

Richmond
Valley
Council



MINUTES

**Ordinary Council Meeting
16 September 2025**

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**MINUTES OF RICHMOND VALLEY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, 10 GRAHAM PLACE, CASINO
ON TUESDAY, 16 SEPTEMBER 2025 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 (via audio visual link) and Cr John Walker.

IN ATTENDANCE: Vaughan Macdonald (General Manager), Ryan Gaiter (Director Organisational Services), Jenna Hazelwood (Chief of Staff), Tina Kao (Director Planning and Sustainable Communities), Ben Zeller (Director Infrastructure Services & Projects), 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

RESOLUTION 160925/1

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That Council approves Cr Lyndall Murray's attendance via an audio-visual link at the 16 September 2025 Ordinary meeting, due to personal commitments meaning she is absent from the area.

CARRIED

The Mayor welcomed newly appointed Director Planning and Sustainable Communities, Ms Tina Kao, to the organisation.

5 MAYORAL MINUTES

Nil

6 CONFIRMATION OF MINUTES**6.1 MINUTES ORDINARY MEETING HELD 19 AUGUST 2025****RESOLUTION 160925/2**

Moved: Cr Sandra Humphrys

Seconded: Cr Stephen Morrissey

That Council confirms the Minutes of the Ordinary Meeting held on 19 August 2025.

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 12 AUGUST - 8 SEPTEMBER 2025****RESOLUTION 160925/3**

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council receives and notes the Mayoral Attendance Report for the period 12 August – 8 September 2025.

CARRIED

12 DELEGATES' REPORTS**12.1 DELEGATES' REPORT SEPTEMBER 2025 - ROUS COUNTY COUNCIL****RESOLUTION 160925/4**

Moved: Cr Sandra Humphrys

Seconded: Cr Robert Mustow

That Council receives and notes the Delegates' Report – Rous County Council for September 2025.

CARRIED

13 MATTERS DETERMINED WITHOUT DEBATE**13.1 MATTERS TO BE DETERMINED WITHOUT DEBATE****RESOLUTION 160925/5**

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

That items 16.1 and 17.1 identified be determined without debate.

CARRIED

14 GENERAL MANAGER

Nil

15 PLANNING AND SUSTAINABLE COMMUNITIES**15.1 NORTHERN REGIONAL PLANNING PANEL - UPDATE ON APPOINTMENT OF DELEGATES****EXECUTIVE SUMMARY**

By resolution of Council on 22 October 2024, Council appointed its delegates to the Northern Regional Planning Panel which included re-confirming a reciprocal Planning Panel arrangement with Lismore City Council.

The nominated Lismore City Council delegates, to appear on the Richmond Valley Council Panel, and Angela Jones, Council's primary nominee to appear on the Lismore Panel, are no longer available, therefore requiring new nominations. Lismore has offered the services of Jamie Van Iersel as its principal expert delegate, with Shane Reinhold, and Graham Snow as alternates. Likewise, Council will offer the services of Tina Kao, as its principal expert delegate, and Andy Edwards, Tony McAteer and Cherie Smith as alternates.

RESOLUTION 160925/6

Moved: Cr Stephen Morrissey

Seconded: Cr John Walker

That Council:

1. Appoints Jamie Van Iersel as an expert nominee, with Shane Reinhold and Graham Snow as alternates, to represent Council on the Northern Regional Planning Panel, and
2. Offers the services of Tina Kao, as its principal expert delegate, and Andy Edwards, Tony McAteer and Cherie Smith as the alternates, to represent Lismore City Council on the Northern Regional Planning Panel.

CARRIED

15.2 SECTION 4.6 RICHMOND VALLEY LOCAL ENVIRONMENTAL PLAN - PROPOSED OVERHEIGHT DWELLING - 945 WOODBURN CORAKI ROAD, BUNGAWALBIN**EXECUTIVE SUMMARY**

Council has received a development application for alterations and additions to a flood-affected home at Bungawalbin to raise the existing flood affected dwelling above the minimum habitable floor level including alterations and additions. This includes a Section 4.6 variation to the Richmond Valley Local Environmental Plan 2012 (RVLEP 2012) for building height exceeding 8.5m as it raises the dwelling by 2.61m to help avoid future inundation.

The proposal would result in the building being more than 10% above the permissible height limit and, therefore, it must be referred to Council for determination. As the home is located on a large rural lot and there will be no impacts on neighbouring properties, the variation is recommended for approval.

RESOLUTION 160925/7

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That pursuant to Clause 4.6 of *Richmond Valley Local Environmental Plan 2012* a variation in respect of Clause 4.3 Height of Buildings be granted for DA2026/0020, as outlined in this report.

CARRIED**16 INFRASTRUCTURE SERVICES & PROJECTS****16.1 PROPOSED ROAD NAMING - SPRING GROVE DEVELOPMENT****EXECUTIVE SUMMARY**

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

Council has undertaken the road naming process for the creation of two new public roads at 71 Gregors Road for an approved subdivision creating 19 residential lots in Spring Grove.

