



Ordinary meeting business paper

Wednesday, 19 February 2025

commencing 10.00 am

Ballina Shire Council, 40 Cherry Street, Ballina

OPENING OF THE MEETING

In accordance with clause 236 of the *Local Government (General) Regulation 2021*, attendees at today's Council meeting are advised that this meeting is being recorded (except for the confidential session) and will be made publicly available.

- All speakers should refrain from making any defamatory comments or releasing any personal information about another individual without their consent.
- Council accepts no liability for any damage that may result from defamatory comments made by persons attending meetings. All liability will rest with the individual who made the comments.
- This meeting must not be recorded by others without the prior written consent of the Council in accordance with Council's Code of Meeting Practice.

Please ensure that mobile phones and other electronic devices are turned off or are in silent mode for the duration of the meeting.

STATEMENT OF ETHICAL OBLIGATIONS

In accordance with clause 3.23 of Council's Code of Meeting Practice, councillors are reminded of their Oath or Affirmation of Office made at or before their first meeting of the council made under section 233A of the Act, to undertake their civic duties in the best interests of the people they represent and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the *Local Government Act 1993* or any other Act, to the best of their ability and judgement.

CONFLICTS OF INTEREST

Councillors are reminded of their obligations under Council's Code of Conduct to disclose and appropriately manage conflicts of interest in matters being considered at council meetings. All declarations of conflicts of interest will be recorded in the minutes of the meeting at which the declaration was made.

APPLICATIONS TO ATTEND BY AUDIO VISUAL LINK

In accordance with clause 5.18 and 5.19 of Council's Code of Meeting Practice, Councillors may attend and participate in meetings by audio-visual link with the approval of the Council.

Requests by Councillors for approval to attend a meeting by audio-visual link must be made in writing to the General Manager prior to the meeting in question and provide reasons why the Councillor will be presented from attending the meeting in person.

Councillors attending a meeting by audio-visual link are reminded that they must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the *Local Government Act 1993*.

Note: Consistent with clause 5.44 of Council's Code of Meeting Practice, attendance by Council staff at meetings of the Council by audio-visual link shall be with the approval of the General Manager.

Copy of: CODE OF MEETING PRACTICE / CODE OF CONDUCT

AGENDA

1. **Opening of the meeting**
 2. **Acknowledgement of Country**
Council would like to show its respect and acknowledge the Traditional Custodians of the Land, of Elders past and present on which this meeting takes place.
 3. **Apologies and Leave of Absence**
 4. **Confirmation of Minutes of previous meeting**
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 5. **Disclosure of Interest**
 6. **Chair's minute(s)**
 7. **Matters of urgency**
 8. **Notices of Motion/Questions with notice**
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 13. **Group Manager Operations reports**
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**MINUTES OF THE ORDINARY MEETING OF ROUS COUNTY COUNCIL HELD
WEDNESDAY, 4 DECEMBER 2024 AT ADMINISTRATION OFFICE, 218-232
MOLESWORTH STREET, LISMORE**

1 OPENING OF THE MEETING

The Chair opened the meeting at 10.07am.

In attendance:

Councillors

- Cr Elia Hauge, Byron Shire Council
- Cr Steve Krieg, Lismore City Council
- Cr Robert Mustow, Richmond Valley Council (Chair)
- Cr Sarah Ndiaye, Byron Shire Council
- Cr Andrew Gordon, Lismore City Council
- Cr Sandra Humphrys, Richmond Valley Council
- Cr Eva Ramsey, Ballina Shire Council

Council Officers

- Phillip Rudd, General Manager
- Helen McNeil, Group Manager Organisational Services
- Adam Nesbitt, Group Manager Operations
- Geoff Ward, Group Manager Transformation and Strategy
- Andrew Logan, Group Manager, Planning and Delivery

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 APOLOGIES AND LEAVE OF ABSENCE

Noted: Cr Sharon Cadwallader and Cr Sarah Ndiaye will be joining the meeting late due to a pre-existing engagement.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

4.1 Ordinary meeting held 30 October 2024

RESOLVED [64/24] (Krieg/Gordon) That the Minutes of the ordinary meeting held 30 October 2024 be approved as presented.

