

Richmond  
Valley  
Council



# **MINUTES**

**Ordinary Council Meeting  
21 February 2023**

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**MINUTES OF RICHMOND VALLEY COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, 10 GRAHAM PLACE, CASINO  
ON TUESDAY, 21 FEBRUARY 2023 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 Patrick Deegan and Cr Debra McGillan.

**IN ATTENDANCE:** Vaughan Macdonald (General Manager), David Timms (Acting Director Community Service Delivery), Ryan Gaiter (Director Organisational Services), Ben Zeller (Director Projects & Business Development), Jenna Hazelwood (Chief of Staff), Julie Clark (Personal Assistant to the General Manager and Mayor) and Lewis Martin (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 opened with a prayer by the General Manager.

## **3 PUBLIC ACCESS**

Nil

## **4 APOLOGIES**

### **RESOLUTION 210223/1**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

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

**CARRIED**

## **5 MAYORAL MINUTES**

Nil

**6 CONFIRMATION OF MINUTES****6.1 MINUTES ORDINARY MEETING HELD 20 DECEMBER 2022****RESOLUTION 210223/2**

Moved: Cr Debra McGillan

Seconded: Cr Sam Cornish

That Council confirms the Minutes of the Ordinary Meeting held on 20 December 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 ATTENDANCE REPORT 13 DECEMBER 2022 - 13 FEBRUARY 2023****RESOLUTION 210223/3**

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council receives and notes the Mayoral Attendance Report for the period 13 December 2022 – 13 February 2023.

**CARRIED****12 DELEGATES' REPORTS**

Nil

**13 MATTERS DETERMINED WITHOUT DEBATE**

Nil

### 13.1 MATTERS TO BE DETERMINED WITHOUT DEBATE

#### RESOLUTION 210223/4

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That items 14.2, 16.1, 16.2, 16.3, 17.2, 17.4 identified be determined without debate.

**CARRIED**

## 14 GENERAL MANAGER

### 14.1 ELECTION OF DEPUTY MAYOR AND COMMITTEE REPRESENTATIVE

#### EXECUTIVE SUMMARY

Under the *Local Government Act 1993* (the Act) Councillors may elect a Deputy Mayor for the mayoral term or a shorter period.

The Deputy Mayor may exercise any function of the Mayor at the request of the Mayor, or if the Mayor is prevented by illness, absence or otherwise from exercising the function, or if there is a casual vacancy in the office of Mayor.

As Richmond Valley Council has a popularly elected mayor, the mayoral term covers the entire term of the elected council (usually four years). Traditionally, Council has elected its Deputy Mayor for a one-year term and the next election is now due to be conducted. However, as there is only some 18 months remaining in the 2021-24 Council term, Council may wish to extend the term of office on this occasion.

Additionally, Council is due to elect a new representative on the Richmond Valley Council Local Traffic Committee and may also wish to extend this appointment to the end of the 2021-24 term of office.

It is recommended that the method of conduct for the election of Deputy Mayor be by open voting.

#### RESOLUTION 210223/5

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That:

1. Council elects a Deputy Mayor for the remainder of the 2021-24 council term.
2. Nominations for the position of Deputy Mayor be submitted in accordance with the Local Government (General) Regulation 2021, Schedule 7.
3. The method of conduct for the election of Deputy Mayor be by open voting.
4. Following declaration of the election result, nomination forms be destroyed.
5. Following the appointment of a Deputy Mayor, notification be made to the Office of Local Government and Local Government NSW (LGNSW).
6. Council appoints one (1) Councillor representative to the Richmond Valley Council Local Traffic Committee for the remainder of the 2021-24 council term.

**CARRIED**

The General Manager, as Returning Officer for the election, advised that he had received one nomination for the position of Deputy Mayor from Cr Morrissey; signed by two other Councillors supporting the nomination. The General Manager provided an opportunity for further nominations from the floor, however none were submitted.

There being no further nominations, Cr Morrissey was declared elected as Deputy Mayor for the duration of this term of Council.