Council has finalised the public consultation for two proposed road names in accordance with Section 162 of the *Roads Act 1993* and Part 2 of the Roads Regulation 2018. No submissions were received, and it is recommended that Council adopts the proposed road names.

RESOLUTION 160925/8

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

That Council formally adopt the following road names: Granite Place and Sandstone Drive at Spring Grove as set out in this report.

CARRIED

16.2 STORMWATER INFRASTRUCTURE RENEWALS AND CAPITAL IMPROVEMENTS

EXECUTIVE SUMMARY

At its Ordinary Meeting on 15 July 2025, Council resolved to add an additional \$500,000 in the 2025/2026 budget for drainage works, in response to the increasing strain on the stormwater network caused by ongoing wet weather conditions. This funding was allocated for stormwater drainage infrastructure, not roadside drainage.

Following the asset management improvements initiatives, Council has been transitioning towards visual inspection to provide a more accurate and reliable condition of the stormwater network. These investigations have identified 2.36km of failed stormwater conduit and a further 4.06km in poor condition. The deteriorating condition of the network highlights the inadequacy of the current annual renewal budget of \$160,000, which is insufficient to keep pace with the required infrastructure renewals.

Council's stormwater program is currently funded through a Stormwater Services Levy, which generates approximately \$208,527 annually. This levy, capped under the Local Government (General) Amendment (Stormwater) Regulation 2006, has remained unchanged since its introduction in 2006 despite rising construction and material costs. Given the current funding constraints, Council must consider options to increase the levy via a Special Variation application to IPART and/or secure alternative funding sources to address the growing backlog of renewal needs.

The Casino Stormwater Study has identified major capacity constraints in the town's trunk drainage network, originally constructed in the 1950s–60s. Increased urban density and more frequent extreme rainfall events have overwhelmed the system, contributing to localised flooding. Design options have been developed with a preliminary cost estimate of \$6.59–\$7.29 million to implement mitigation measures, and Council is actively seeking grant funding for these works. Similar pressures are emerging in Coraki and surrounding towns, with drainage modelling now being procured for Broadwater, Woodburn, Coraki and Evans Head.

The Draft Drainage Plan 2025–2030 outlines proposed priority projects, including recommendations for how the additional \$500,000 allocation can be used and identifies further future needs. Council is reviewing updated stormwater condition data received in August 2025, and this will inform the development of the 2026/2027 capital works program and future funding requirements.

To sustainably manage stormwater infrastructure into the future, Council must consider increasing the Stormwater Services Levy, continue asset condition assessments, and actively pursue grant funding to address both renewal and upgrade needs across the Local Government Area.

RESOLUTION 160925/9

Moved: Cr John Walker

Seconded: Cr Sandra Humphrys

That Council:

1. Adopts the Draft Drainage Plan 2025-2030 as the guiding document for stormwater budget priorities for the 2025-2026 financial year; and
2. Supports in principle, the investigation of options to enable an increase to the stormwater levy, including an IPART approved special rate variation, as a funding mechanism to support capital works and asset renewals programs as outlined in this report;
3. Receives a report on stormwater drainage network future funding options at a future meeting.

CARRIED

16.3 LAND ACQUISITION BRUXNER HIGHWAY AND PATRICIA STREET FOR PUBLIC PURPOSE

EXECUTIVE SUMMARY

The Casino Industries Activation Project, funded through the Bushfire Local Economic Recovery Fund (BLERF), involves key infrastructure upgrades including the construction of a concrete roundabout at the Bruxner Highway intersection, the widening and formalising of Patricia Street, and installing necessary stormwater drainage across private properties. These works are essential to support the Regional Job Precinct (RJP) Master Plan implementation and in line with Council's economic development plans to drive industrial expansion and local economic growth. This project will position the Richmond Valley to capitalise

Council has been in negotiations with the current landowners at 18 Patricia Street to reach a commercial agreement to purchase the entire property. These details are presented in a separate confidential report for consideration. A full purchase of the land provides strategic opportunities to activate more industrial land in line with the aims of the RJP, but also provides a clearer pathway to meet the infrastructure requirements of the roundabout and formalisation of Patricia Street.

Should an agreement for purchase not be reached, Council must consider compulsory acquisition under the *Land Acquisition (Just Terms Compensation) Act 1991* to secure a section of the land for road widening, public road protection, and drainage easements.

Council has successfully negotiated road widening on three corners of the Bruxner Highway roundabout, but acquisition of a part of the remaining privately owned land is required to complete the project. Patricia Street requires widening along its full length, involving acquisition of land on the eastern side of the existing road reserve, where a dwelling and farming infrastructure currently exist. Due to road reserve constraints, the dwelling (currently rented long term) will need to be demolished or relocated following acquisition, with appropriate compensation provided to the landowner.

