

Richmond
Valley
Council



MINUTES

**Ordinary Council Meeting
21 May 2024**

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**MINUTES OF RICHMOND VALLEY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, 10 GRAHAM PLACE, CASINO
ON TUESDAY, 21 MAY 2024 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), Hayley Martin (Principal Accountant), Julie Clark (Personal Assistant to the General Manager and Mayor), Sarina Boniface (Executive Assistant to Director Community Service Delivery), 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 COURT HOUSE RESUMPTION OF SITTINGS

RESOLUTION 210524/1

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council

1. Writes to the Member for Clarence, Richie Williamson thanking him for his advocacy in achieving the reopening of the Casino Court House.
2. Writes to the Attorney General, Hon. Michael Daley acknowledging the reopening of the Casino Courthouse.

CARRIED

6 CONFIRMATION OF MINUTES

6.1 MINUTES ORDINARY MEETING HELD 16 APRIL 2024

RESOLUTION 210524/2

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council confirms the Minutes of the Ordinary Meeting held on 16 April 2024.

CARRIED

7 MATTERS ARISING OUT OF THE MINUTES

Cr Robert Hayes referred to Item 10.1 Notice of Motion – Cr Debra McGillan, Repairs to Richmond Terrace, Coraki, (below) and enquired if the community was happy with the presentation for Anzac Day.

“That Council:

- 1. Notes the special Anzac Day celebrations to be held at Coraki, including commemoration of Distinguished Flying Cross recipient, Mr Gordan James Percy.*
- 2. Ensures that the Richmond Terrace civic precinct is well presented for the ceremony.”*

Cr Debra McGillan advised that the event was a success, with the park being well presented. However, some repairs were still required to the childrens playground.

The Mayor commented that he had attended the service and the park and cenotaph had been well presented. He asked the General Manager to convey Council's thanks to staff involved in preparing local facilities for the Anzac Day celebrations.

The General Manager advised that the playground repairs in Coraki were currently underway, with a new shade sail installed and the playground equipment on order and scheduled to be installed in the near future.

8 DECLARATION OF INTERESTS

Cr Sandra Humphrys declared a non-pecuniary interest in

- Item 19.1 Outcome of the Community Financial Assistance Program 2023/24 Round Two Funding, due to being a Committee member of COWFM.
- Item 19.2 Event Support Scheme Allocation 2024/2025, due to being one of the Committee members of COWFM, an organiser for the Casino Cow Country Music Muster, and the partner of the President of Casino Lions Club.

Note: Cr Humphrys left the meeting during discussion of these items.

The General Manager, Vaughan Macdonald declared a non-pecuniary interest in relation to Item 17.1 Insurance Update, due to a being a board member of Civic Risk Mutual which is enable due to his role as an officer of Council.

9 PETITIONS

Nil

10 NOTICE OF MOTION

Nil

11 MAYOR'S REPORT

11.1 MAYORAL ATTENDANCE REPORT 10 APRIL - 12 MAY 2024

RESOLUTION 210524/3

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council receives and notes the Mayoral Attendance Report for the period 10 April – 12 May 2024.

CARRIED

12 DELEGATES' REPORTS

12.1 DELEGATES' REPORT MAY 2024 - ROUS COUNTY COUNCIL

RESOLUTION 210524/4

Moved: Cr Sandra Humphrys

Seconded: Cr Robert Mustow

That Council receives and notes the Delegates' Report – Rous County Council for May 2024.

CARRIED

13 MATTERS DETERMINED WITHOUT DEBATE

13.1 MATTERS TO BE DETERMINED WITHOUT DEBATE**RESOLUTION 210524/5**

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That items 17.2 and 17.3, identified be determined without debate.

CARRIED

14 GENERAL MANAGER

Nil

15 COMMUNITY SERVICE DELIVERY**15.1 DRAFT MID-RICHMOND PLACE PLANS****EXECUTIVE SUMMARY**

Council has been working with members of the Mid-Richmond communities over the past six months to develop combined Place and Adaptation plans for Coraki, Woodburn, Broadwater/Rileys Hill and Evans Head.

The draft Plans have been prepared by consultants Place Design Group, in partnership with Meridian Urban and are now presented for Council's consideration and public exhibition. The NSW Reconstruction Authority has also partnered with Council on this project, to provide flood-impacted communities with the opportunity to identify key priorities for local projects and improved flood resilience and adaptation.

The Mid Richmond Place Plans address a 20-year planning horizon and will help to inform future improvements and signature projects for these communities.

It is proposed to exhibit the draft plans for 30 days.

RESOLUTION 210524/6

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council endorses the *Draft Coraki Place Plan* and *Draft Mid-Richmond Place Plan* for public exhibition for a period of 30 days.