The General Manager called for nominations for a Councillor representative on the Richmond Valley Council Local Traffic Committee. Cr Hayes was nominated and accepted the nomination. Following acceptance of the nomination and there being no further nominations, Cr Hayes was declared elected as Councillor representative on the Richmond Valley Council Local Traffic Committee, for the duration of this electoral term.

## **14.2 COUNCIL'S STRATEGIC PRIORITIES FOR 2023**

### **EXECUTIVE SUMMARY**

2023 will be a landmark year for Richmond Valley Council as the community continues to rebuild, recover and grow after the catastrophic floods of 2022. Council will deliver one of its largest ever infrastructure programs, including major road reconstruction and asset repairs, while also completing more than \$20m in signature projects that were underway before the floods. This work will continue alongside Council's continued advocacy to all levels of Government for more assistance for flood-affected communities. This year will also see the long-term planning that Council has completed over the past 12 months begin to unlock new opportunities for housing, jobs and investment throughout the Valley over the next 20 years. This will help to support the Richmond Valley's long-term recovery and secure its place as an emerging leader in the regional economy.

### **RESOLUTION 210223/6**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council:

1. Notes the ambitious works program for 2023 to support continued recovery and growth in the Richmond Valley; and
2. Continues to actively seek government funding for priority community projects in the Mid-Richmond and Casino.

**CARRIED**

### 14.3 REBUILDING THE RICHMOND VALLEY DELIVERY PROGRAM PROGRESS REPORT

#### EXECUTIVE SUMMARY

Richmond Valley Council has completed the first six months of its Rebuilding the Richmond Valley interim Delivery Program (July-December 2022) with substantial progress in all areas. Following the catastrophic floods of February-March 2022, Council resolved to delay its new Community Strategic Plan for 12 months and to concentrate on immediate flood recovery works for 2022-2023.

It was expected that the flood recovery journey would take at least three years, with activity during the first year focused on:

- Understanding the scale of the damage and how long it will take to fix
- Completing emergency repairs to essential infrastructure, such as water, sewer and roads
- Getting people back into their homes wherever possible
- Fixing essential facilities, such as halls and sports grounds, so that communities could come together again
- Supporting the long-term recovery of our environment
- Advocating for support and funding from state and federal governments to complete the recovery process.

Six months into Year One of the program, we have seen positive progress in all these areas, although continued delays with regional buy-back, relocation and house resilience programs remain a major concern for Council and the community. The next six months of the program will focus strongly on getting these issues resolved.

The following two years of the program will concentrate on major repairs and reconstruction for flood damaged roads and bridges, major infrastructure upgrades, further improving preparedness and response to natural disasters and supporting long-term economic growth and prosperity for the Valley.

#### RESOLUTION 210223/7

Moved: Cr Robert Hayes

Seconded: Cr Robert Mustow

That Council:

1. Receives and notes the progress report for the first six months of the Rebuilding the Richmond Valley Delivery Program;
2. Acknowledges the outstanding efforts of the community in its continued journey towards recovery from the 2022 floods;
3. Continues to advocate strongly for:
  - a) accelerated progress in regional housing solutions, including the Northern Rivers Reconstruction Corporation's Resilient Homes and Resilient Lands programs, and
  - b) Government support and funding assistance to complete major infrastructure works, including repair of the Naughtons Gap landslip and replacement of Casino Sewage Treatment Plant.
4. Invites Northern Rivers Reconstruction Corporation Chief Executive David Witherden to a future Councillor Information Session to provide an update on progress within the Richmond Valley local government area.

**CARRIED**



**15 COMMUNITY SERVICE DELIVERY****15.1 MANAGING CONFLICTS OF INTEREST FOR COUNCIL-RELATED DEVELOPMENT POLICY****EXECUTIVE SUMMARY**

Recent amendments to the Environmental Planning and Assessment Regulation 2021, require Council to have a Conflicts of Interest Policy for Council-related Development Applications and to consider the policy in determining any such development applications (DAs). The new requirements come into force on 3 April 2023 and a draft policy has been prepared for Council's consideration.