Additionally, a 15-metre-wide drainage easement approximately 370 metres in length will be acquired to manage stormwater flows across private property. All compulsory acquisitions will be undertaken in compliance with the *Land Acquisition (Just Terms Compensation) Act 1991*, ensuring fair compensation and communication with affected parties.

RESOLUTION 160925/10

Moved: Cr John Walker

Seconded: Cr Sam Cornish

That Council:

1. Continues negotiations with the property owner of 18 Patricia Street, Casino to purchase the entirety of the property under commercial terms, subject to the conditions outlined in the Confidential Council Report.
2. Being unable to reach a commercial agreement for the entirety of the property of 18 Patricia Street,
 - a) Acquires the private ownership land and easement by private agreement, with 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*. The land identified for the purposes of road widening and protection of public road described as Part Lots 18 ,19, 20 Section 7 DP976660, and Part Lot 2 DP783330.
 - b) Acquires the private ownership land by private agreement, with acquisition by consent or through the compulsory acquisition process under the *Land Acquisition (Just Terms Compensation) Act 1991* by the authority contained in the *Local*

Government Act 1993. The land identified for the purposes of drainage described as Part Lots 16 ,17, 18 Section 7 DP976660.

- c) Approves the making of an application to the Minister for the issue of a Proposed Acquisition Notice under the *Land Acquisition (Just Terms Compensation) Act 1991* with respect to the subject land.
- d) Authorises the General Manager to:
 - i. Negotiate the final boundaries of the land acquisition in accordance with this report.
 - ii. 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.
 - iii. Sign the necessary documentation to implement this resolution, including affixing the Seal of Council as required.
- e) Dedicates the land acquired for road widening as public road.

CARRIED

17 ORGANISATIONAL SERVICES

17.1 FINANCIAL ANALYSIS REPORT - AUGUST 2025

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 August 2025 is shown below:

Bank Accounts	Term Deposits	Floating Rate Notes	Fixed Rate Bonds	TCorp IM Funds	Total
\$14,198,807	\$32,000,000	\$6,750,390	\$4,500,000	\$18,272,986	\$75,722,183

The weighted average rate of return on Council's cash and investments at 31 August 2025 was 6.61% which was above the Bloomberg AusBond Bank Bill Index for August of 3.1% (annualised), which is Council's benchmark.

RESOLUTION 160925/11

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 August 2025.

CARRIED

18 GENERAL BUSINESS

Nil

19 MATTERS FOR INFORMATION**RESOLUTION 160925/12**

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

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 160925/13**

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That Council receives and notes the Richmond-Upper Clarence Regional Library Annual Report 2024/2025.

CARRIED

19.2 SUSTAINABLE COMMUNITIES ANNUAL REPORT**RESOLUTION 160925/14**

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

BRIEFING

That Council considers the Sustainable Communities Annual Report.

CARRIED

19.3 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 AUGUST 2025 - 31 AUGUST 2025**RESOLUTION 160925/15**

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That Council receives and notes the Development Application report for the period 1 August 2025 to 31 August 2025.

CARRIED

19.4 GRANT APPLICATION INFORMATION REPORT - AUGUST 2025**RESOLUTION 160925/16**

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That Council:

1. Receives and notes the Grant Application Information Report for the month of August 2025; and
2. Notes the significant reduction over the last twelve months in the number of grant funding programs now available from both tiers of Government.

CARRIED

19.5 AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES - 27 AUGUST 2025**RESOLUTION 160925/17**

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That Council receives and notes the minutes of the Audit, Risk and Improvement Committee Meeting held on 27 August 2025.

CARRIED

19.6 MINUTES OF THE LOCAL TRANSPORT FORUM MEETING HELD ON 2 SEPTEMBER 2025**RESOLUTION 160925/18**

Moved: Cr Stephen Morrissey

Seconded: Cr Robert Hayes

That Council receives and notes the Minutes of the Local Transport Forum Meeting held on 2 September 2025.

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 VP469888 - Anderson Avenue Casino 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 Industrial and Rural Zoned Land Acquisition

This matter relates to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

These matters are considered to be confidential under Section 10A(2) - (c) 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 information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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 160925/19

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 reports 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. 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 6.33pm

The open Council meeting resumed at 7.01pm

23 RESOLUTIONS OF CLOSED COUNCIL

The resolutions of the Closed Council meeting were read by Director Infrastructure Services and Projects (Item 22.1 and Item 22.2)

22.1 Tender VP469888 - Anderson Avenue Casino Reconstruction

That

1. Council accepts the tender from Synergy Resource Management which represents the best value for Council at \$346,653.05 (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 Industrial and Rural Zoned Land Acquisition

That Council:

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

The Meeting closed at 7.02pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 21 October 2025.

.....
CHAIRPERSON