

Richmond
Valley
Council



MINUTES

**Ordinary Council Meeting
19 November 2024**

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**MINUTES OF RICHMOND VALLEY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, 10 GRAHAM PLACE, CASINO
ON TUESDAY, 19 NOVEMBER 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 Lyndall Murray, Cr John Walker.

IN ATTENDANCE: Vaughan Macdonald (General Manager), Angela Jones (Director Community Service Delivery), Ryan Gaiter (Director Organisational Services), Jenna Hazelwood (Chief of Staff), Hayley Martin (Manager Finance), Julie Clark (Personal Assistant to the General Manager and Mayor), Latoya Cooper (Executive Assistant to Director Organisational Services), Simon Breeze (IT Support Coordinator).

Mr Ben Rogers, of HLB Mann Judd (Audit Service Provider - via video link)

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

Nil

6 CONFIRMATION OF MINUTES**6.1 MINUTES ORDINARY MEETING HELD 22 OCTOBER 2024****RESOLUTION 191124/1**

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That Council confirms the Minutes of the Ordinary Meeting held on 22 October 2024.

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 16 OCTOBER - 11 NOVEMBER 2024****RESOLUTION 191124/2**

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council receives and notes the Mayoral Attendance Report for the period 16 October – 11 November 2024.

CARRIED

12 DELEGATES' REPORTS**12.1 DELEGATES' REPORT NOVEMBER 2024 - ROUS COUNTY COUNCIL****RESOLUTION 191124/3**

Moved: Cr Sandra Humphrys

Seconded: Cr Robert Mustow

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

CARRIED

13 MATTERS DETERMINED WITHOUT DEBATE**13.1 MATTERS TO BE DETERMINED WITHOUT DEBATE****RESOLUTION 191124/4**

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

That items 16.1, 16.2, 16.3, 16.4, 17.2 identified be determined without debate.

CARRIED

14 GENERAL MANAGER

14.1 2024 STATE OF THE RICHMOND VALLEY REPORT

EXECUTIVE SUMMARY

Councils throughout NSW are required to prepare a “State of the City/Shire” report at the commencement of each new Council term, to report on progress in delivering the community’s long-term goals and priorities and to set the scene for the next review of the Community Strategic Plan (CSP).

The draft 2024 State of the Richmond Valley Report has been prepared and is now presented for Council’s consideration and endorsement. The report highlights key achievements since the current CSP was adopted in June 2023 and also provides a snapshot of the Valley, at the start of the new Council term, addressing current challenges, as well as opportunities. The report will help to inform Council’s next Big Conversation with the community on future directions for the Richmond Valley. A further report on the consultation program will be presented to the December ordinary meeting.

RESOLUTION 191124/5

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council:

1. Notes the progress achieved during the 2021-24 council term in delivering the Community Strategic Plan objectives and supporting continued flood recovery;
2. Endorses the 2024 State of the Richmond Valley Report for public release; and
3. Notes that a further report on Council’s 2024-25 consultation program for the Community Strategic Plan review will be presented to the December Ordinary Meeting.

CARRIED

14.2 ANNUAL REPORT 2023/2024

EXECUTIVE SUMMARY

The Annual Report is one of the key points of accountability between Council and its community. It reports on Council's financial performance and its progress in implementing the Delivery Program and achieving Community Strategic Plan outcomes.

RESOLUTION 191124/6

Moved: Cr Robert Mustow

Seconded: Cr Sam Cornish

That Council:

1. Receives and notes the Richmond Valley Council 2023/2024 Annual Report.
2. In accordance with section 428 of the *Local Government Act 1993*, posts the Annual Report on Council's website and provides a link to the Minister for Local Government and the Office of Local Government.

CARRIED

14.3 COUNCILLOR CONDUCT AND MEETING PRACTICES - PROPOSED REFORMS

EXECUTIVE SUMMARY

The Office of Local Government (OLG) is currently consulting on proposed wide-sweeping changes to the way that council meetings are conducted in NSW and Councillor misconduct is addressed. These proposals include conferring extra powers on the Mayor to expel fellow Councillors from meetings and withhold their fees, additional powers to expel and fine members of the public for disorderly conduct, a state-wide ban on closed council briefing sessions and a new 'Privileges Committee' where current and former Mayors would sit in judgement on their peers for misbehaviour.