Minutes to Ordinary meeting held 30 October 2024 (Resolution)		
For	Cr Andrew Gordon, Cr Elia Hauge, Cr Sandra Humphrys, Cr Steve Krieg, Cr Robert Mustow and Cr Eva Ramsey	6
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Sharon Cadwallader and Cr Sarah Ndiaye	2
Carried		

4.2 Extraordinary meeting held 27 November 2024

RESOLVED [65/24] (Krieg/Gordon) That the Minutes of the extraordinary meeting held 27 November 2024 be approved as presented.

Extraordinary meeting held 27 November 2024 (Resolution)		
For	Cr Andrew Gordon, Cr Elia Hauge, Cr Sandra Humphrys, Cr Steve Krieg, Cr Robert Mustow and Cr Eva Ramsey	6
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Sharon Cadwallader and Cr Sarah Ndiaye	2
Carried		

5 DISCLOSURE OF INTEREST

Nil.

6 CHAIR'S MINUTE

Nil.

7 MATTERS OF URGENCY / QUESTIONS WITH NOTICE

Nil.

8 NOTICES OF MOTION

Nil.

9 LENGTH OF SERVICE RECOGNITION AWARDS FOR 2024

Rous County Council Board acknowledged and presented the length of service recognition awards for 2024 to the following staff members:

5 Years:

In attendance - Angel (Gus) Marotte
Alex Hew, Morgan Whitlen and Peter Verrall

Apologies - Adam Nesbitt and Lance Stodhard.

10 Years:

In attendance - Joshua Cleary
Apologies - Jacob Arthur

20 Years:

In attendance - Rebecca Spring
Apologies - Ben Hildebrand

15 Years:

In attendance - Matthew Luke
James, Sam Curran and Philip
Courtney
Apologies - Eddie Hayward

30 Years:

Michael Ross

35 Years:

Apologies - Craig Tulk

10 GENERAL MANAGER REPORTS

10.1 Rous' meeting schedule for 2025

RESOLVED [66/24] (Gordon/Humphrys) That Council confirms the meeting schedule for 2025 as outlined below, with meetings to be held on the third Wednesday of each scheduled month (excluding January), commencing at 10:00am. The dates are as follows:

- 19 February
- 16 April
- 18 June
- 20 August
- 15 October
- 10 December

Rous' meeting schedule for 2025 (Resolution)		
For	Cr Andrew Gordon, Cr Elia Hauge, Cr Sandra Humphrys, Cr Steve Krieg, Cr Robert Mustow and Cr Eva Ramsey	6
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Sharon Cadwallader and Cr Sarah Ndiaye	2
Carried		

11 GROUP MANAGER ORGANISATIONAL SERVICES

11.1 Delegation - General Manager

RESOLVED [67/24] (Ramsey/Humphrys) That Council revoke the delegation dated 17 August 2022 for the position of General Manager and any delegations revived as a result of that revocation, and approve the delegation as presented in Attachment 2.

Delegation - General Manager (Resolution)		
For	Cr Andrew Gordon, Cr Elia Hauge, Cr Sandra Humphrys, Cr Steve Krieg, Cr Robert Mustow and Cr Eva Ramsey	6
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Sharon Cadwallader and Cr Sarah Ndiaye	2
Carried		

12 GROUP MANAGER PLANNING AND DELIVERY REPORTS

12.1 Update on the Lismore Levee Scheme

RESOLVED [68/24] (Hauge/Humphrys) That Council in addition to previous resolutions on the matter:

1. Receive and note this update.
2. Receive a further update before the end of July 2025.

Update on the Lismore Levee Scheme (Resolution)		
For	Cr Andrew Gordon, Cr Elia Hauge, Cr Sandra Humphrys, Cr Steve Krieg, Cr Robert Mustow and Cr Eva Ramsey	6
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Sharon Cadwallader and Cr Sarah Ndiaye	2
Carried		

13 GROUP MANAGER OPERATIONS REPORTS

14 POLICIES

14.1 Customer Feedback Complaints and Unreasonable Conduct

RESOLVED [69/24] (Gordon/Krieg) That Council:

1. Revoke the policy titled ‘Customer feedback, complaints and unreasonable conduct’ dated 14 December 2022 attached to this report, and any policy revived as a result of that revocation; and
2. Adopt the revised policy of the same name attached to this report.

