

Richmond
Valley
Council



MINUTES

**Ordinary Council Meeting
18 April 2023**

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**MINUTES OF RICHMOND VALLEY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, 10 GRAHAM PLACE, CASINO
ON TUESDAY, 18 APRIL 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 Sandra Humphrys and Cr Patrick Deegan.

IN ATTENDANCE: Vaughan Macdonald (General Manager), Angela Jones (Director Community Service Delivery), Ryan Gaiter (Director Organisational Services), Bradley Willis (Acting 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

Ms Tania Hundy from Woodburn IGA addressed Council in relation to Item 20.1 Northern Rivers Reconstruction Commission.

Ms Hundy raised concerns regarding her inability to access flood assistance funding to support the recovery of her Woodburn business following the 2022 flood event. Ms Hundy said the Woodburn community was very appreciative of Council's support and assistance over the past fourteen months and called for Council's continued advocacy to support Woodburn's recovery.

The Mayor thanked Ms Hundy for her attendance and address to the meeting.

Mrs Lyn Robson-Mortimer addressed Council in relation to Item 15.1 Growth Management Strategy and Casino Place Plan – Post Exhibition Report

Mrs Robson-Mortimer provided an outline of potential parcels of land which could be incorporated into the Growth Management strategy for residential development in and around the Coraki area.

The Mayor thanked Mrs Robson-Mortimer for her attendance and address to the meeting.

A full recording of the public address segment is available at:

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

4 APOLOGIES

RESOLUTION 180423/1

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

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

CARRIED

5 MAYORAL MINUTES

Nil

6 CONFIRMATION OF MINUTES

6.1 MINUTES ORDINARY MEETING HELD 21 MARCH 2023

RESOLUTION 180423/2

Moved: Cr Robert Hayes

Seconded: Cr Sandra Humphrys

That Council confirms the Minutes of the Ordinary Meeting held on 21 March 2023.

CARRIED

7 MATTERS ARISING OUT OF THE MINUTES

Nil

8 DECLARATION OF INTERESTS

The General Manager, Vaughan Macdonald, declared a pecuniary interest in relation to Item 22.2 General Manager's Annual Performance Review – 2022/23 and left the meeting for this item.

9 PETITIONS

Nil

10 NOTICE OF MOTION

Nil

11 MAYOR'S REPORT

11.1 MAYORAL ATTENDANCE REPORT 14 MARCH - 10 APRIL 2023

RESOLUTION 180423/3

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council receives and notes the Mayoral Attendance Report for the period 14 March – 10 April 2023.

CARRIED

12 DELEGATES' REPORTS

Nil

13 MATTERS DETERMINED WITHOUT DEBATE

13.1 MATTERS TO BE DETERMINED WITHOUT DEBATE

RESOLUTION 180423/4

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

That items 17.1 and 17.2 identified be determined without debate.

CARRIED

14 GENERAL MANAGER

Nil

15 COMMUNITY SERVICE DELIVERY**15.1 GROWTH MANAGEMENT STRATEGY & CASINO PLACE PLAN - POST EXHIBITION REPORT****EXECUTIVE SUMMARY**

Council has been working in partnership with Regional NSW to plan for more jobs and housing in the Richmond Valley over the next 20 years. This work includes development of the Richmond Valley Growth Management Strategy and Casino Place Plan - which have recently been exhibited for public comment - as well as preparation of the Regional Jobs Precinct Masterplan, which is scheduled for release later this year.

The Growth Management Strategy plans for the sustainable delivery of land, infrastructure, and services to help grow the Valley's population to 27,600 by 2040 and deliver more than 2000 new homes. Much of the growth will be centred around new land releases at Casino and the Casino Place Plan provides more detail on the services, infrastructure and facilities that will be required to support this growing community.

Council exhibited the plans for public comment from 30 November 2022 and 28 February 2023, with 33 written submissions received. Based on the feedback, a number of proposed amendments have been made to the draft documents, which are now presented for Council's consideration.

RESOLUTION 180423/5

Moved: Cr Robert Mustow

Seconded: Cr Sandra Humphrys

That Council:

1. Notes the outcomes of community consultation on the Richmond Valley Growth Management Strategy and Casino Place Plan and the proposed amendments to the documents in response to public feedback.
2. Adopts the revised Richmond Valley Growth Management Strategy and Casino Place Plan.

CARRIED

16 PROJECTS & BUSINESS DEVELOPMENT

Nil

17 ORGANISATIONAL SERVICES**17.1 FINANCIAL ANALYSIS REPORT - MARCH 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 March 2023 is shown below:

Bank Accounts	Term Deposits	Floating Rate Notes	Fixed Rate Bonds	TCorp IM Funds	Total
\$18,295,857	\$36,000,000	\$5,750,390	\$2,000,000	\$15,163,347	\$77,209,594

The weighted average rate of return on Council's cash and investments as at 31 March 2023 was 7.54% which was above the Bloomberg AusBond Bank Bill Index for March of 0.28%, which is Council's benchmark.

RESOLUTION 180423/6

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

That Council adopts the Financial Analysis Report detailing the performance of its cash and investments for the month of March 2023.

