so that supplies of food and fuel could reach isolated communities.

All services have now been restored to a basic level and key transport links have been reopened, pending further repairs.

This report provides an outline of progress so far.

RESOLUTION 150322/6

Moved: Cr Robert Mustow

Seconded: Cr Robert Hayes

That Council:

1. Receives and notes the report.
2. Continues to explore all avenues for assistance and to advocate strongly for the Richmond Valley community to support recovery from the 2022 flood event.

CARRIED

14.2 RICHMOND VALLEY FLOOD RECOVERY PLANNING

EXECUTIVE SUMMARY

The February-March flood event saw unprecedented flood levels and damage to homes, businesses and public infrastructure in the Richmond Valley. As the flood waters recede, the full extent of the challenge of recovery is becoming clearer. We have not just lost homes and businesses – we have lost the key elements of whole communities.

Although it is still difficult to assess the full extent of loss and damage, Council believes the repair and replacement costs for roads, bridges, water & sewerage and other key infrastructure and assets will exceed \$150 million and that the recovery process will take at least three years. This report proposes a way forward to plan for an extended recovery period and provide early support to our community. Further proposals for community assistance will be presented to future Council meetings.

RESOLUTION 150322/7

Moved: Cr Robert Mustow

Seconded: Cr Sam Cornish

That Council:

1. Notes the early estimate of \$150 million to repair and replace community infrastructure damaged by the 2022 flood.
2. Notes the extended recovery period that will be required for the Richmond Valley to rebuild its communities and revitalise the economy after this unprecedented event.
3. Writes to the NSW Premier seeking support to:
 - a) Implement a revised Integrated Planning and Reporting schedule, as outlined in this report
 - b) Provide additional rating relief to flood affected communities, on a similar basis to the bushfire relief arrangements introduced in 2020
 - c) Provide a temporary increase of the tendering threshold to \$500,000 for councils undertaking flood-related repair works.
4. As an early measure, introduces rating relief as per Option One in this report, with further options for Community Support to be considered at the April Ordinary Meeting of Council.

CARRIED

15 ORGANISATIONAL SERVICES**15.1 FINANCIAL ANALYSIS REPORT - FEBRUARY 2022****EXECUTIVE SUMMARY**

The purpose of this report is to inform Council of the status and performance of its cash and investment portfolio in accordance with the *Local Government Act 1993* s.625, Local Government (General) Regulation 2021 cl.212, Australian Accounting Standard (AASB 9) and Council's Investment Policy.

The value of Council's cash and investments at 28 February 2022 is shown below:

Bank Accounts	Term Deposits	Floating Rate Notes	Fixed Rate Bonds	TCorp IM Funds	Total
\$17,225,029	\$29,000,000	\$4,750,390	\$2,000,000	\$15,280,000	\$68,255,420

The weighted average rate of return on Council's cash and investments for February 2022 was negative (4.91%) which was below the Bloomberg AusBond Bank Bill Index for February of 0.01%, which is Council's benchmark.

RESOLUTION 150322/8

Moved: Cr Sandra Humphrys

Seconded: Cr Sam Cornish

That Council adopts the Financial Analysis Report detailing the performance of its cash and investments for the month of February 2022.

.CARRIED

16 COMMUNITY SERVICE DELIVERY

Nil

17 PROJECTS & BUSINESS DEVELOPMENT

Nil

18 GENERAL BUSINESS

Nil

19 MATTERS FOR INFORMATION**RESOLUTION 150322/9**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

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

CARRIED

19.1 DISCLOSURE OF INTEREST RETURNS - MAYOR & COUNCILLORS**RESOLUTION 150322/10**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council receives and notes the disclosure of interest returns completed by the Mayor and Councillors, tabled for the information of Council.

CARRIED

19.2 GRANT APPLICATION INFORMATION REPORT - FEBRUARY 2022**RESOLUTION 150322/11**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council receives and notes the Grant Application Information Report for the month of February 2022.

CARRIED

19.3 DEVELOPMENT APPLICATIONS - FEBRUARY 2022**RESOLUTION 150322/12**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council receives and notes the Development Application report for the period 1 February 2022 to 28 February 2022.

CARRIED

20 QUESTIONS ON NOTICE

Nil

21 QUESTIONS FOR NEXT MEETING (IN WRITING)**21.1 CR ROBERT HAYES QUESTION - FLOOD REVIEW**

Can the General Manager advocate for any future review or inquiry into the recent floods to include representation of people on the ground of our Richmond Valley, including agricultural, business and community organisations?

The General Manager advised a response would be provided at the April meeting.

22 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:

22.1 Tender - Supply and Delivery of Stationery T522122OROC

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.

CARRIED

The General Manager reported that no written representations had been received in respect of 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 *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 150322/13

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That:

1. Council resolves to enter Closed Council to consider the business identified in Item 20.1, 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 7.17 pm.

The Open Council meeting resumed at 7.19 pm.

The resolutions of Closed Council were read by the Director Organisational Services.

23 RESOLUTIONS OF CLOSED COUNCIL

22.1 Tender - Supply and Delivery of Stationery T522122OROC

That:

1. For the Supply and Delivery of Stationery, Council appoints the following tenderers to a panel of suppliers for the period 1 April 2022 to 31 March 2024
 - a. Dolphin Stationery Pty Ltd t/a Dolphin Office Choice
 - b. Winc Australia Pty Ltd
2. A provision is allowed for a further 12 months extension to the contract based on satisfactory supplier performance, which may take the contract through to 31 March 2025.
3. The General Manager be authorised to negotiate and finalise the terms and conditions of any contract or agreement, in line with the content of this report and the available budget and affixing the seal of Council where necessary.

The Meeting closed at 7.20 pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 19 April 2022.

.....
CHAIRPERSON