Customer Feedback Complaints and Unreasonable Conduct (Resolution)		
For	Cr Andrew Gordon, Cr Elia Hauge, Cr Sandra Humphrys, Cr Steve Krieg, Cr Robert Mustow and Cr Eva Ramsey	6
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Sharon Cadwallader and Cr Sarah Ndiaye	2
Carried		

15 INFORMATION REPORTS (COVER REPORT)

RESOLVED [70/24] (Gordon/Hauge) That the following information reports be received and noted:

1. Annual Report/State of Region Report

2. Investments – October 2024
3. Investments – November 2024 (late report)
4. Annual ‘Model Code of Complaint Statistics’
5. Reports/Actions pending

Cr Sarah Ndiaye joined the meeting at 10:40am

Information reports (Resolution)		
For	Cr Andrew Gordon, Cr Elia Hauge, Cr Sandra Humphrys, Cr Steve Krieg, Cr Robert Mustow, Cr Sarah Ndiaye and Cr Eva Ramsey	7
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Sharon Cadwallader	1
Carried		

16 CONFIDENTIAL MATTERS

Nil.

Noted - *Cr Sharon Cadwallader was unable to join the meeting prior to the completion of business.*

17 CLOSE OF BUSINESS

There being no further business the meeting closed at 10.55 am.



Notice of Motion

Council meeting 19 February 2025

Acknowledging correspondence from Widjabul Wia-bal and local First Nations people on the Dunoon Dam

I hereby move the following motion:

That Council:

1. Acknowledge that the Widjabul Wia-bal Native Title determination covers 11,700 hectares of Bundjalung Country, including the proposed Dunoon Dam site
2. Acknowledge the receipt of 85 letters signed by Widjabul Wia-bal and local First Nations people, stating:

"I am writing to make clear to you and the Rous Councillors that any plan to build a dam near Dunoon is not acceptable under any circumstances to me, to the Widjabul Wia-bal, or the broader Bundjalung Nation. The land that would be drowned contains sites which are sacred to us. For thousands of years we have lived on this land and protected it while it protects us. The land connects us to our Ancestors and provides learning grounds for future generations. There has been too much destruction of our lands and culture through ignorance. Do not further destroy our living culture. Do not construct the Dunoon Dam. Return the land to the Traditional Custodians."

3. Express profound gratitude to the Widjabul Wia-bal people for their steadfast leadership and their millennia of caring for Country and Waters
4. Consider these submissions when making decisions about Rous' Future Water Strategy

Background

The Widjabul Wia-bal people were granted Native Title on 19 December 2022. Their determination covers 11,700 hectares across the Northern Rivers region, bounded by Bagotville and Tuckean Nature Reserve in the south, Bungabee State Forest and Cawongla in the west, Nightcap National Park in the north, and Wollongbar and Alstonville in the east.

On Widjabul Wia-bal Day, a local event commemorating the Native Title determination held in Lismore on 19 December 2024, 85 Widjabul Wia-bal and local First Nations people signed letters to Rous County Councillors and General Manager, expressing their unequivocal opposition to the Dunoon Dam proposal. This includes community leaders such as:

- Tracy King, chair Bundjalung Tribal Society
- Naomi Moran, NSW Treaty Commissioner (formerly CEO of the Koori Mail)

- Ashley Moran, Heritage Conservation officer with OEH, director Widjabul Wia-bal Gurrumbil Aboriginal Corporation RNTBC (Registered Native Title Body Corporate).
- Noel King, director Widjabul Wia-bal Gurrumbil Aboriginal Corporation RNTBC.
- Nicole Roberts, daughter of Uncle John Roberts, senior Knowledge holder for the Widjabul Wia-bal
- Queenie Speeding, director Widjabul Wia-bal Gurrumbil Aboriginal Corporation RNTBC.
- Reg King, one of the Native Title applicants
- Michael Ryan, one of the Native Title applicants
- Barrie Claude Roberts, eldest of the Roberts family, brother of senior knowledge-holder Murray John Roberts

The Widjabul Wia-bal people have consistently expressed opposition to the Dunoon Dam proposal since its inception, citing the cultural significance of sites that would be inundated. These sites were formally identified in cultural heritage studies conducted in 2011 and 2013.