The proposals, circulated in OLG's *Councillor Conduct and Meeting Practices* discussion paper, have met with a strong reaction from the local government sector. Although many councils agree with the discussion paper's observation that the current Councillor conduct framework is not working effectively, they do not accept its assertions that local council meeting practices are undemocratic and lacking in dignity. There are concerns that many of the OLG's proposed solutions will be ineffective, unworkable and expensive, and it is expected that the majority of councils in NSW will make a submission to the consultation process. OLG has recently extended the deadline for submissions to 29 November 2024. The discussion paper was circulated to Richmond Valley Councillors for review and feedback last month and the proposals were further considered at a Councillor workshop. Based on the feedback received, a draft submission has been prepared for Council's consideration.

RESOLUTION 191124/7

Moved: Cr Sandra Humphrys

Seconded: Cr Sam Cornish

That Council endorses the draft response to the *Councillor Conduct and Meeting Practices discussion paper* for submission to the Office of Local Government public consultation.

In Favour: Crs Robert Mustow, Stephen Morrissey, Sam Cornish, Robert Hayes, Sandra Humphrys and Lyndall Murray

Against: Cr John Walker

CARRIED 6/1

15 COMMUNITY SERVICE DELIVERY

15.1 RURAL RESIDENTIAL REZONING - 395 REARDONS LANE SWAN BAY - POST EXHIBITION REPORT

EXECUTIVE SUMMARY

Planning Proposal PP2022/0001 (NSW Planning Portal Case PP-2024-854) proposes to rezone part of 395 Reardons Lane, Swan Bay to enable those parts to be developed as a rural residential estate potentially for 43 lots plus a residue. A Gateway Determination was issued by the Department of Planning, Housing & Infrastructure on 21 June 2024 conditional upon amending the proposal to remove parts affected by high hazard in a Probable Maximum Flood (PMF), plus several minor updates to the Planning Proposal report.

Agency consultation identified no outstanding policy inconsistencies or objections which would prevent the LEP Amendment from proceeding.

The Planning Proposal and Gateway Determination were publicly exhibited from 18 September 2024 to 21 October 2024 with no submissions being received.

This report seeks Council's continued support to progress this Planning Proposal to completion.

RESOLUTION 191124/8

Moved: Cr Robert Hayes

Seconded: Cr Sam Cornish

That

1. Council receives and notes the post exhibition report on Planning Proposal PP2022/0001 (NSW Planning Portal Case PP-2024-854);
2. Council proceeds, pursuant to authorisations under Section 3.36(2) of the *Environmental Planning and Assessment Act*, to make a local environmental plan to give effect to Planning Proposal PP2022/0001; and
3. Local Plan-making authorisation from the Planning Secretary (dated 21 June 2024) be delegated to the General Manager to make *Richmond Valley Local Environmental Plan 2012 (Amendment No. 11)*.

CARRIED

16 PROJECTS & BUSINESS DEVELOPMENT

16.1 NAMING OF UNNAMED ROADS AND BRIDGES

EXECUTIVE SUMMARY

Council is a roads authority, under section 7 of the *Roads Act 1993*, and is responsible for formally naming public roads and bridges in accordance with the Act and Regulation.

In November 2022, Council publicly requested road names and bridge name suggestions for address and identification clarity within the Richmond Valley. On 19 September 2023, Council formally adopted proposed road and bridge names that received support or no feedback during public exhibition. The road and bridge names central to this report are the balance of unnamed roads and bridges presented following feedback received from further public consultation.

RESOLUTION 191124/9

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

That Council formally adopts the following:

1. Road names:
 - a) Metcalf Road, Hogarth Range
 - b) Cardow Lane, Coraki
 - c) Jefferies Street, Coraki and
 - d) Morton Street, Coraki (continuation and rename of Richmond Terrace (North))
2. Bridge names:
 - a) Hansens Bridge
 - b) Monaghans Bridge
 - c) Whitesides Bridge
 - d) Trustums Bridge
 - e) One Tree Crossing (major culvert)
 - f) Nowlans Bridge
 - g) Olivers Bridge and
 - h) Watsons Bridge.

CARRIED

16.2 CLOSURE OF UNNAMED LANEWAYS ADJOINING PATRICIA STREET, CASINO**EXECUTIVE SUMMARY**

During investigations for the activation of land in Casino's Johnston Street Industrial Precinct, which is part of the Richmond Valley Regional Jobs Precinct, Council identified the need to pursue the due process of closure of unnecessary roads within the precinct.

Two laneways each adjoining Patricia Street (previously known as Arthur Street) were identified for closure. The laneways are currently used as drainage reserves and provide no current or future need as a public road. The closure will support the future planning and development of the Johnston Street Industrial Precinct as part of the Regional Jobs Precinct activation.