CARRIED

17.2 MODERN SLAVERY PREVENTION POLICY**EXECUTIVE SUMMARY**

NSW councils are now required by law to take reasonable steps to ensure they are not procuring goods and services that are the product of modern slavery. An assessment of Council's supply chain will be carried out to identify areas where modern slavery may be present. A Modern Slavery Prevention Policy has been drafted to provide guidance in procurement activities and raise awareness of modern slavery considerations. The draft policy is presented for Council's consideration.

RESOLUTION 180423/7

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

That Council adopts the Modern Slavery Prevention Policy.

CARRIED

18 GENERAL BUSINESS

Nil

19 MATTERS FOR INFORMATION**RESOLUTION 180423/8**

Moved: Cr Stephen Morrissey
Seconded: Cr Sam Cornish

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

CARRIED**19.1 NORTHERN RIVERS LIVESTOCK EXCHANGE STATISTICS AS AT 31 MARCH 2023****RESOLUTION 180423/9**

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 March 2023.

CARRIED**19.2 CUSTOMER EXPERIENCE REPORT 1 JANUARY – 31 MARCH 2023****RESOLUTION 180423/10**

Moved: Cr Stephen Morrissey
Seconded: Cr Sam Cornish

That Council receives and notes the Customer Experience Report for the period 1 January – 31 March 2023.

CARRIED**19.3 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 MARCH - 31 MARCH 2023****RESOLUTION 180423/11**

Moved: Cr Stephen Morrissey
Seconded: Cr Sam Cornish

That Council receives and notes the Development Application report for the period 1 March 2023 – 31 March 2023.

CARRIED

19.4 GRANT APPLICATION INFORMATION REPORT - MARCH 2023**RESOLUTION 180423/12**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council receives and notes the Grant Application Information Report for the month of March 2023.

CARRIED

19.5 SENATOR THE HON JENNY MCALLISTER, ASSISTANT MINISTER FOR CLIMATE CHANGE AND ENERGY LETTER OF THANKS**RESOLUTION 180423/13**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council receives and notes the correspondence from Senator the Hon Jenny McAllister, Assistant Minister for Climate Change and Energy.

CARRIED

20 QUESTIONS ON NOTICE**20.1 NORTHERN RIVERS RECONSTRUCTION COMMISSION QUESTION**

The following question on notice was received from Councillor Robert Hayes at the Ordinary Meeting on 21 March 2023.

Question

At the March 2023 Council Information Session, the CEO of the Northern Rivers Reconstruction Corporation, Mr David Witherdin, addressed Councillors and staff and he was questioned by the General Manager of Richmond Valley Council as to what the Corporation could do to assist with the re-establishment of a supermarket in Woodburn after the 2022 floods. Can Council follow up with Mr Witherdin to confirm in writing what the Corporation has done to assist the Woodburn community in their plight to have this valued community business re-instated?

Response

Yes. A letter to the Northern Rivers Reconstruction Corporation was issued to reflect discussions at the March 2023 meeting.

RESOLUTION 180423/14

Moved: Cr Robert Hayes

Seconded: Cr Stephen Morrissey

That the letter provided to Mr Witherdin, CEO of the Northern Rivers Reconstruction Corporation, be received and noted and once a response is received, a copy be issued to Councillors and reported to the following Ordinary Meeting.

CARRIED

21 QUESTIONS FOR NEXT MEETING (IN WRITING)

Nil

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 Land Development Update

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) - (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.

22.2 General Manager's Annual Performance Review - 2022/23

This matter relates to (a) personnel matters concerning particular individuals (other than councillors).

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 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 180423/15

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

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 6.46 pm

The Open Council meeting resumed at 6.53 pm

The resolutions of the Closed Council meeting were read by the General Manager (Item 22.1) and Mayor (Item 22.2).

23 RESOLUTIONS OF CLOSED COUNCIL

22.1 Land Development Update

That Council:

1. Approves the subdivision of the land in accordance with the details contained in this report, and
2. Authorises the General Manager to enter into and endorse relevant documents, contracts and transfers, including affixing the seal of Council where appropriate, for the subdivision and sale of the land generally in accordance with the details contained within this report.

22.2 General Manager's Annual Performance Review – 2022/23

1. In accordance with Clause 8.3 of the Standard Contract of Employment, General Managers of Local Government in NSW and the Guidelines for the Appointment and Oversight of General Managers, a discretionary increase as outlined in the report be awarded to the General Manager's total remuneration package in recognition of:
 - the results achieved for the period
 - the high standards set and achieved by the General Manager, and
 - in line with market remuneration rates in like sized councils.
2. The annual Statutory and Other Officers Remuneration Tribunal (SOORT) determination and discretionary increases are to take effect from the General Manager's anniversary date, being 16 February 2023.
3. The Mayor, General Manager and Facilitator are to develop a draft performance agreement for the coming year, for review and agreement by all Councillors.
4. A new 5-year term employment contract be offered to the General Manager commencing 3 July 2023, replacing his existing employment contract and maintaining his current conditions and benefits.

The Meeting closed at 6.55 pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 16 May 2023.

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CHAIRPERSON