As the statutory authority responsible for water supply in the region, Rous County Council has obligations under the Native Title Act 1993 and Aboriginal Cultural Heritage Act 2023 to consider and protect Aboriginal cultural heritage in its planning and operations.

These letters represent a significant formal communication from Widjabul Wia-bal and local First Nations community members, expressing their opposition to development within their traditional lands. The volume and consistency of these individual submissions demonstrates the depth of concern within the Widjabul Wia-bal community regarding the proposed Dunoon Dam.

Councillor Elia Hauge

Date: 03 February 2025

Signature



Staff Comment

1. Management and staff are aware of the Federal Court's decision of 19 December 2022 regarding the Widjabul-Wia-bal Native Title claim. It is confirmed that the decision is factored into and informs planning and decision making as and when it is applicable to the circumstances.
2. Public representations including letters and petitions were received and acknowledged by Council in 2021 in response to the public exhibition of the Integrated Water Cycle Management Strategy (Future Water Program 2060).

Code of Conduct and Code of Conduct Procedures

Responsible Officer: Group Manager Organisational Services (Helen McNeil)

Recommendation

That Council:

1. Revoke the following:
 - (a) [Code of Conduct](#) dated 15 June 2022
 - (b) [Code of Conduct Procedures](#) dated 15 June 2022
2. Adopt the following as attached:
 - (a) Revised Code of Conduct
 - (b) Revised Code of Conduct Procedures

Background

It is a legislative requirement that Council have in place a Code of Conduct and Code of Conduct Procedures (collectively 'Codes') that incorporate the mandatory terms of the corresponding model codes issued by the Office of Local Government ('OLG').¹

Council is also required by legislation to review its Codes within 12 months of the local government elections to make any adjustments it considers appropriate and to ensure they are consistent with the model codes as amended from time to time and legislative requirements.²

Council's existing Codes are now due for review and revised Codes required to be adopted prior to 14 September 2025. All amendments in the revised Codes attached to this report have been made as a 'tracked change' for ease of reference.

Summary of key changes

1. Code of Conduct

The OLG has not made any amendments to the model Code of Conduct. However, an additional clause 5.25 has been introduced as a local rule requiring staff to annually reaffirm there have been no changes to the status of their private employment, contract work, or any other business outside of their service with Council. This clause has been added to ensure greater oversight, transparency and management of conflicts of interest for both Council and its staff.

An update has also been made to clauses 8.21 and 8.22 to reflect current terminology used when referring to information management practices at Council.

County council specific clauses

Clauses that were introduced in the previous iteration (2022) of the Code of Conduct, at clauses 5.30 – 5.36 have been maintained in this revised version. The clauses are aimed at managing the conflicts that may arise for councillors when the interests of a constituent council do not align with the interests of the county council.

The provision to address a gap in the legislation that would allow an employee of a county council to be elected as a councillor member on the county council's board – clauses 4.6(o) and 4.20A, also introduced in 2022, has been maintained in this revised version. Councils are permitted to

¹ Refer to [Division 1, Part 1, Chapter 14](#) and [Division 1, Part 2, Chapter 12](#) Local Government Act 1993

² Sections 360(3) and 440(7) Ibid.

include additional provisions in their Code of Conduct that supplement the Model Code, even if those additional provisions are more onerous to observe, provided they do not contradict the Model Code.³

The additional provisions outlined above were drafted by external legal providers will be maintained in Council's revised Code of Conduct as complementary to the Model Code and to address the unique characteristics and challenges of a county council.

2. Code of Conduct Procedures

There has been no change to the Code of Conduct Procedures. The Code of Conduct Procedures does not contain any local or county council specific rules and therefore it mirrors the Model without amendment.

Governance

- **Finance**

It is unlikely that there will be any significant or unexpected financial implications as a result of implementing the revised Codes. Any training related costs will fall within current budget allocations.

