

Richmond
Valley
Council



MINUTES

**Ordinary Council Meeting
20 August 2024**

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**MINUTES OF RICHMOND VALLEY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, 10 GRAHAM PLACE, CASINO
ON TUESDAY, 20 AUGUST 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), Carla Dzenolet (Acting Director Community Service Delivery), Luke Flemming (Acting 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 Sebastian Scholl (Trainee Library & IT)

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

Caretaker Period

The General Manager reminded Councillors and members of the public that the caretaker period for the local government election on 14 September 2024 was currently in operation, limiting the decisions that could be made at the current council meeting. A copy of the Department of Planning, Housing and Infrastructure's *Pre-election guide for councils*, explaining the requirements for this period had been provided for Councillors' information.

4 APOLOGIES

Nil

5 MAYORAL MINUTES

5.1 MAYORAL MINUTE - ACKNOWLEDGEMENTS AND APPRECIATION

RESOLUTION 200824/1

Moved: Cr Robert Mustow

Seconded: Cr Patrick Deegan

That Council:

1. Notes the end of the 2021-24 Council term and acknowledges the unprecedented challenges the Richmond Valley community has faced and the funding received from the NSW and Australian Governments to support ongoing flood recovery.
2. Extends its sincere appreciation to the community groups, volunteers and residents who have played a role in supporting the Richmond Valley's flood recovery over the past two and a half years and continue to contribute to the wellbeing of our community.
3. Acknowledges and thanks the staff of Richmond Valley Council for their service to the community during this time.

CARRIED

6 CONFIRMATION OF MINUTES

6.1 MINUTES ORDINARY MEETING 16 JULY 2024

RESOLUTION 200824/2

Moved: Cr Sandra Humphrys

Seconded: Cr Stephen Morrissey

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

CARRIED

6.2 MINUTES EXTRAORDINARY MEETING 6 AUGUST 2024

RESOLUTION 200824/3

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council confirms the Minutes of the Extraordinary Meeting held on 6 August 2024.

CARRIED

7 MATTERS ARISING OUT OF THE MINUTES

Cr Robert Hayes referred to Item 19.7 Minutes of the Local Traffic Committee 25 June 2024. He noted that a meeting was to held in early August regarding heavy vehicle movements on McDonald Street, Broadwater and current load limits on the Wardell Bridge and enquired on the progress of this matter.

The General Manager advised an email update had been received from Transport for NSW advising of current heavy vehicle restrictions and that this would be circulated to Councillors for information. The email advised that no new heavy vehicle restrictions had been applied to the Wardell Bridge since the Pacific Motorway relocation, the current restrictions relate to both the height and weight of vehicles.

Further discussions on this matter will be undertaken with Transport for NSW, with the outcome being presented to next Traffic Committee meeting, in the new council term.

7.0 MATTER OF URGENCY - ERRATUM

RESOLUTION 200824/4

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That the report "Erratum – Item 16.3 of Ordinary Council Meeting Agenda and Minutes 20 February 2024" be admitted to the meeting for discussion.

CARRIED

7.1 ERRATUM - ITEM 16.3 OF ORDINARY COUNCIL MEETING AGENDA AND MINUTES 20 FEBRUARY 2024

EXECUTIVE SUMMARY

This report is an erratum to Item 16.3 of the Ordinary Council Meeting Agenda and Minutes dated 20 February 2024.

The report seeks to correct typographical errors in the original Agenda and Minutes.

This report replaces Item 16.3 in its entirety.

RESOLUTION 200824/5

Moved: Cr Sandra Humphrys

Seconded: Cr Sam Cornish

That:

1. In accordance with Section 38D of the *Roads Act 1993*, resolves to close the Council public Road identified as Lot 27, 29, 31 and part Lot 28 in Deposited Plan 1189548 (shown on Map 1) to be classified as operational land and disposed to the adjoining landowner.
2. Acquires the private ownership land by private agreement, acquisition by consent or through the compulsory acquisition process under the *Land Acquisition (Just Terms Compensation) Act 1991* by the authority contained in the *Roads Act 1993*. This being the land identified as

needed for public road in attachment 1. The land described as Part Lots 1-8 Section 2 DP1494, Part Lots 20-21 DP1125446, Part Lots 201-202 DP815264, and Part Lots 2-3 DP706888.