CARRIED

15.2 RICHMOND VALLEY WATER FOR LIFE 2050 - DRAFT WATER STRATEGY**EXECUTIVE SUMMARY**

Over the past four years, Council has been exploring key directions for future water supply and sewerage management to ensure it can meet the needs of the Richmond Valley's growing community. The draft Richmond Valley Water for Life 2050 strategy brings these directions together to deliver more than \$200m in essential water and sewerage infrastructure over the next 25 years. This will include regionally significant projects, such as the \$65m replacement of the Casino Sewage Treatment Plant, which will support activation of the Regional Jobs Precinct and open the way for up to 1600 new homes in Casino. The draft strategy also secures the long-term needs of the Mid-Richmond communities, with completion of Stage 2 of the Evans Head STP and development of Rous County Council's groundwater project. It is proposed to exhibit the draft strategy for 28 days.

RESOLUTION 210524/7

Moved: Cr Robert Mustow
Seconded: Cr Debra McGillan

That Council endorses the draft Richmond Valley Water for Life 2050 strategy for public exhibition for a period of 28 days.

CARRIED**16 PROJECTS & BUSINESS DEVELOPMENT**

Nil

17 ORGANISATIONAL SERVICES**17.1 INSURANCE UPDATE****EXECUTIVE SUMMARY**

Council has sourced its insurance coverage and associated services from CivicRisk Mutual Pty Ltd since 1 July 2020. In a challenging market, where insurance cover can be difficult to source, Council is well placed through its relationship with the Mutual to achieve long-term savings for the community. The Mutual offers a range of value-add services and competitive coverage rates.

RESOLUTION 210524/8

Moved: Cr Robert Mustow
Seconded: Cr Sam Cornish

That Council receives and notes the information provided in the Insurance Update report.

CARRIED

17.2 REVIEW OF DEBT RECOVERY POLICY**EXECUTIVE SUMMARY**

Council's Debt Recovery Policy was last reviewed in March 2021 and, given the current challenges Council is experiencing with rates and water charges arrears, it was considered timely to perform a review of the policy. The review sought to identify the impact of changes made to the Policy in 2021 on Council's outstanding debts and explore other avenues that could help with Council's debt collection efforts.

The addition of water restriction has had a significant impact on Council's outstanding water arrears, reducing the outstanding amount by approximately \$300,000 or 43%. To continue to receive sound debt recovery results from the restriction of services, the Debt Recovery Policy has been updated to refine the current process.

RESOLUTION 210524/9

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That Council adopts the revised Debt Recovery Policy

CARRIED

17.3 FINANCIAL ANALYSIS REPORT - APRIL 2024**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 April 2024 is shown below:

Bank Accounts	Term Deposits	Floating Rate Notes	Fixed Rate Bonds	TCorp IM Funds	Total
\$16,533,167	\$23,000,000	\$6,750,390	\$4,500,000	\$16,248,477	\$67,032,035

The weighted average rate of return on Council's cash and investments at 30 April 2024 was negative (1.60%) which was below the Bloomberg AusBond Bank Bill Index for April of 0.35%, which is Council's benchmark.

RESOLUTION 210524/10

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That Council adopts the Financial Analysis Report detailing the performance of its cash and investments for the month of April 2024.

CARRIED

17.4 DRAFT OPERATIONAL PLAN 2024/2025 (INCLUDING DRAFT FINANCIAL ESTIMATES 2024/2028), DRAFT REVENUE POLICY 2024/2025 AND DRAFT LONG TERM FINANCIAL PLAN 2024/2034**EXECUTIVE SUMMARY**

The following documents have been prepared in consultation with Councillors:

1. Draft Operational Plan 2024/2025 (including Draft Financial Estimates for the period 2024/2028),
2. Draft Revenue Policy 2024/2025, and
3. Draft Long-Term Financial Plan 2024/2034.

It is now proposed to place the documents on public exhibition for a period of at least 28 days.

RESOLUTION 210524/11

Moved: Cr Robert Mustow

Seconded: Cr Sandra Humphrys

That:

1. The Draft Operational Plan 2024/2025 (including Draft Financial Estimates 2024/2028), Draft Revenue Policy 2024/2025 and Draft Long Term Financial Plan 2024/2034 be placed on public exhibition for a period of at least 28 days with the following amendment;
 - The proposed increase to water annual charges be amended to increase water access charges by 5% instead of the proposed 7.5% increase as shown in the report.
2. The draft documents be brought back to Council following consideration of any submissions received for final adoption at the meeting of Council on 25 June 2024.

CARRIED

17.5 QUARTERLY BUDGET REVIEW STATEMENT FOR THE QUARTER ENDED 31 MARCH 2024

EXECUTIVE SUMMARY

This report outlines the proposed adjustments for the 2023/2024 budget for the quarter ended 31 March 2024.

Council's projected operating result from continuing operations for 2023/2024 is proposed to increase by \$6,642,144 to a surplus of \$38,799,983. The net operating result before capital grants and contributions has improved slightly from a deficit of \$3,088,946 to a deficit of \$1,586,211.

Income from continuing operations has increased by \$4,802,310 from the revised budget, with total income now projected to be \$114,614,647. This is largely due to \$10mil in funding being received under a new Tripartite Funding Agreement towards essential public asset reconstruction works post the February 2022 flood, as well as an increase of \$2,300,000 in the interest revenue budget with higher than anticipated returns due to the positive performance of Council's investments.