Consultation

The revised Code of Conduct and Code of Conduct Procedures were circulated to Councillors via the Councillor portal and any feedback received incorporated into the documents attached to this report. Public exhibition of these documents is not required.

The OLG is reviewing the Councillor Conduct Framework, as notified under cover of [circular dated 5 September 2024](#), and this may result in changes being made to the Model Code of Conduct and Code of Conduct Procedures in the future. However, the likelihood and timing of any changes has not yet been communicated to councils by the OLG, so to ensure compliance with the statutory timeframes, these documents have been reviewed in the interim and are presented for adoption.

Conclusion

The revised Codes have been reviewed and drafted to meet legislative requirements, including the adoption of supplementary provisions to meet specific organisational needs. It is recommended that Council adopt the revised Codes.

Attachments

1. [Code of Conduct](#) dated 15 June 2022 (**for revocation**)
2. Revised Code of Conduct (**for adoption**)
3. [Code of Conduct Procedures](#) 2025 (**for re-adoption**)

³ [Section 440](#) Ibid.



Code of Conduct

A code governing the conduct of
Council officials including staff and
Councillors:

based on the Office of Local Government
Model Code of Conduct

(Note: To be read in conjunction with the 'Rous County Council Code of Conduct Procedures' document)

Version	Purpose and Description	Adopted by Council	Resolution
1.0	Adoption at Council Meeting 20/3/13	20 March 2013	18/13
1.1	Logo change and referencing Rous County Council following merger at 1 July 2016	-	-
2.0	Adopt revised Code of Conduct (furnished to 17 April 2019 Council meeting with Code of Conduct Procedures)	DRAFT	
3.0	Adopted revised Code of Conduct	17 April 2019	23/19
4.0	Code of Conduct revised in line with amended 2020 Model Code of Conduct for Local Councils in NSW	DRAFT	
4.1	Adopted revised Code of Conduct	15 June 2022	26/22

<u>5.0</u>	<u>Adopt revised Code of Conduct (provided to 19 February 2025 Council meeting with Code of Conduct Procedures)</u>	<u>DRAFT</u>	
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FOR ADOPTION

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SUBMITTED UNDER CLAUSE 4.3741

PART 1 INTRODUCTION

This *Model Code of Conduct for Local Councils in NSW* (“the Model Code of Conduct”) is made under section 440 of the *Local Government Act 1993* (“LGA”) and the *Local Government (General) Regulation 2021* (“the Regulation”).

The Model Code of Conduct sets the minimum standards of conduct for council officials. It is prescribed by regulation to assist council officials to:

- understand and comply with the standards of conduct that are expected of them
- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439)
- act in a way that enhances public confidence in local government.

Section 440 of the LGA requires every council (including county councils) and joint organisation to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct. A council’s or joint organisation’s adopted code of conduct may also include provisions that supplement the Model Code of Conduct and that extend its application to persons that are not “council officials” for the purposes of the Model Code of Conduct (e.g. volunteers, contractors and members of wholly advisory committees).

A council’s or joint organisation’s adopted code of conduct has no effect to the extent that it is inconsistent with the Model Code of Conduct. However, a council’s or joint organisation’s adopted code of conduct may prescribe requirements that are more onerous than those prescribed in the Model Code of Conduct.

Councillors, administrators, members of staff of councils, delegates of councils, (including members of council committees that are delegates of a council) and any other person a council’s adopted code of conduct applies to, must comply with the applicable provisions of their council’s code of conduct. It is the personal responsibility of council officials to comply with the standards in the code and to regularly review their personal circumstances and conduct with this in mind.

Failure by a councillor to comply with the standards of conduct prescribed under this code constitutes misconduct for the purposes of the LGA. The LGA provides for a range of penalties that may be imposed on Councillors for misconduct, including suspension or disqualification from civic office. A Councillor who has been suspended on three or more occasions for misconduct is automatically disqualified from holding civic office for five years.

Failure by a member of staff to comply with a council’s code of conduct may give rise to disciplinary action.

To complement the Code and assist with its administration is a procedural document titled ‘Rous County Council Code of Conduct Procedures’.

Note: References in the Model Code of Conduct to councils are also to be taken as references to county councils and joint organisations.

