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**MINUTES OF THE ORDINARY MEETING OF ROUS COUNTY COUNCIL HELD  
WEDNESDAY, 19 JUNE 2024 AT ADMINISTRATION OFFICE, 218-232 MOLESWORTH  
STREET, LISMORE**

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**1 OPENING OF MEETING**

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The Chair opened the meeting at 10.05 am.

In attendance:

Councillors

- Cr Robert Mustow, Richmond Valley Council (Chair)
- Cr Sharon Cadwallader, Ballina Shire Council (Deputy Chair)
- Cr Rod Bruem, Ballina Shire Council
- Cr Michael Lyon, Byron Shire Council
- Cr Sarah Ndiaye, Byron Shire Council
- Cr Andrew Gordon, Lismore City Council
- Cr Big Rob, Lismore City Council

Council Officers:

- Phillip Rudd, General Manager
- Helen McNeil, Group Manager Organisational Services
- Adam Nesbitt, Group Manager Operations
- Andrew Logan, Group Manager, Planning and Delivery
- Jonathan Patina, Finance Manager

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**1 OPENING OF MEETING**

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**2 ACKNOWLEDGEMENT OF COUNTRY**

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

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**3 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE OR ATTENDANCE  
BY AUDIO-VIRTUAL LINK**

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**RESOLVED [21/24]** (Cadwallader/Lyon) that Council accept Cr Sandra Humphrys apology for being unable to attend the Council meeting.

<b>Apologies and applications for leave of absence or attendance by audio-virtual link (Resolution)</b>		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Michael Lyon, Cr Robert Mustow and Cr Big Rob	6
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Sarah Ndiaye and Cr Sandra Humphrys	2
<b>Carried</b>		

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#### 4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

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**RESOLVED [22/24]** (Gordon/Lyon) that the Minutes of the meeting held 17 April 2024 be approved as presented.

<b>Confirmation of Minutes of previous meeting (Resolution)</b>		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Michael Lyon, Cr Robert Mustow and Cr Big Rob	6
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Sarah Ndiaye and Cr Sandra Humphrys	2
<b>Carried</b>		

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#### 5 CONFIRMATION OF MINUTES OF EXTRAORDINARY COUNCIL MEETING

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**RESOLVED [23/24]** (Cadwallader/Gordon) that the Minutes of the extraordinary meeting held 15 May 2024 be approved as presented.

<b>Confirmation of Minutes of Extraordinary Council meeting (Resolution)</b>		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Michael Lyon, Cr Robert Mustow and Cr Big Rob	6
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Sarah Ndiaye and Cr Sandra Humphrys	2
<b>Carried</b>		

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#### 6 DISCLOSURE OF INTEREST

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- Councillor Big Rob declared a pecuniary interest in *Agenda item 13.1 Workplace consolidation - status update report June 2024* and will vacate the Council meeting for discussion and voting on that item.
- General Manager declared a pecuniary interest in *Agenda Item 13.2 Chair's Minute: Annual Performance Review – General Manager* and will vacate the Council meeting for discussion and voting on that item.

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#### 7 MATTERS OF URGENCY

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Nil.

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#### 8 NOTICES OF MOTION / QUESTIONS WITH NOTICE

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Nil.

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**9 GROUP MANAGER ORGANISATIONAL SERVICES**

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**9.1 Final draft Operational plan (incorporating the 2024/25 Budget and 'Revenue' policy)**

**RESOLVED [24/24]** (Lyon/Cadwallader) that Council:

1. Note no submissions were lodged by members of the public during the exhibition period.
2. Receive and note staff submissions as outlined in this report.
3. Adopt the final draft Operational Plan (incorporating the 2024/25 Budget and 'Revenue' policy) as attached to this report.

<b>Final draft Operational plan (incorporating the 2024/25 Budget and 'Revenue' policy) (Resolution)</b>		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Michael Lyon, Cr Robert Mustow and Cr Big Rob	6
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Sarah Ndiaye and Cr Sandra Humphrys	2
<b>Carried</b>		

**9.2 2024 Local Government NSW Annual Conference motion**

**RESOLVED [25/24]** (Rob/Cadwallader) that Council support the submission of the proposed motion outlined in this report to the Local Government NSW Annual Conference being held on 17-19 November 2024.

<b>2024 Local Government NSW Annual Conference motion (Resolution)</b>		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Michael Lyon, Cr Robert Mustow and Cr Big Rob	6
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Sarah Ndiaye and Cr Sandra Humphrys	2
<b>Carried</b>		

**9.3 Retail water bad debt write-off**

**RESOLVED [26/24]** (Cadwallader/Bruem) that Council approve the write-off of \$7,922.94 in water charges from Oats' account (10625-10000-2).

