

Richmond
Valley
Council



MINUTES

**Ordinary Council Meeting
18 July 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 JULY 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, Cr Patrick Deegan, Cr Debra McGillan

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 (Chief of Staff), 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

Nil

4 APOLOGIES

Nil

5 MAYORAL MINUTES

5.1 MAYORAL MINUTE - CASINO UNITED HOSPITAL AUXILIARY

RESOLUTION 180723/1

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council extends its gratitude and appreciation to the Casino United Hospital Auxiliary for the tireless service the members have provided to our community for over 120 years.

CARRIED

5.2 MAYORAL MINUTE - NORTHERN RIVERS FLOOD RECOVERY

RESOLUTION 180723/2

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council:

1. Notes the recent advocacy efforts of the Mayor and General Manager on behalf of our community to seek a more equitable allocation of funding and support to the Richmond Valley and across the whole Northern Rivers region; and
2. Agrees for the Mayor to write to the Premier, the Minister for Emergency Services and the Minister for Planning to highlight the priorities for residents impacted by floods across the Richmond Valley.
3. Seeks a meeting with the CEO of the NSW Reconstruction Authority to discuss how Council and the NSWRA can work together to speed up flood recovery and achieve our community's vision set out in our *Richmond Valley 2040* Community Strategic Plan.

CARRIED

6 CONFIRMATION OF MINUTES

6.1 MINUTES ORDINARY MEETING HELD 20 JUNE 2023

RESOLUTION 180723/3

Moved: Cr Sam Cornish

Seconded: Cr Sandra Humphrys

That Council confirms the Minutes of the Ordinary Meeting held on 20 June 2023, including the following amendments to Item 7.1 and Item 7.2.

7.1 NORTHERN RIVERS RECONSTRUCTION AUTHORITY RESPONSE

Cr Robert Hayes referred to Item 7.1 Northern Rivers Reconstruction Corporation (NRRC) Response, and the letter provided to the Corporation's CEO David Witherdin seeking assistance for the Woodburn IGA, and asked if a response had been received?

Also the approaches made to Janelle Saffin MP and Minister for Planning and Public Spaces the Hon Paul Scully MP who were following up on the issue.

The General Manager advised a response letter had been received from the NRRC, which would be forwarded to Councillors. In summary, the letter states the focus of the NRRC is housing recovery and it currently does not have any programs which would fit the Woodburn IGA's business request. The Woodburn IGA's owner, Ms Hundy has also received a similar response from the NRRC and was thankful for Council's support in bringing this matter to the government's attention.

7.2 WOODBURN RIVERSIDE STREETSCAPE DESIGN

Cr Robert Hayes referred to Item 19.1 Woodburn Riverside Streetscape Design and enquired who were following up on the issue and asked if there was a timeline.

Director Projects & Business Development advised the contract for the works was executed on 19 June 2023 with a timeline of consultation with the public commencing in the upcoming weeks and the designs to be commenced within two months.

CARRIED

6.2 MINUTES EXTRARDINARY MEETING HELD 29 JUNE 2023

RESOLUTION 180723/4

Moved: Cr Sandra Humphrys

Seconded: Cr Robert Hayes

That Council confirms the Minutes of the Extraordinary Meeting held on 29 June 2023.

CARRIED

7 MATTERS ARISING OUT OF THE MINUTES

Cr Hayes referred to Item 7.1 Northern Rivers Reconstruction Authority Response and enquired if there had been any further advice received from the Minister regarding financial assistance for the Woodburn IGA Supermarket.

The General Manager advised no further correspondence or advice had been received since the previous letter advising Ms Hundy that the focus of the NRRC is housing recovery. However Ms Hundy met with both Ministers when they visited the area last week and outlined her situation. The Ministers' visit formed part of the Government's plan to reset recovery in the Northern Rivers. Council is awaiting further advice on what the reset will entail.

Cr Hayes referred to Item 7.2 Woodburn Riverview Streetscape Design, noting the commencing date for the works has now changed to September.

The Director Projects & Business Development advised that an updated program of works has been received from the contractor and works will not commence until late September.

The General Manager suggested the updated information be included in the next community newsletter.