On 6 August 2024, Council resolved, in accordance with Section 38B of the *Roads Act 1993*, to undertake the relevant consultation required to close the laneways adjoining Patricia Street as operational land.

The consultation process is now complete and the proposal to close the laneways adjoining Patricia Street, Casino is presented for Council's consideration.

RESOLUTION 191124/10

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

That:

1. In accordance with Section 38D of the *Roads Act 1993*, Council closes the public road being the two laneways adjoining Patricia Street Casino;
2. The General Manager be authorised to execute documentation to facilitate the road closure, and issue of title, including affixing the Council Seal as required;
3. The closed road land is vested in Richmond Valley Council and classified as operational land.

CARRIED

16.3 REARDONS LANE ROAD WIDENING AND LAND ACQUISITIONS

EXECUTIVE SUMMARY

The intersection at Reardons Lane on Woodburn Coraki Road requires road widening to allow a protected right-hand turning lane to the north of the intersection to be constructed for improved road safety. This has been identified as an area with increased risk due to additional traffic generated from the rural residential subdivisions off Reardons Lane.

Council is required to acquire land from two private landholders to enable the road widening and to construct the right-hand turning lane to allow for the increase in traffic volume.

The recently constructed left hand turning lane at this same intersection traverses over Part Lot 17 DP 1087247 and over closed crown road Lot 98 DP1218705. This was constructed as part of a Development Consent for the quarry expansion. The process to connect the legal road widening is unable to be completed by the landowner as they are not a roads authority as identified in the *Roads Act 1993*.

The landowner is unable to acquire the closed road, Council's only option is to compulsorily acquire the closed crown road from Crown Lands under the *Land Acquisition (Just Terms Compensation) Act 1991* to connect the road widening area to Reardons Lane.

This land acquisition process of the road widening and left-hand turning lane is required to be formally finalised as public road.

Existing public drainage infrastructure connects from Reardons Lane to Thearles Canal impacting the land required for public road. The process of formalising an easement over this land will provide Council the legal rights to use and access the drainage reserve for maintenance.

RESOLUTION 191124/11

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

That Council:

1. Acquires Part Lot 52 DP1250587 and Part Lot 17 DP1087247 by agreement, or by compulsory process in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991* by the authority contained in Section 177 of the *Roads Act 1993*. The land identified for public road.
2. Acquires Lot 98 DP1218705 by the compulsory acquisition process under the *Land Acquisition (Just Terms Compensation) Act 1991* by the authority contained Section 177 of *Roads Act 1993*. The land identified for public road.
3. Acquires an interest in Part Lot 17 DP1087247 being 15 metres wide for a drainage easement by agreement, or compulsory process in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991* by the authority contained in Section 186 of the *Local Government Act 1993 (NSW)*.
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 Manager to:
 - Negotiate the final boundaries of the land acquisition and easement in accordance with this report.
 - Negotiate the compensation of land acquisition under the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* to achieve genuine agreement between all parties.
 - Sign the necessary documentation to implement this resolution, including affixing the

Seal of Council as required.

6. Dedicates the acquired land as public road.

CARRIED

16.4 COOPERS LAGOON ROAD WIDENING

EXECUTIVE SUMMARY

Council has identified that Casino Coraki Road near Coopers Lane at Tatham is required to be widened to allow for an improved alignment of the road due to significant safety concerns caused by the current substandard geometrics of the road at this location.

Historically, this stretch of road (approximately 1km in length) has been the site of numerous accidents with vehicles leaving the road and crashing into neighbouring paddocks.

Council has developed a suitable road realignment design and is currently seeking grant funding to enable Council to improve the geometrics of this road given the current safety concerns and large number of accidents that occur.

To enable Council to improve the alignment of the road, increase safety and reduce the number of accidents on this stretch of road, Council is required to acquire land as identified in *Map 1* from three private landowners.

Council has yet to commence discussions with affected landholders however aims to achieve the land acquisition through genuine agreement of all parties. Council will be required to compulsorily acquire this land through the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* should negotiations become unachievable.

RESOLUTION 191124/12

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

That Council:

1. Acquires the private ownership land by agreement, or compulsory acquisition process under the *Land Acquisition (Just Terms Compensation) Act 1991* by the authority contained in the Section 177 of the *Roads Act 1993*. This land being land identified as needed for public road in *Map 1*. The land described as Part Lot 19 DP755630, Part Lot 10 DP718997 & Part Lot 2 DP 375566.
2. 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.
3. Authorises the General Manager to:
 - Negotiate the final boundaries of the land acquisitions in accordance with this report;
 - Negotiate the compensation of land acquisition under the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* to achieve genuine agreement between all parties.
 - Sign the necessary documentation to implement this resolution, including affixing the Seal of Council as required.
4. Dedicates the acquired land as public road.

