
Rous County Council

MINUTES OF ORDINARY COUNCIL MEETING

21 August 2019

1. OPENING OF THE MEETING

Meeting commenced at 1.02 pm.

In attendance:

Councillors

Keith Williams (Chair), Vanessa Ekins (Deputy Chair), Sharon Cadwallader, Basil Cameron, Darlene Cook, Sandra Humphrys, and Robert Mustow.

Staff

Phillip Rudd (General Manager), Guy Bezrouchko (Group Manager Corporate and Commercial), Andrew Logan (Planning Manager), Helen McNeil (Group Manager People and Performance), Tom Lloyd (Group Manager Operations), Samantha Watkins (Procurement and Properties Coordinator), Natalie Woodhead-Tiernan (Finance Manager), Ben Wilson (Risk and Compliance Coordinator), Anthony Acret (Natural Resource Management Planning Coordinator), Noeline Smith (minute taker).

2. ACKNOWLEDGEMENT OF COUNTRY

Council showed its respect and acknowledged the Traditional Custodians of the Land, of all Elders, on which this meeting took place.

3. PUBLIC ACCESS

Nil.

4. APOLOGIES AND LEAVE OF ABSENCE

RESOLVED [51/19] (Cadwallader/Humphrys) that an apology be received and accepted on behalf of Cr Simon Richardson.

5. CONFIRMATION OF MINUTES

i). **Ordinary Council meeting minutes 19 June 2019** (182/13)

RESOLVED [52/19] (Cadwallader/Mustow) that the minutes of the meeting held 19 June 2019 be confirmed as presented.

6. DISCLOSURE OF INTEREST

Nil.

7. PRESENTATION

Brian Wilkinson, Chairperson (Audit, Risk and Improvement Committee) presented on his report 'Audit, Risk and Improvement Committee Performance Review: period 2018-2019.

Cr Ekins arrived at 1.09pm.

RESOLVED [53/19] (Mustow/Cadwallader) that Council extend its thanks to the Audit, Risk and Improvement Committee Chair, Committee members and staff for their hard work, support and cooperation; and a special thank you to Brian Wilkinson for his attendance and presentation at today's meeting.

8. NOTICES OF MOTION

i). Local Government NSW Annual Conference 2019: Notice of Motion (320)

RESOLVED [54/19] (Cadwallader/Mustow) that Council submit the Notice of Motion (as presented) regarding the NSW Government's Integrated Mining Policy, to the Local Government NSW Annual Conference 2019.

ii). Review of cost/benefit of current and recent insurance arrangements
(To be considered during 'Confidential' section of the meeting).

9. GENERAL MANAGER REPORTS

i). Delivery program progress update: 1 January to 30 June 2019 (2092/10)

RESOLVED [55/19] (Cameron/Ekins) that Council:

1. Receive and note the report and attachment.
2. Acknowledge that sound and effective governance requires that staff and councillors are able to participate fully in work tasks and decision making and that equitable access measures for all are essential for this and that consequently all Delivery Plan Actions be reviewed to determine that equitable access measures reflect this principle.
3. In relation to Action 2.4.3.1, that customers, staff and councillors with a disability be invited to discuss their perspectives in the development of access awareness training.
4. In relation to Action 2.4.3.2, customers, staff and councillors with a disability be invited to participate in the access training provided to staff.
5. In relation to Actions 2.4.3.7/8, a review is initiated to determine the effectiveness of access measures and standards based on the feedback of staff, customers and councillors who use foyers 2 and 4.

ii). Performance review of procurement activities
(To be considered during 'Confidential' section of the meeting).

10. GROUP MANAGER CORPORATE AND COMMERCIAL REPORTS

i). Preliminary 2018-19 end of financial year summary (2333/13)

RESOLVED [56/19] (Cadwallader/Humphrys) that Council:

1. Receive and note the Preliminary 2018/19 end of year financial summary report, acknowledging that it is a preliminary summary prior to end of year adjustments and audit.
2. Approve the transfers to and from reserve as detailed in tables 2 - 8 of the report.
3. Approve the funds to be carried forward as detailed in tables 9 and 10 of the report.

ii). Retail water customer account assistance (2283/13)

RESOLVED [57/19] (Humphrys/Cadwallader) that Council in accordance with section 356 (1) of the *Local Government Act 1993* and its 'Retail Water Customer Account Assistance' policy, approve financial assistance as listed in Table 1 of the report.

11. PLANNING MANAGER REPORTS

i). Proposed ARC Linkage Research project – natural flood management in the Richmond River catchment (1181/18)

RESOLVED [58/19] (Ekins/Cadwallader) that Council:

1. Provide conditional support for the proposed Australian Research Council Linkage Research Grant application.
2. Allocate funds of \$30,000 per year for the 3-year research program.
3. Work together with Southern Cross University to refine the research outline to ensure that it is directly aligned with key strategic initiatives of Rous County Council.

ii). Review of Pesticide Notification Plan (1356/18)

RESOLVED [59/19] (Cadwallader/Humphrys) that Council adopt the draft Pesticide Notification Plan.