**RESOLUTION 210223/8**

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council:

1. Places the draft Managing Conflicts of Interest for Council-related Development Policy on public exhibition for a period of 14 days
2. Notes that following exhibition, the policy will be presented to the March Ordinary Meeting for Council's consideration and determination to meet the required timeframes for adoption.

**CARRIED**

**15.2 REVIEW OF INCREASED RANGER PATROLS ON RICHMOND VALLEY COUNCIL BEACHES****EXECUTIVE SUMMARY**

In recent years, Council has explored options to deal with anti-social behaviour, vehicle offences and dog issues that were being experienced on the region's beaches, particularly Airforce Beach. This has resulted in increased patrolling of these areas during busy holiday times and weekends.

Council rangers, supported by NSW Police and other agencies, conducted regular beach patrols over the summer holiday period, with some 109 penalty infringement notices and 33 cautions being issued. Most of the fines related to illegal camping in Evans Head and offences on Airforce Beach, including speeding. It is recommended that the practice of increased patrols should continue during 2023, to provide an ongoing deterrent to anti-social behaviour and improve public safety.

**MOTION:**

Moved: Cr Robert Hayes

Seconded: Cr Debra McGillan

That Council:

1. Notes the results of beach patrols and compliance activities conducted over the 2022-23 summer holiday season
2. Continues to undertake beach patrols on weekends and school holiday periods, as required, with the ongoing support of the NSW Police and Government agencies.

3. Consults with relevant government agencies, with a view to closing vehicular access to the beach from 9pm – 5am effective immediately, and
4. Considers permanently closing the beach to vehicular access if there is no improvement over the next six months, following public and government agency consultation.

### **AMENDMENT**

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council:

1. Notes the results of beach patrols and compliance activities conducted over the 2022-23 summer holiday season
2. Continues to undertake beach patrols on weekends and school holiday periods, as required, with the ongoing support of the NSW Police and Government agencies.
3. Receives a further report on the process of limiting vehicular access to Airforce beach.

The motion was subsequently withdrawn and the amendment became the motion.

### **RESOLUTION 210223/9**

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council:

1. Notes the results of beach patrols and compliance activities conducted over the 2022-23 summer holiday season
2. Continues to undertake beach patrols on weekends and school holiday periods, as required, with the ongoing support of the NSW Police and Government agencies.
3. Receives a further report on the process of limiting vehicular access to Airforce beach.

**CARRIED**

## **16 PROJECTS & BUSINESS DEVELOPMENT**

### **16.1 ASSET MANAGEMENT PLANS 2022-2032**

#### **EXECUTIVE SUMMARY**

Council is required under the Integrated Planning and Reporting (IP&R) framework, to prepare an Asset Management Policy, Asset Management Strategy and Asset Management Plans as part of the Resourcing Strategy supporting the Community Strategic Plan and Delivery Program.

Under the IP&R guidelines, Council must review its Asset Policy, Strategy and Plans following a Local Government election. The Asset Management Strategy and Plans must be for a minimum timeframe of ten years.

The Asset Management Policy and Asset Management Strategy were presented to Council for consideration and adopted on 20 September 2022.

Council must prepare and adopt Asset Management Plans for each class of assets detailing how the asset portfolio will meet the service delivery needs of the community.

This report presents four (4) Asset Management Plans 2022-2032, recommended for adoption including the Roads and Transport, Stormwater, Sewer, and Water Supply Network. The Land, Buildings and Other Structures Asset Management Plan will be presented at a future Council meeting.

#### **RESOLUTION 210223/10**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council considers and adopts the following four Asset Management Plans (AMP):

- Roads and Transport AMP 2022-2032,
- Stormwater AMP 2022-2032,
- Sewer AMP 2022-2032, and
- Water Supply Network AMP 2022-2032.