CARRIED

17 ORGANISATIONAL SERVICES

Presentation – Richmond Valley Council’s Financial Report 2024

At this point in the meeting, the Mayor invited Council’s Auditor, Mr Ben Rogers, of HLB Mann Judd (Audit Service Provider – via video link) to address the meeting.

Mr Rogers provided a presentation on the Report on the Conduct of the Audit for the year ended 30 June 2024, noting an unmodified audit opinion and a sound overall financial position.

17.1 DRAFT FINANCIAL STATEMENTS 2023/2024

EXECUTIVE SUMMARY

Council adopted the audited financial statements for 2023/2024 at its Ordinary Meeting, on 22 October 2024, and resolved to present the audited financial statements and auditor’s reports to the public at its November Ordinary Meeting. This is the final step in complying with the legislative requirements regarding annual financial reporting.

Council’s external auditor, the Audit Office of New South Wales has advised that its representative firm, HLB Mann Judd GCNC will be provide a presentation on the auditor’s reports in relation to the 2023/2024 financial statements at this meeting. The Auditor has expressed an ‘unmodified opinion’ on the financial statements. This means that it was of the opinion that the financial reports present fairly the financial position of Council as at 30 June 2024 and its financial performance and cash flows were presented in accordance with Australian Accounting Standards and other legislative requirements.

As reported to the October Ordinary Meeting, Council’s operating result from continuing operations for 2023/2024 was a surplus of \$26.955 million, compared to a budgeted surplus of \$12.175 million. Council recorded a deficit before capital grants and contributions of \$14.446 million for 2023/2024, compared to the original budgeted deficit of \$1.628 million.

Council’s overall financial position remains strong with net assets of \$1.163 billion, including cash and cash equivalents of \$82.296 million. Council has met the benchmark in five out of nine of its key performance measure ratios.

RESOLUTION 191124/13

Moved: Cr Robert Mustow

Seconded: Cr Sandra Humphrys

That Council presents the financial statements of Richmond Valley Council for the financial year ended 30 June 2024 to the public in accordance with Sections 418 and 419 of the *Local Government Act 1993*.

CARRIED

17.2 FINANCIAL ANALYSIS REPORT - OCTOBER 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 October 2024 is shown below:

Bank Accounts	Term Deposits	Floating Rate Notes	Fixed Rate Bonds	TCorp IM Funds	Total
\$15,797,105	\$34,000,000	\$6,750,390	\$4,500,000	\$16,859,464	\$77,906,959

The weighted average rate of return on Council's cash and investments at 31 October 2024 was 2.33% which was above the Bloomberg AusBond Bank Bill Index for October of 0.37%, which is Council's benchmark.

RESOLUTION 191124/14

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 October 2024.

CARRIED

17.3 QUARTERLY BUDGET REVIEW STATEMENT FOR THE QUARTER ENDED 30 SEPTEMBER 2024

EXECUTIVE SUMMARY

The budget review report for the quarter ended 30 September 2024 has been prepared to provide Council and the community with information regarding Council's financial performance and proposed amendments to the 2024/2025 budget.

Council's projected operating result including capital grants and contributions for 2024/2025 has increased by \$4.17 million, excluding previously approved adjustments, to a surplus of \$42.4 million. The net operating deficit before capital grants and contributions has increased \$6.13 million, to a deficit of \$9.05 million. Largely impacting this result was a revised budget for depreciation expense and net loss from the disposal of assets, following the actual results for the 2023/2024 financial year.

Income from continuing operations has increased \$7.66 million, to \$82.76 million and expenses from continuing operations have increased \$13.79 million, to \$91.81 million. Significant adjustments include \$7 million for the grant funded Casino Industries Activation Project along with the increases in depreciation and net loss from the disposal of assets. Milestone funding for this project has also meant that Council's actual revenue received is tracking at 47.1% of the projected year-end result which is 14.9% higher than at this time last year and expenditure from continuing operations is on track with 25.4% of the projected year-end result expended as at 30 September 2024.