~~Note: In adopting the Model Code of Conduct, joint organisations should adapt it to substitute the terms “board” for “council”, “chairperson” for “mayor”, “voting representative” for “councillor” and “executive officer” for “general manager”.~~

Note: In adopting the Model Code of Conduct, county Councils should adapt it to substitute the term “chairperson” for “mayor” and “member” for “Councillor”.

PART 2 DEFINITIONS

In this code the following terms have the following meanings:

LGA	the <i>Local Government Act 1993</i>
administrator	an administrator of a council appointed under the LGA other than an administrator appointed under section 66
Chairperson	refers to the chairperson of a county council or a joint organisation
committee	see the definition of "council committee"
complaint	a code of conduct complaint made for the purposes of clauses 4.1 and 4.2 of the Procedures.
conflict of interest	a conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your public duty. These interests may be pecuniary or non-pecuniary.
council	includes county councils and joint organisations
council committee	a committee established by a council comprising of councillors, staff or other persons that the council has delegated functions to and the council's audit, risk and improvement committee
council committee member	a person other than a councillor or member of staff of a council who is a member of a council committee other than a wholly advisory committee and a person other than a councillor who is a member of the council's audit, risk and improvement committee
council official	includes councillors, members of staff of a council, administrators, council committee members, delegates of council and, for the purposes of clause 4.16, council advisers
councillor	any person elected or appointed to civic office, including the Chairperson and includes members and voting representatives of the boards of joint organisations and chairpersons of joint organisations
conduct	includes acts and omissions
delegate of council	a person (other than a councillor or member of staff of a council) or body, and the individual members of that body, to whom a function of the council is delegated
designated person	a person referred to in clause 4.8
election campaign	includes council, state and federal election campaigns
environmental planning	

instrument	has the same meaning as it has in the <i>Environmental Planning and Assessment Act 1979</i>
general manager	includes the executive officer of a joint organisation
joint organisation	a joint organisation established under section 400O of the LGA
local planning panel	a local planning panel constituted under the <i>Environmental Planning and Assessment Act 1979</i>
members of staff of a council	includes members of staff of county councils and joint organisations
board member	means a councillor elected to the governing body of a county council, and includes the Chairperson, pursuant to sections 390 and 391 LGA.
the Office	Office of Local Government
personal information	information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
the Procedures	the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW prescribed under the Regulation
the Regulation	the <i>Local Government (General) Regulation 202105</i>
social media	is any form of media that allows people to communicate and share information using the internet or mobile phones and includes, but is not limited to, blogs, podcasts, websites, applications, online forums, and private messaging services and platforms
voting representative	a voting representative of the board of a joint organisation
wholly advisory committee	a council committee that the council has not delegated any functions to

PART 3 GENERAL CONDUCT OBLIGATIONS

General conduct

- 3.1 You must not conduct yourself in a manner that:
- a) is likely to bring the Council or other Council officials into disrepute¹
 - b) is contrary to statutory requirements or the Council's administrative requirements or policies
 - c) is improper or unethical
 - d) is an abuse of power or otherwise amounts to misconduct
 - e) causes, comprises or involves intimidation or verbal abuse
 - f) involves the misuse of your position to obtain a private benefit
 - g) constitutes harassment or bullying behaviour under this code, or is unlawfully discriminatory.
- 3.2 You must act lawfully and honestly and exercise a reasonable degree of care and diligence in carrying out your functions under the LGA or any other Act. (*section 439*).

Social Media

- 3.3 ²You must not use social media to post or share comments, photos, videos, electronic recordings or other information that in any way contravenes general behaviour obligations under section 3.1 of this code.³ This includes, but is not limited to, anything that:
- a) is offensive, humiliating, threatening or intimidating to other Council officials or those that deal with the Council
 - b) contains content about the Council that is misleading or deceptive
 - c) divulges confidential Council information
 - d) breaches the privacy of other Council officials or those that deal with the Council
 - e) contains allegations of suspected breaches of this code or information about the consideration of a matter under the Procedures,
 - f) could be perceived to be an official comment on behalf of the Council where you have not been authorised to make such a comment.