**CARRIED**

## **16.2 RENAMING OF BROADWATER RILEYS HILL COMMUNITY HALL**

### **EXECUTIVE SUMMARY**

Council has received a request from the Broadwater Rileys Hill Community Centre Committee to rename the hall 'Broadwater Community Hall'. The committee advised that the current name causes confusion for identification and location.

This correspondence was supported by the Rileys Hill Community Hall Committee acknowledging the confusion often experienced as a result of the two separate halls having similar names.

During public consultation Council received two submissions regarding the name change. One resident supported the name change due to the created confusion. A second resident objected to the name being 'Broadwater Community Hall' but rather suggested 'Broadwater Memorial Hall' in acknowledgement of the RSL Sub-branch who donated the land.

The land upon which the hall has been constructed is known as Broadwater Memorial Park, which contains the Broadwater Memorial Tennis Club facilities, and the War Memorial Monument.

The hall was originally constructed and opened in 1996 as a shared community centre for Broadwater and Rileys Hill.

The NSW Address Policy and User Manual requires addresses to be clear, logical, and unique, to assist with communication within a community and for any essential services like Australia Post, ambulance, and other emergency services. A building name can be used as part of a property address for identification, and it is recommended that Council considers a name change for clear identification purposes.

### **RESOLUTION 210223/11**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council approves the new name of the currently named facility 'Broadwater Rileys Hill Community Centre' to 'Broadwater Community Hall'.

**CARRIED**

## **16.3 COLLEY PARK MASTER PLAN**

### **EXECUTIVE SUMMARY**

Council staff have been working with stakeholders over the past 12 months to establish a draft Master Plan for future development of Colley Park. A final draft document is presented to Council for consideration, following recent workshops with each key stakeholder group and community consultation.

The Colley Park Master Plan was prepared jointly with the draft Stan Payne Oval Master Plan. The Stan Payne Master Plan is currently undertaking additional consultation with The Bandjalang People as native title exists over part of the reserve. This report will be presented at a future Council meeting.

**RESOLUTION 210223/12**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council adopts the draft Colley Park Master Plan.

**CARRIED**

**17 ORGANISATIONAL SERVICES****17.1 QUARTERLY BUDGET REVIEW STATEMENT FOR THE QUARTER ENDED 31 DECEMBER 2022****EXECUTIVE SUMMARY**

This report outlines the proposed adjustments for the 2022/2023 budget for the quarter ended 31 December 2022.

The proposed changes see Council's projected operating surplus from continuing operations for 2022/2023 increase to \$34,400,998, from the budget surplus of \$25,041,838 at 30 September 2022. The net operating result before capital grants and contributions has increased to a surplus of \$5,436,566.

Income from continuing operations has increased by \$12,466,686, to a projected total of \$111,669,948. This is largely due to ongoing natural disaster recovery funding arrangements for reconstruction efforts post the February 2022 flood event AGRN1012. Expenses from continuing operations have increased by \$3,107,526 to a projected cost of \$77,268,951.

Council has performed a thorough review of its capital works program, resulting in an overall increase of \$519,574 to a projected total of \$54,083,322. The delivery and budgeting of Council's capital works program has been strongly impacted by supply constraints and contractor availability along with continuing with recovery and reconstruction projects which are taking priority. It is expected that these impacts will be felt throughout the current financial year and likely into the 2023/2024 financial year as the community and economy recovers. As at the end of December the Capital Works program is 41.26% complete, which is a pleasing position considering the abovementioned constraints. In a normal year Councils Capital works program would total approximately \$20 to \$25 million, as at 31 December the actual spend is \$22,312,354. Council will continue to ensure its capital works program is closely monitored, with any adjustments required to be included in future quarterly budget reviews or monthly budget adjustment reports to Council.

Council's unrestricted cash surplus has remained unchanged at \$287,260 as of 31 December 2022.

A detailed Quarterly Budget Review Statement for the second quarter of the 2022/2023 financial year has been circulated separately to each Councillor. These changes are disclosed by priority areas on pages 4-8 of the Quarterly Budget Review Statement and detailed explanations are provided on pages 9-18.