<b>Retail water bad debt write-off (Resolution)</b>		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Michael Lyon, Cr Robert Mustow and Cr Big Rob	6
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Sarah Ndiaye and Cr Sandra Humphrys	2
<b>Carried</b>		

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## 10 GROUP MANAGER PLANNING AND DELIVERY REPORTS

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### 10.1 Woodburn Flood recovery and Water Quality Improvement Program - Tender Award

**RESOLVED [27/24]** (Cadwallader/Bruem) that Council:

1. Accept the tender submission made by Ledonne Constructions Pty Ltd of \$1,580,623.30 incl. GST (lump sum contract price) for the Woodburn Bores Replacement Infrastructure Design and Construct contract (Contract); and
2. Authorise the General Manager to sign the Contract on behalf of Council.

<b>Woodburn Flood recovery and Water Quality Improvement Program - Tender (Resolution)</b>		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Michael Lyon, Cr Robert Mustow and Cr Big Rob	6
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Sarah Ndiaye and Cr Sandra Humphrys	2
<b>Carried</b>		

*Councillor Sarah Ndiaye joined the meeting 10:25am*

### 10.2 Northern Rivers Watershed Initiative

**RESOLVED [28/24]** (Cadwallader/Gordon) that Council receive and note the proposed arrangements for Stage 1 implementation of the Northern Rivers Watershed Initiative.

<b>Northern Rivers Watershed Initiative (Resolution) (Resolution)</b>		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Michael Lyon, Cr Robert Mustow, Cr Sarah Ndiaye and Cr Big Rob	7
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Sandra Humphrys	1
<b>Carried</b>		

### 10.3 Mullumbimby connection to the Rous bulk supply

**RESOLVED [29/24]** (Lyon/Bruem) that Council resolves:

1. Byron Shire Council will not be required to make capital connection contributions, should they request to permanently connect the Mullumbimby local water supply area to the Rous County Council bulk water supply.
2. Any requests to permanently connect to the Rous bulk water network will be reviewed on a case-by-case basis utilising the methodology within this report.

<b>Mullumbimby connection to the Rous bulk supply (Resolution)</b>		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Michael Lyon, Cr Robert Mustow, Cr Sarah Ndiaye and Cr Big Rob	7
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Sandra Humphrys	1
<b>Carried</b>		

#### 10.4 Marom Creek Water Treatment Plant - update

Item retracted and will be placed in a future meeting.

## 11 POLICIES

### 11.1 Policy review - Pensioner Concession policy, Retail Water Customer Account Assistance policy

**RESOLVED [30/24]** (Cadwallader/Ndiaye) that Council: -

1. Revoke the Pensioner Concession policy dated 19 November 2014 and any policy revived as a result of the revocation.
2. Publicly exhibit the revised draft Retail Water Customer Account Assistance policy(Attachment 1) for a period of 28 days, and:
  - (a) Should no public submissions be received:
    - (i) The Retail Water Customer Account Assistance policy dated 17 August 2022 is revoked and any policies revived as a result of the revocation effective 19 June2024; and
    - (ii) The revised Retail Water Customer Account Assistance policy is adopted effective 19 June 2024.
  - (b) Should any public submission be received, those submissions, and the proposal in relation to the revocation and adoption of the Retail Water Customer Account Assistance policy, be considered by Council at its next meeting.

<b>Policy review - Pensioner Concession policy, Retail Water Customer Account Assistance policy (Resolution)</b>		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Michael Lyon, Cr Robert Mustow, Cr Sarah Ndiaye and Cr Big Rob	7
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Sandra Humphrys	1
<b>Carried</b>		

**RESOLVED [31/24]** (Rob/Bruem) that the following information reports be received and noted:

1. Water production and consumption – May 2024
2. Investments
3. Audit, Risk and Implementation Committee meeting – 30 April 2024
4. Councillor Ndiaye's Delegate Report – Myall Creek Massacre Commemoration Trip with Rous County Council
5. Councillor Ndiaye's Delegate Report – Rainforest Connections 2024 Conference
6. Reports/Actions pending.