3. Acquires Lot 16 DP1189548, Lot 32 DP1189548, and part Lot 134 DP726553 by the compulsory acquisition process under the Land Acquisition (Just Terms Compensation) Act 1991 by the authority contained in the Roads Act 1993 (shown on Map 2).
4. Approves the making of an application to the Minister for Local Government for the issue of a Proposed Acquisition Notice under the Land Acquisition (Just Terms Compensation) Act 1991 with respect to the subject land.
5. Authorises the General Manger to:
 - (a) Negotiate the final boundaries of the proposed road closure and land acquisition in accordance with this report;
 - (b) Negotiate the compensation of land acquisition and road closure disposal under the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* to achieve genuine agreement between all parties.
 - (c) Sign the necessary documentation to implement this resolution, including affixing the Seal of Council as required.
6. In accordance with Section 44 of the *Roads Act 1993*, that Lot 32 DP1189548 upon vesting to Council being former public road be provided in compensation to the adjoining landowner for other land acquired for the purposes of the *Roads Act 1993*.
7. Dedicates the acquired land, with exception of Lot 32 DP1189548 as public road.

CARRIED

8 DECLARATION OF INTERESTS

Nil

9 PETITIONS

Nil

10 NOTICE OF MOTION

Nil

11 MAYOR'S REPORT

11.1 MAYORAL ATTENDANCE REPORT 9 JULY - 15 AUGUST 2024

RESOLUTION 200824/6

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council receives and notes the Mayoral Attendance Report for the period 9 July – 15 August 2024.

CARRIED

12 DELEGATES' REPORTS

Nil

13 MATTERS DETERMINED WITHOUT DEBATE

13.1 MATTERS TO BE DETERMINED WITHOUT DEBATE

RESOLUTION 200824/7

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That items 14.3, 17.1 and 17.2 identified be determined without debate.

CARRIED

14 GENERAL MANAGER**14.1 RECOVERY PLAN AND DELIVERY PROGRAM PROGRESS REPORT JANUARY - JUNE 2024****EXECUTIVE SUMMARY**

Richmond Valley Council has now completed the first year of its 2023-2025 Delivery Program and the second year of its Rebuilding the Richmond Valley 2022-2025 flood recovery plan, with substantial progress being achieved in all areas. This report outlines progress under both plans.

So far, the majority of the Recovery Plan actions have been finalised, with Council attracting more than \$61 million in community flood recovery grants for local sports facilities, community buildings, infrastructure replacement, and community events. This is in addition to some \$100m in Disaster Recovery Funding applications currently in progress, to repair local flood damaged roads and bridges. These repair works will continue over the next 2-3 years. Of the 80 Principal Activities in the Delivery Program 5 have been completed within the first year, with the remaining 75 Activities all on schedule to be completed within the life of the Program.

Signature projects delivered over the past six months include completion of the Casino-Bentley section of the Northern Rivers Rail Trail, completion of Cell 6 to expand the Nammoona Resource Recovery Facility, opening of the newly upgraded Casino Showground facility and completion of the combined Mid Richmond Place and Adaptation Plans for flood-affected communities.

Council also continued to support growth and economic development within the Richmond Valley, with endorsement of the Regional Jobs Precinct Masterplan, support for new industries and investment, and further progress on plans for major residential expansion in Casino. Significant progress was also achieved in Council's sustainability and greening programs, with more than 12,000 community trees and shrubs planted since the program began and 50% reductions in energy consumption at key public buildings through solar installations. Work also progressed on planning and delivery of essential infrastructure, with Council endorsing a \$200m investment plan for water and sewerage assets over the next 25 years as part of its Water for Life 2050 Strategy.