The Director of Organisational Services provided a presentation to the meeting on the proposed budget adjustments.

**RESOLUTION 210223/13**

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That Council:

1. Receives the Quarterly Budget Review Statement as at 31 December 2022; and
2. Approves the recommended budget variations.

**CARRIED**

**17.2 SECTION 7.11, 7.12 AND SECTION 64 DEVELOPER CONTRIBUTIONS AND EXPENDITURE UPDATE 2021/2022 AND 2022/2023 TO 31 DECEMBER 2022****EXECUTIVE SUMMARY**

Council receives contributions, raises levies and enters into planning agreements on development works that are subject to a development consent issued by Council. This report provides an update on developer contributions income and expenditure for the previous 2021/2022 financial year and the current 2022/2023 financial year to 31 December 2022.

Council collected a total of \$1,518,852 in developer contributions in the last financial year 2021/2022 and expended \$756,387. Unexpended developer contributions held in cash reserves totalled \$10,724,161 as at 30 June 2022.

During the current financial year 2022/2023 to 31 December 2022, Council has collected a total of \$1,918,524 in developer contributions and expended \$24,298.

Details of the different types of contributions are provided in the report.

**RESOLUTION 210223/14**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council receives and notes the update on Section 7.11, Section 7.12 and Section 64 developer contributions for the 2021/2022 financial year and 2022/2023 financial year to 31 December 2022.

**CARRIED**

**17.3 FINANCIAL ANALYSIS REPORT - DECEMBER 2022 AND JANUARY 2023****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 31 December 2022 and 31 January 2023 is shown below:

Month	Bank Accounts	Term Deposits	Floating Rate Notes	Fixed Rate Bonds	TCorp IM Funds	Total
December 2022	\$16,157,908	\$41,000,000	\$4,750,390	\$2,000,000	\$14,663,377	\$78,571,675
January 2023	\$14,910,163	\$39,000,000	\$4,750,390	\$2,000,000	\$15,073,449	\$75,734,003

The weighted average rate of return on Council's cash and investments as at 31 December 2022 was negative (0.72%) which was below the Bloomberg AusBond Bank Bill Index for December is 0.25%, which is Council's benchmark.

The weighted average rate of return on Council's cash and investments for January 2023 was 10.30% which was above the Bloomberg AusBond Bank Bill Index for January of 0.27%.

**RESOLUTION 210223/15**

Moved: Cr Robert Mustow

Seconded: Cr Sam Cornish

That Council adopts the Financial Analysis Report detailing the performance of its cash and investments for the months of December 2022 and January 2023.

**CARRIED**

**17.4 REVIEW OF GIFTS AND BENEFITS POLICY****EXECUTIVE SUMMARY**

Following a review of the existing Gifts and Benefits Policy, a clause has been added to ensure that all offers of gifts and benefits are required to be reported to the General Manager, whether they are accepted or declined. The change was recommended during a Governance Health Check, procured by Council in recent years to ensure compliance with industry best practice.

**RESOLUTION 210223/16**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council adopts the revised Gifts and Benefits Policy.

**CARRIED**

**18 GENERAL BUSINESS**

Nil

**19 MATTERS FOR INFORMATION****RESOLUTION 210223/17**

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 - APPOINTMENT OF DESIGNATED PERSON****RESOLUTION 210223/18**

Moved: Cr Stephen Morrissey  
Seconded: Cr Sam Cornish

That Council receives and notes the newly appointed designated person position.

**CARRIED****19.2 GRANT APPLICATION INFORMATION REPORT - DECEMBER 2022 AND JANUARY 2023****RESOLUTION 210223/19**

Moved: Cr Stephen Morrissey  
Seconded: Cr Sam Cornish

That Council receives and notes the Grant Application Information Report for the months of December 2022 and January 2023.