8 DECLARATION OF INTERESTS

Cr Robert Mustow declared a non-pecuniary interest in relation to Item 14.1 Richmond Valley Flood Recovery Update and 15.1 Casino Flood Study, Stormwater Study and Inflow and Infiltration Strategy update; due to owning a flood impacted property and owning property in the identified areas.

Cr Debra McGillan declared a non-pecuniary interest in relation to Item 14.1 Richmond Valley Flood Recovery Update, due to owning a flood impacted property.

Ryan Gaiter Director Organisational Services declared a non-pecuniary interest in relation to Item 14.1 Richmond Valley Flood Recovery Update, due to owning a flood impacted property.

9 PETITIONS

Nil

10 NOTICE OF MOTION

Nil

11 MAYOR'S REPORT**11.1 MAYORAL ATTENDANCE REPORT 13 JUNE - 11 JULY 2023****RESOLUTION 180723/5**

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council receives and notes the Mayoral Attendance Report for the period 13 June - 11 July 2023.

.CARRIED

12 DELEGATES' REPORTS**12.1 DELEGATES' REPORT MAY 2023 - ROUS COUNTY COUNCIL****RESOLUTION 180723/6**

Moved: Cr Sandra Humphrys

Seconded: Cr Robert Mustow

That Council receives and notes the Delegates' Report – Rous County Council for June 2023.

CARRIED

13 MATTERS DETERMINED WITHOUT DEBATE**13.1 MATTERS TO BE DETERMINED WITHOUT DEBATE****RESOLUTION 180723/7**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That items 17.1 and 17.2 identified be determined without debate.

CARRIED

14 GENERAL MANAGER**14.1 RICHMOND VALLEY FLOOD RECOVERY UPDATE****EXECUTIVE SUMMARY**

Richmond Valley Council continues to advocate for more funding and support for flood affected communities in the Mid-Richmond and Casino. At its June Ordinary meeting Council resolved to write to the Northern Rivers Reconstruction Corporation expressing its disappointment at the outcomes of the Resilient Home Program for the Richmond Valley community. The letter has been sent, but, as yet, no response has been received.

Council representatives have also attended the recent community rally at Woodburn to listen to residents' concerns and raise awareness of the need for Woodburn and surrounding communities to receive the same attentions as other communities impacted across the Northern Rivers. The Mayor and General Manager have also participated in meetings with the NSW Premier and Northern Rivers Reconstruction Authority representatives to further progress the flood recovery program.

An update on other recovery initiatives is included in the report.

RESOLUTION 180723/8

Moved: Cr Robert Hayes

Seconded: Cr Sandra Humphrys

That Council:

1. Notes the letter that was sent to the NSW Reconstruction Authority regarding the Resilient Homes Program, and that Council is still awaiting a reply; and
2. Acknowledges the ongoing efforts since the onset of the 2022 floods, including preparation of a comprehensive three year recovery plan, "Rebuilding the Richmond Valley", with the first year having been implemented.
3. Continues to advocate for our community to ensure the Richmond Valley gets its fair share of the Northern Rivers Flood Recovery funding.

CARRIED

15 COMMUNITY SERVICE DELIVERY**15.1 CASINO FLOOD STUDY, STORMWATER STUDY AND INFLOW AND INFILTRATION STRATEGY UPDATE****EXECUTIVE SUMMARY**

Richmond Valley Council has been working on four major flood and stormwater studies to determine how Casino and surrounds are impacted by flooding issues.

The four studies include:

- The draft Richmond Valley Flood Study, which includes updates of the 2022 flood levels (currently on public exhibition);
- Additional flood modelling work to support the Regional Jobs Precinct master planning process;
- The Casino Stormwater Study, which identifies current challenges with the stormwater network, and;
- The Casino Inflow and Infiltration Strategy, which focuses on how stormwater issues are impacting on the sewerage network

These studies are currently being finalised and Council will shortly begin the next stage of developing a long-term program of works to improve flood and stormwater management in Casino. The program will require sustained investment over the next 10 years to improve flooding outcomes and Council will be seeking additional funding and support to deliver these works.