<b>Information reports (cover report) (Resolution)</b>		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Michael Lyon, Cr Robert Mustow, Cr Sarah Ndiaye and Cr Big Rob	7
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Sandra Humphrys	1
<b>Carried</b>		

### 13 CONFIDENTIAL MATTERS

MOVED TO CLOSED COUNCIL

**RESOLVED [32/24]** (Cadwallader/Bruem) that Council move into Closed Council with the press and public excluded from the meeting based on the grounds detailed below:

<b>Report</b>	<b>13.1 Workplace consolidation – property disposal</b>
<b>Grounds for closure</b>	<p>1. Section 10A(2)(d) commercial information of a confidential nature that would, if disclosed:</p> <ul style="list-style-type: none"> <li>i). prejudice the commercial position of the person who supplied it, or</li> <li>ii). confer a commercial advantage on a competitor of the Council, or</li> <li>iii). reveal a trade secret, <b>and</b></li> </ul> <p>2. (g) matters affecting the security of the council, councillors, council staff or council property,</p>
<b>Report</b>	<b>13.2 Annual Performance Review – General Manager</b>
Grounds for closure	1. Section 10A(2) personal matters concerning particular individuals (other than councillors).

### **CARRIED**

The meeting moved to Closed Council at 11:10am

*Councillor Big Rob left the meeting 11:10am.*

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### 13.1 Workplace consolidation - status update June 2024

**RESOLVED [33/24]** (Gordon/Cadwallader) that Council:

1. Approve the sale methodology outlined in this report for the following properties:
  - (a) 131 Kyogle Street, South Lismore,
  - (b) 320 Wyrallah Road, Monaltrie, and
  - (c) 20 Conway Street, Lismore.
2. In relation to the sale of the above properties, for a period of 24 months from the date of this resolution:
  - (a) Authorise the General Manager to do and sign all things necessary to appoint a selling agent/s.
  - (b) Approve an annual advertising budget of \$15,000.
  - (c) Authorise the Chair and General Manager to sign the necessary documentation underseal to affect the sale/s in accordance with (1) above.
3. Endorse the exit strategy for 218-232 Molesworth Street and approve the make good budget identified in this report including the disposal of surplus furniture, fittings or chattels by the methods identified in this report.

*Councillor Big Rob rejoined the meeting at 11:28am*

*General Manager and staff left the meeting at 11.30am*

<b>Workplace consolidation - status update June 2024 (Resolution)</b>		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Michael Lyon, Cr Robert Mustow and Cr Sarah Ndiaye	6
Against	None	0
Abstain	None	0
Conflict of Interests	Cr Big Rob	1
Absent	Cr Sandra Humphrys	1
<b>Carried</b>		

### 13.2 Chair's minute - Annual Performance Review - General Manager

**RESOLVED [34/24]** (Mustow/Cadwallader) that Council:

1. Accept the recommendation of the Chair and Councillors that assessed the General Manager's annual review on 15 May 2024 as 'More than Satisfactory'.
2. Agree to the recommended change to the General Manager's total remuneration package (TRP) as specified in the report.

### RESUME TO OPEN COUNCIL

**RESOLVED [35/24]** (Bruem/Ndiaye) that the meeting resume to Open Council.

**CARRIED**

The meeting moved to Open Council at 11:32am

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General Manager and Group Manager Organisational Services rejoined the meeting at 11:32am

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

**RESOLVED** [33/24] (Gordon/Cadwallader) that Council:

1. Approve the sale methodology outlined in this report for the following properties:
  - (a) 131 Kyogle Street, South Lismore,
  - (b) 320 Wyrallah Road, Monaltrie, and
  - (c) 20 Conway Street, Lismore.
  
2. In relation to the sale of the above properties, for a period of 24 months from the date of this resolution:
  - (a) Authorise the General Manager to do and sign all things necessary to appoint a selling agent/s.
  - (b) Approve an annual advertising budget of \$15,000.
  - (c) Authorise the Chair and General Manager to sign the necessary documentation underseal to affect the sale/s in accordance with (1) above.
  
3. Endorse the exit strategy for 218-232 Molesworth Street and approve the make good budget identified in this report including the disposal of surplus furniture, fittings or chattels by the methods identified in this report.

The Chair read the resolution.

**RESOLVED** [34/24] (Mustow/Cadwallader) that Council:

3. Accept the recommendation of the Chair and Councillors that assessed the General Manager's annual review on 15 May 2024 as 'More than Satisfactory'.
4. Agree to the recommended change to the General Manager's total remuneration package (TRP) as specified in the report.

<b>Chair's minute - Annual Performance Review - General Manager (Resolution)</b>		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Michael Lyon, Cr Robert Mustow, Cr Sarah Ndiaye and Cr Big Rob	7
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Sandra Humphrys	1
<b>Carried</b>		

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## 14 CLOSE OF BUSINESS

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There being no further business the meeting closed at 11.35 am.