RESOLUTION 200824/8

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council:

1. Receives and notes the January – June 2024 Progress Report on the 2023-2025 Delivery Program and Rebuilding the Richmond Valley Recovery Plan.
2. Notes the significant progress across the Program's four Key Directions and Council's successful advocacy to secure community funding during this period.
3. Continues to advocate strongly for government assistance to support the Richmond Valley's ongoing flood recovery

.CARRIED

14.2 REVIEW OF FUNDING MODELS FOR LOCAL WATER UTILITIES - NSW PRODUCTIVITY AND EQUALITY COMMISSION

EXECUTIVE SUMMARY

On 24 July 2024 the Productivity and Equality Commission released the Final Report '*Review of funding models for local water utilities*', Council made a detailed submission to this Review and this was referenced in the final report.

A total of 21 recommendations were put forward by the Commission in its review report across three major areas of reform for the whole of the LWU sector:

1. Fit for purpose regulation –
2. Working to develop a common understanding and strategic development of priorities
3. Development of a Local Water Utilities Funding Policy, including the establishment of a Community Service Obligation (CSO) funding mechanism

The Commission recommended that the Department of Climate Change, Energy, the Environment and Water (DCCEEW) should lead the LWU reform through a Sector Reform Implementation Steering Committee and working groups and should consult widely. Council officers will continue to be engaged with DCCEEW and the Water Directorate to contribute to the suggested implementation plan which is recommended to start in September 2024 and conclude in July 2026.

RESOLUTION 200824/9

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council:

1. Receives and notes the outcome of the NSW Productivity and Equality Commission review of funding models for NSW Local Water Utilities;
2. Writes to the NSW Productivity Commissioner Peter Achterstraat AM, thanking him for his visit to the Richmond Valley and consideration of Council's detailed submission with multiple references to it in the Report.

CARRIED

14.3 COUNCIL APPROVED HEIGHT VARIATION DEVELOPMENT CONSENT OUTCOMES

EXECUTIVE SUMMARY

This report provides an update on three recent developments which required council approval of a variation to the height of the buildings as they were more than 10% of the maximum height allowable under the Richmond Valley Local Environment Plan.

The approvals related to the following commercial/industrial developments:

- Industrial building for a Transport Depot, Warehouse and Distribution Centre at 35 Cassino Drive Casino
- Industrial building for a Warehouse and Distribution Centre at 7&9 Dyraaba Street Casino
- Shop top Housing development at 17 McDonald Place Evans Head.

These development applications have now been determined and the proponents are able to progress with their planned investments in the Richmond Valley.

RESOLUTION 200824/10

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council:

1. Notes the Development Applications outlined in this report have now been determined.
2. Acknowledges the Development Assessment team in supporting the efficient planning process for these important developments for our community.

CARRIED

15 COMMUNITY SERVICE DELIVERY

15.1 CASINO TRUCK SHOW 2024

EXECUTIVE SUMMARY

The annual North Coast Petroleum Casino Truck Show was again an outstanding success for our community, showcasing an impressive line-up of trucks and attracting more than 30,000 attendees. The truck show continues to grow exponentially since Richmond Valley Council took over the management of the event three years ago. It is now one of the biggest single-day events in regional NSW and one of the leading truck shows in Australia.

RESOLUTION 200824/11

Moved: Cr Sandra Humphrys

Seconded: Cr Robert Hayes

That Council writes to sponsors, volunteers, local members of parliament and Destination NSW to thank them for their support of the 2024 Casino Truck Show, contributing to its outstanding success.

CARRIED

16 PROJECTS & BUSINESS DEVELOPMENT

Nil

17 ORGANISATIONAL SERVICES**17.1 FINANCIAL ANALYSIS REPORT - JULY 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 31 July 2024 is shown below:

Bank Accounts	Term Deposits	Floating Rate Notes	Fixed Rate Bonds	TCorp IM Funds	Total
\$24,876,533	\$30,000,000	\$6,750,390	\$4,500,000	\$16,787,347	\$82,914,270

The weighted average rate of return on Council's cash and investments at 31 July 2024 was 8.88% which was above the Bloomberg AusBond Bank Bill Index for July of 0.36%, which is Council's benchmark.

RESOLUTION 200824/12

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 July 2024.