Expenses from continuing operations have decreased by \$1,839,834 to a projected cost of \$75,814,664. Of this, \$1,200,000 relates to a reallocation from operational to capital expenditure for planning of the Casino Sewage Treatment Plant replacement.

Council's capital works program has been reviewed, resulting in a projected program for 2023/2024 of \$72,364,941, increasing the 2023/2024 programmed works by \$1,369,246. This program of works continues to be largely focused on disaster recovery works and the restoration of essential public infrastructure following the February 2022 flood event along with key grant funded projects to provide strategic infrastructure upgrades to the Richmond Valley. Year to date capital expenditure has increased significantly bringing the capital program to 62% complete. This is mainly due to several larger capital projects being underway such as reconstruction of the Naughtons Gap Road landslip. Council will continue to ensure its capital works program is closely monitored and the program is deliverable, with any adjustments required to be included in future monthly budget adjustment reports to Council.

Council's unrestricted cash surplus has remained unchanged at \$212,574 as of 31 March 2024.

A detailed Quarterly Budget Review Statement for the third quarter of 2023/2024 has been circulated separately to each Councillor.

RESOLUTION 210524/12

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council:

1. Receives the Quarterly Budget Review Statement as at 31 March 2024; and
2. Approves the recommended budget variations.

CARRIED

18 GENERAL BUSINESS

Nil

19 MATTERS FOR INFORMATION**RESOLUTION 210524/13**

Moved: Cr Stephen Morrissey
Seconded: Cr Sam Cornish

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

CARRIED

At 7:15 pm, Cr Sandra Humphrys left the meeting.

19.1 OUTCOME OF THE COMMUNITY FINANCIAL ASSISTANCE PROGRAM 2023/2024 ROUND TWO FUNDING**RESOLUTION 210524/14**

Moved: Cr Stephen Morrissey
Seconded: Cr Sam Cornish

That Council receives and notes the allocations under the Community Financial Assistance Program 2023/2024 Round Two.

CARRIED

19.2 EVENT SUPPORT SCHEME ALLOCATION 2024/2025**RESOLUTION 210524/15**

Moved: Cr Stephen Morrissey
Seconded: Cr Sam Cornish

That Council receives and notes the allocations under the Event Support Scheme 2024/2025.

CARRIED

19.3 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 APRIL 2024 - 30 APRIL 2024**RESOLUTION 210524/16**

Moved: Cr Stephen Morrissey
Seconded: Cr Sam Cornish

That Council receives and notes the Development Application report for the period 1 April 2024 to 30 April 2024.

CARRIED

19.4 GRANT APPLICATION INFORMATION REPORT - APRIL 2024**RESOLUTION 210524/17**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council receives and notes the Grant Application Information Report for the month of April 2024.

CARRIED

19.5 RATE RELIEF PROGRAM EXTENSION REQUEST**RESOLUTION 210524/18**

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council receives and notes the correspondence received from the Hon Jihad Dib MP, Minister for Customer Service and Digital Government advising Council's request for further rate relief for flood-affected residents across the Richmond Valley for the 2023/24 financial year is not able to be provided.

CARRIED

At 7:16 pm, Cr Sandra Humphrys returned to the meeting.

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 Tender VP400913 - Country Lane Road Reconstruction

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.

22.2 Tender REGPRO042425 - Supply & Delivery of Bulk Water Treatment Chemicals

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.

The above listed matters are 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 210524/19

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That:

1. Council enters Closed Council to consider the business identified in Item 22, 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

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.

Council closed its meeting to the public at 7.17 pm.

The Open Council meeting resumed at 7.23 pm.

The resolutions of the Closed Council meeting were read by the Director Projects & Business Development (Item 22.1) and the Director Organisational Services (Item 22.2)

23 RESOLUTIONS OF CLOSED COUNCIL

22.1 Tender VP400913 - Country Lane Road Reconstruction

That

1. Council declines all tenders for Tender VP400913 – Country Lane Road Reconstruction, due to all tenders being more than Council's available budget.
2. 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.
3. Council continues to seek further funding to deliver this project.
4. Notes the outcomes of the negotiations will be reported to Council for information at a future meeting.

22.2 Tender REGPRO042425 - Supply & Delivery of Bulk Water Treatment Chemicals

That Council:

1. Accepts 10 of the 11 recommendations from Regional Procurement for successful tenderers in REGPRO042425 - Supply and Delivery of Bulk Water Treatment Chemicals by Panel Source suppliers, as outlined in this report.
2. Enters into contractual arrangements with Regional Procurement for the period 1 July 2024 to 30 June 2027 for supply of chemicals from successful tenderers in the 10 chemical categories identified in this report.
3. Notes that the contract includes provision for a 12-month extension based on satisfactory supplier performance, which may take this through to 30 June 2028.
4. Exercises its option under the contract arrangements to source Magnesium Hydroxide Liquid from alternative suppliers, under Council's standard procurement procedures, noting that annual expenditure on this product is below the local government tendering threshold.

The Meeting closed at 7.25 pm

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 25 June 2024.

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CHAIRPERSON