RESOLUTION 180723/9

Moved: Cr Robert Hayes

Seconded: Cr Sam Cornish

That Council

1. Receives and notes the report on progress with flood, stormwater and inflow & infiltration studies for Casino.
2. Notes that a further report will be provided by November 2023, updating progress on developing long-term stormwater and flood management solutions.

CARRIED

16 PROJECTS & BUSINESS DEVELOPMENT

Nil

17 ORGANISATIONAL SERVICES**17.1 FINANCIAL ANALYSIS REPORT - JUNE 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 30 June 2023 is shown below:

Bank Accounts	Term Deposits	Floating Rate Notes	Fixed Rate Bonds	TCorp IM Funds	Total
\$24,580,397	\$43,000,000	\$5,750,390	\$2,000,000	\$15,337,324	\$90,668,111

The weighted average rate of return on Council's cash and investments as at 30 June 2023 was 4.75% which was above the Bloomberg AusBond Bank Bill Index for June of 0.30%, which is Council's benchmark.

RESOLUTION 180723/10

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

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

CARRIED

17.2 DRAFT INTERNAL AUDIT CHARTER AND DRAFT AUDIT RISK AND IMPROVEMENT COMMITTEE TERMS OF REFERENCE

EXECUTIVE SUMMARY

Council has developed a Draft Internal Audit Charter and Audit, Risk and Improvement Committee Terms of Reference, in accordance with legislative requirements. These documents have been endorsed by the Audit Risk and Improvement Committee and are now presented for Council's consideration. The documents were developed in line with the Office of Local Government's update on the *Guidelines for Risk Management and Internal Audit for Local Government in NSW* to comply with the amendments being made to the Local Government Regulation.

The Terms of Reference explain how committee members will be remunerated. This includes aligning members' annual fee increases with those determined by the Local Government Remunerational Tribunal and paying the required superannuation guarantee.

RESOLUTION 180723/11

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council

- (a) approves the Draft Internal Audit Charter and the Draft Audit, Risk and Improvement Committee Terms of Reference
- (b) approves an increase in the remuneration of the Audit, Risk and Improvement Committee members, in accordance with the Terms of Reference, commencing on completion of the first year, being October 2023.

CARRIED

18 GENERAL BUSINESS

Nil

19 MATTERS FOR INFORMATION**RESOLUTION 180723/12**

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

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

CARRIED

19.1 MINISTER FOR LOCAL GOVERNMENT RESPONSE - 2023/24 EMERGENCY SERVICES LEVY CONTRIBUTIONS**RESOLUTION 180723/13**

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

That Council receives and notes the response from the Minister for Local Government the Hon Ron Hoenig MP, regarding the 2023/24 Emergency Services Levy.

CARRIED

19.2 CUSTOMER EXPERIENCE REPORT 1 APRIL - 30 JUNE 2023**RESOLUTION 180723/14**

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

That Council receives and notes the Customer Experience Report for the period 1 April – 30 June 2023.

CARRIED

19.3 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 JUNE 2023 - 30 JUNE 2023**RESOLUTION 180723/15**

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

That Council receives and notes the Development Application report for the period 1 June 2023 to 30 June 2023.

CARRIED

19.4 GRANT APPLICATION INFORMATION REPORT - JUNE 2023**RESOLUTION 180723/16**

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

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

CARRIED

20 QUESTIONS ON NOTICE

Nil

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 VP362381 - Cleaning Contract

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 VP362383 - Security Contract

This matter relates to (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).

RESOLUTION 180723/17

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 6.55 pm.

The Open Council meeting resumed at 7.00 pm.

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

23 RESOLUTIONS OF CLOSED COUNCIL**22.1 VP362381 - Cleaning Contract**

That Council:

1. Accepts the tender from Cleaning Neways for the Cleaning of Council Offices and Buildings for a three-year period, with optional extensions, as it represents the best value for money at an annual price \$341,857 (ex GST).
2. Authorises the General Manager 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.

22.2 VP362383 - Security Contract

That Council:

1. Accepts the tender from Herne's Security for provision of security patrols and related services for a three-year period, with optional extensions, as it represents the best value for money, at a monthly price of \$24,612 (ex GST).
2. Authorises the General Manager 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 7.02 pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 15 August 2023.

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CHAIRPERSON