CARRIED

17.2 AUDIT, RISK AND IMPROVEMENT COMMITTEE

EXECUTIVE SUMMARY

Under Section 428A of the Local Government Act, Council is required to have an Audit, Risk and Improvement Committee which consists of at least three positions held by members external to the organisation. In August 2022, Council appointed its current Audit, Risk and Improvement Committee (ARIC) with their terms for the current elected period.

It is recommended that the ARIC members have their terms extended until 30 June 2025, to enable their important work to continue and allow the newly elected Council to consider the membership of the ARIC for the next term of Council.

RESOLUTION 200824/13

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council:

1. Notes the progress being made since the commencement of the new ARIC arrangements; and
2. Offers an extension to the current Audit Risk and Improvement Committee members' term of appointment to 30 June 2025.

CARRIED

18 GENERAL BUSINESS

Nil

19 MATTERS FOR INFORMATION

RESOLUTION 200824/14

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

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

CARRIED

19.1 RICHMOND-UPPER CLARENCE REGIONAL LIBRARY ANNUAL REPORT 2023/2024

RESOLUTION 200824/15

Moved: Cr Stephen Morrissey

Seconded: Cr Sam Cornish

That Council receives and notes the Richmond-Upper Clarence Regional Library Annual Report 2023/2024.

CARRIED

19.2 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 JULY 2024 - 31 JULY 2024**RESOLUTION 200824/16**

Moved: Cr Stephen Morrissey
Seconded: Cr Sam Cornish

That Council receives and notes the Development Application report for the period 1 July 2024 to 31 July 2024.

CARRIED

19.3 GRANT APPLICATION INFORMATION REPORT - JULY 2024**RESOLUTION 200824/17**

Moved: Cr Stephen Morrissey
Seconded: Cr Sam Cornish

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

CARRIED

19.4 DISCLOSURE OF INTERESTS - ANNUAL DESIGNATED PERSON RETURNS**RESOLUTION 200824/18**

Moved: Cr Stephen Morrissey
Seconded: Cr Sam Cornish

That Council notes that all required disclosure of interest returns have been received for the period ending 30 June 2024.

CARRIED

19.5 CORRESPONDENCE: TRAFFIC AND PEDESTRIAN SAFETY CENTRE STREET ROUNDABOUT**RESOLUTION 200824/19**

Moved: Cr Stephen Morrissey
Seconded: Cr Sam Cornish

That Council receives and notes the correspondence provided to Minister for Regional Transport and Roads the Hon. Jenny Aitchison MP, State Member Richie Williamson MP and Federal Member Kevin Hogan MP and the response received from Richie Williamson MP.

CARRIED

19.6 CORRESPONDENCE: NSW RECONSTRUCTION AUTHORITY - MID RICHMOND PLACE PLANS**RESOLUTION 200824/20**

Moved: Cr Stephen Morrissey
Seconded: Cr Sam Cornish

That Council receives and notes the correspondence provided to the NSW Reconstruction Authority and the response received in relation to the letter.

CARRIED

19.7 CORRESPONDENCE: ASSISTANT MINISTER TO THE PRIME MINISTER THE HON PATRICK GORMAN; CASINO SHOWGROUND AND RACECOURSE UPGRADES**RESOLUTION 200824/21**

Moved: Cr Stephen Morrissey
Seconded: Cr Sam Cornish

That Council receives and notes the correspondence from the Assistant Minister to the Prime Minister regarding Casino Showground and Racecourse upgrades.

CARRIED

20 QUESTIONS ON NOTICE

Nil

21 QUESTIONS FOR NEXT MEETING (IN WRITING)

Nil

The Mayor noted that this was the final meeting for the 2021-24 Council term and thanked everyone for their attendance, in particular, those in the public gallery who consistently attended the meetings, the media, and the online viewers. The Mayor also extended his personal thanks to Richmond Valley staff and Councillors for their support during his term of office.

The Meeting closed at 7pm.

The minutes of this meeting are to be confirmed at the Ordinary Council Meeting held in October 2024.

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CHAIRPERSON