**CARRIED****19.3 RICHMOND VALLEY REVITALISATION PLAN 2020 - UPDATE****RESOLUTION 210223/20**

Moved: Cr Stephen Morrissey  
Seconded: Cr Sam Cornish

That Council receives and notes the Richmond Valley Revitalisation Plan 2020 update.

**CARRIED**



**19.4 CUSTOMER EXPERIENCE REPORT 1 OCTOBER – 31 DECEMBER 2022****RESOLUTION 210223/21**

Moved: Cr Stephen Morrissey  
Seconded: Cr Sam Cornish

That Council receives and notes the Customer Experience Report for the period 1 October – 31 December 2022.

**CARRIED**

**19.1 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 DECEMBER 2022 TO 31 JANUARY 2023****RESOLUTION 210223/22**

Moved: Cr Stephen Morrissey  
Seconded: Cr Sam Cornish

That Council receives and notes the Development Application report for the period 1 December 2022 to 31 January 2023.

**CARRIED**

**19.6 NORTHERN RIVERS LIVESTOCK EXCHANGE STATISTICS AS AT 31 DECEMBER 2022****RESOLUTION 210223/23**

Moved: Cr Stephen Morrissey  
Seconded: Cr Sam Cornish

That Council receives and notes the financial year to date Northern Rivers Livestock Exchange Statistics as of 31 December 2022.

**CARRIED**

**19.7 BLAZE AID THANK YOU****RESOLUTION 210223/24**

Moved: Cr Stephen Morrissey  
Seconded: Cr Sam Cornish

That Council receives and notes the correspondence provided to BlazeAid thanking the group for their significant contribution to the Richmond Valley Community.

**CARRIED**

**19.8 INTERNAL AUDIT AND RISK COMMITTEE MINUTES 15 FEBRUARY 2023**

**RESOLUTION 210223/25**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council receives and notes the Minutes of the Internal Audit and Risk Committee Meeting held on 15 February 2023.

**CARRIED**

**20 QUESTIONS ON NOTICE**

Nil

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

## 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 VP339938 - Mobile Amenities

This matter relates to a (d)(i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

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).

### 22.2 Write-off of Monies Under Delegation

This matter relates to (b) discussion in relation to the personal hardship of a resident or ratepayer.

This matter is considered to be confidential under Section 10A(2) - (b) 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 discussion in relation to the personal hardship of a resident or ratepayer.

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 representations from the gallery.

There were no verbal representations from the gallery in respect of this item.

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 discussed is classified confidential under the provisions of section 10(2) as outlined above.

## RESOLUTION 210223/26

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That:

1. Council enters Closed Council to consider the business identified in Item 22.1, together with any late reported tabled at the meeting.
2. Pursuant to section 10A(2) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis the business to be discussed is classified confidential under the provisions of section 10(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) *Local Government Act 1993*

**.CARRIED**

Council closed its meeting at 7.02 pm

The Open Council meeting resumed at 7.07pm.

The resolutions of the Closed Council meeting were read by the Director Projects & Business Development and the Director Organisational Services.

## **23 RESOLUTIONS OF CLOSED COUNCIL**

### **22.1 Tender VP339938 - Mobile Amenities**

That Council:

1. Declines all tenders for Tender VP339938 – Mobile Amenities, due to them being non-conforming to the tender specifications.
2. Applies Clause 178 (3e) of the Local Government (General) Regulation 2021 to authorise the General Manager to enter into direct negotiations with suitable suppliers with a view to obtaining the best outcome from a financial and delivery perspective, and to finalise the terms of the contract or agreement and affixing the seal of Council where necessary.
3. Notes that the outcomes of the negotiations will be reported to Council for information at a future meeting

### **22.2 Write-off of Monies Under Delegation**

That Council receives and notes the Write-off of monies totalling \$31,778.56 under the General Manager's delegation and the policy to write off charges that were levied for services that have been subject to Water Leak and Excess Water consumption charges, due to impacts of the 2022 floods on water meter and water supply services.

The Meeting closed at 7.10 pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 21 March 2023.

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**CHAIRPERSON**