Council's capital works program has been reviewed, resulting in a projected program for 2024/2025 of \$85.97mil, increasing the programmed works by \$12.02 million after previously approved adjustments. Significant adjustments to the capital works program are largely focused on prioritising essential public asset reconstruction works following the February 2022 flood, funded by Transport for NSW, totalling \$12.1 million. The delivery of this program will be heavily reliant on the availability of contractors and materials as well as favourable weather conditions. Current expenditure for the capital program is at 16.4% of the projected year-end result however is expected to increase over the coming months and will be 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 \$272,799 as of 30 September 2024.

A detailed Quarterly Budget Review Statement for the first quarter of 2024/2025 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 9-14.

A Powerpoint presentation was provided by the Manager Finance on the Quarterly Budget Review.

RESOLUTION 191124/15

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council:

1. Receives the Quarterly Budget Review Statement as at 30 September 2024; and
2. Approves the recommended budget variations.

CARRIED

17.4 ARTS NORTHERN RIVERS REPRESENTATIVE

EXECUTIVE SUMMARY

Richmond Valley Council has a range of committees that contribute to its operations, activities and functions. Council also has delegate commitments to external organisations. Following the recent local government election, Council seeks to determine a representative on the Arts Northern Rivers Board, together with one alternate representative.

RESOLUTION 191124/16

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That Council:

1. Appoints a Councillor representative to the Arts Northern Rivers Board for the term of Council, together with one alternate.
2. Notifies Arts Northern Rivers of the appointment.

CARRIED

RESOLUTION 191124/17

Moved: Cr Robert Hayes

Seconded: Cr Stephen Morrissey

Councillor Lyndall Murray was nominated and accepted the position as Council's representative on the Arts Northern Rivers Board for the term of Council.

CARRIED

18 GENERAL BUSINESS

Nil

19 MATTERS FOR INFORMATION

RESOLUTION 191124/18

Moved: Cr Robert Hayes

Seconded: Cr Sandra Humphrys

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

CARRIED

19.1 BROADWATER DRAINAGE INFORMATION

RESOLUTION 191124/19

Moved: Cr Robert Hayes

Seconded: Cr Sandra Humphrys

That Council receives and notes the Broadwater Drainage Information report.

CARRIED

19.2 OUTCOME OF NEGOTIATIONS OF TENDER VP400913 - COUNTRY LANE ROAD RECONSTRUCTION**RESOLUTION 191124/20**

Moved: Cr Robert Hayes
Seconded: Cr Sandra Humphrys

That Council receives the report on the Outcome of Negotiations of Tender VP400913 - Country Lane Road Reconstruction and notes the engagement of Hannigan Civil Pty Ltd for \$885,870 (ex GST).

CARRIED

19.3 AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES - 17 OCTOBER 2024**RESOLUTION 191124/21**

Moved: Cr Robert Hayes
Seconded: Cr Sandra Humphrys

That Council receives and notes the Minutes of the Audit, Risk and Improvement Committee meeting held on 17 October 2024.

CARRIED

19.4 GRANT APPLICATION INFORMATION REPORT - OCTOBER 2024**RESOLUTION 191124/22**

Moved: Cr Robert Hayes
Seconded: Cr Sandra Humphrys

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

CARRIED

19.5 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 OCTOBER 2024 - 31 OCTOBER 2024**RESOLUTION 191124/23**

Moved: Cr Robert Hayes
Seconded: Cr Sandra Humphrys

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

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 Tender VP429806 - Construct Woodburn Memorial Hall Carpark & Footpaths

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 Inspection Report - Fire and Rescue NSW

This matter relates to (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

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 191124/24

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 7.20pm.

The open Council meeting resumed at 7.36pm

23 RESOLUTIONS OF CLOSED COUNCIL

The resolutions of the Closed Council meeting were read by the Director Organisational Services (Item 22.1) and the Director of Community Service Delivery (Items 22.2).

22.1 Tender VP429806 - Construct Woodburn Memorial Hall Carpark & Footpaths

That

1. Council accepts the tender from Northern Rivers Concreting to construct the Woodburn Memorial Hall carpark and footpaths, as it represents the best value for Council at \$225,184 (exclusive of GST); and
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.

22.2 Inspection Report - Fire and Rescue NSW

That Council:

1. Notes the receipt of the Inspection Report from Fire and Rescue NSW and the tabling of the report, in accordance with the requirements of the *Environmental Planning and Assessment Act 1979*.
2. Undertakes a further inspection of the premises, in accordance with the recommendations of the FRNSW Inspection Report.
3. Receives a further report on the outcome of the inspection at the December Ordinary Meeting.

The Meeting closed at 7.40pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 17 December 2024.

.....
CHAIRPERSON