Voting against: Cr Cameron

12. POLICIES

i). Human Resources – employment conditions policy (172/17)

RESOLVED [60/19] (Cook/Cadwallader) that Council:

1. Revoke the following 10 policies attached to the report:
 - a). 'Nine-day fortnight' policy (Rous County Council) dated 21 December 2016
 - b). 'Salary system' policy (Far North Coast Weeds County Council) dated 24 October 2007
 - c). 'Salary system' policy (Rous Water) dated 17 October 2007

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- d). 'Review of salary system' policy (Richmond River County Council) dated 6 February 2008
 - e). 'Staff expenses' policy (Far North Coast Weeds County Council) dated 26 November 2003
 - f). 'Recognition of staff service' policy (Far North Coast Weeds County Council) dated 24 October 2007
 - g). 'Fringe benefits tax' policy (Rous Water) dated 19 December 2012
 - h). 'Telephone reimbursement' policy (Far North Coast Weeds County Council) dated 16 December 2003
 - i). 'Staff uniforms (office-based staff)' policy (Rous Water) dated 20 June 2007
 - j). 'Job redesign' policy (Far North Coast Weeds County Council) dated 26 November 2003,

and any policies revived as a result of their revocation.

2. Adopt the replacement standalone 'Human Resources – employment conditions' policy.

ii). Policies for revocation

RESOLVED [61/19] (Ekins/Humphrys) that Council:

1. Note the report, and in relation to the matter of 'Designated Persons' that only the General Manager is a Designated Person.
2. Revoke the following policies attached to the report and any policy revived as a result of the revocation:
 - i). Designated Persons policy dated 22 August 2012 (FNCW);
 - ii). Designated Persons policy dated 16 May 2012 (ROUS);
 - iii). Designated Persons policy dated 8 August 2012 (RRCC);
 - iv). Local Weed Management Plans policy dated 22 February 2006 (FNCW);
 - v). Motor Vehicle Agreement policy dated 27 June 2007 (FNCW); and
 - vi). Rebate to Community Organisations policy dated 15 December 2004 (ROUS).

13. INFORMATION REPORTS

RESOLVED [62/19] (Mustow/Cadwallader) that Council receive and note the following information reports:

- i). Audit, Risk and Improvement Committee Performance Review: period 2018-2019 – Chairperson's report
- ii). Audit, Risk and Improvement Committee: meeting update
- iii). Reconciliation Action Plan (RAP) Advisory Group: meeting update
- iv). Investments – July 2019
- v). Water production and usage – June and July 2019
- vi). Fluoride plant dosing performance report – Quarter 2, 2019
- vii). Reports/actions pending.

Cr Cameron left the meeting at 3.01pm.

14. CONFIDENTIAL

MOVE INTO CLOSED COUNCIL

RESOLVED [63/19] (Cadwallader/Humphrys) that Council moved into Closed Council to consider the following matters and that members of the public and press be excluded from the meeting based on the grounds detailed below:

Report 1	Notice of Motion: Review of cost/benefit of current and recent insurance
Grounds for closure	Section 10A(2)(d) commercial information of a confidential nature that would, if disclosed: (ii). prejudice the commercial position of the person who supplied it.
Public interest	Public discussion would not be in the public interest due to disclosure of commercial information.
Report 2	Financial assistance for pensioners – section 582
Grounds for closure	Section 10A(2)(b) the personal hardship of any resident or ratepayer.
Public interest	Public discussion would not be in the public interest due to disclosure of personal information.
Report 3	Perradenya Release 6 – Award of contract for construction of 20 lot subdivision
Grounds for closure	Section 10A(2)(d) commercial information of a confidential nature that would, if disclosed: (ii). confer a commercial advantage on a competitor of the Council.
Public interest	Public discussion would not be in the public interest due to disclosure of commercial information.
Report 4	Procurement Audit Breach
Grounds for closure	Section 10A(2)(a) commercial information of a confidential nature that would, if disclosed: (a) personnel matters concerning particular individuals (other than councillors).
Public interest	Public discussion would not be in the public interest due to disclosure of commercial information.

RESUME TO OPEN COUNCIL

RESOLVED [64/19] (Cook/Cadwallader) that Council resume to Open Council.

The General Manager read to the meeting the following resolutions of Council:

i). Notion of Motion: Review of cost/benefit of current and recent insurance arrangements

RESOLVED [65/19] (Mustow/Cadwallader) that:

1. Council note the information provided by staff in the response to the Notice of Motion regarding the review of insurance arrangements and that based on the information available at this time, the level of service and benefit provided from membership with Statewide Mutual is satisfactory.
2. Staff continue to monitor Statewide Mutual service level standards and insurance product cost effectiveness, including performing market testing in May 2020 as outlined in the Notice of Motion response.

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3. Council receive a further report detailing options and implications of going to open tender in the future.

ii). Financial assistance for pensioners – section 582

RESOLVED [66/19] (Cadwallader/Cook) that Council in accordance with section 582 of the *Local Government Act 1993* and its 'Retail Water Customer Account Assistance' policy, consider and approve the financial assistance as listed in Table 1 of the report, subject to receipt of valid Water Use Audit Report.

iii). Perradenya Release 6 – Award of Contract – construction of 20 Lot subdivision

RESOLVED [67/19] (Cadwallader/Humphrys) that Council award the contract for Perradenya Estate Release 6 - construction of 20 Lot subdivision to *CivilCS Pty Ltd* for the contract price noted in the report (\$1,639,845.09 incl. GST).

iv). Performance review of procurement activities

RESOLVED [68/19] (Cook/Mustow) that Council receive and note the report.

15. MATTERS OF URGENCY

RESOLVED [69/19] (Cook/Humphrys) that the following matter be considered as a matter of urgency:

Proposed Notice of Motion

RESOLVED [70/19] (Ekins/Cadwallader) that a Notice of Motion (NoM) regarding Voluntary House Raising local funding pool and upfront cost impact to applicants, be submitted to the 2019 Local Government Conference (LGC); the draft NoM be circulated to Councillors prior to submission.

16. QUESTIONS ON NOTICE

Nil.

17. CLOSE OF BUSINESS

There being no further business the meeting closed at 3.50pm.