Fairness and equity

- 3.4 You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.
- 3.5 You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.
- 3.6 An act or omission in good faith, whether or not it involves error, will not constitute a breach of clauses 3.4 or 3.5.

¹ This can include the expression of political views, religious beliefs, sexist or sexually inappropriate commentary, racist or racially insensitive comments, commentary that can incite violence, and other such antagonistic actions or discourse.

² The application of this principle is not limited to the use of Council accounts or devices. It also applies to the use of personal accounts and the use of personal devices.

³ This can also refer to acts of trolling whereby comments are made for the express purpose of provoking an adverse response.

Harassment and discrimination⁴

- 3.7 You must not harass or unlawfully discriminate against others, or support others who harass or unlawfully discriminate against others, on the grounds of age, disability, race (including colour, national or ethnic origin or immigrant status), sex, pregnancy, marital or relationship status, family responsibilities or breastfeeding, sexual orientation, gender identity or intersex status or political, religious or other affiliation.
- 3.8 For the purposes of this code, "harassment" is any form of behaviour towards a person that:
- a) is not wanted by the person
 - b) offends, humiliates or intimidates the person, and
 - c) creates a hostile environment.

Bullying⁵

- 3.9 You must not engage in bullying behaviour towards others.
- 3.10 For the purposes of this code, "bullying behaviour" is any behaviour in which:
- a) a person or a group of people repeatedly behaves unreasonably towards another person or a group of persons, and
 - b) the behaviour creates a risk to health and safety.
- 3.11 Bullying behaviour may involve, but is not limited to, any of the following types of behaviour:
- a) aggressive, threatening or intimidating conduct
 - b) belittling or humiliating comments
 - c) spreading malicious rumours
 - d) teasing, practical jokes or 'initiation ceremonies'
 - e) exclusion from work-related events
 - f) unreasonable work expectations, including too much or too little work, or work below or beyond a worker's skill level
 - g) displaying offensive material
 - h) pressure to behave in an inappropriate manner.
- 3.12 Reasonable management action carried out in a reasonable manner does not constitute bullying behaviour for the purposes of this code. Examples of reasonable management action may include, but are not limited to:
- a) performance management processes
 - b) disciplinary action for misconduct
 - c) informing a worker about unsatisfactory work performance or inappropriate work behaviour
 - d) directing a worker to perform duties in keeping with their job
 - e) maintaining reasonable workplace goals and standards
 - f) legitimately exercising a regulatory function
 - g) legitimately implementing a Council policy or administrative processes.

⁴ For further guidance, refer to relevant Council procedure

⁵ For further guidance, refer to relevant Council procedure

Work health and safety

- 3.13 All Council officials, including Councillors, owe statutory duties under the *Work Health and Safety Act 2011* (WH&S Act).⁶ You must comply with your duties under the WH&S Act and your responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety. Specifically, you must:
- a) take reasonable care for your own health and safety
 - b) take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons
 - c) comply, so far as you are reasonably able, with any reasonable instruction that is given to ensure compliance with the WH&S Act and any policies or procedures adopted by the Council to ensure workplace health and safety
 - d) cooperate with any reasonable policy or procedure of the Council relating to workplace health or safety that has been notified to Council staff
 - e) report accidents, incidents, near misses, to the General Manager or such other staff member nominated by the General Manager, and take part in any incident investigations
 - f) so far as is reasonably practicable, consult, co-operate and coordinate with all others who have a duty under the WH&S Act in relation to the same matter.

Land use planning, development assessment and other regulatory functions

- 3.14 You must ensure that land use planning, development assessment and other regulatory decisions are properly made, and that all parties are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.
- 3.15 In exercising land use planning, development assessment and other regulatory functions, you must ensure that no action, statement or communication between yourself and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.

Binding caucus votes

- 3.16 You must not participate in binding caucus votes in relation to matters to be considered at a Council or committee meeting.
- 3.17 For the purposes of clause 3.16 a binding caucus vote is a process whereby a group of Councillors are compelled by a threat of disciplinary or other adverse action to comply with a predetermined position on a matter before the Council or committee, irrespective of the personal views of individual members of the group on the merits of the matter before the Council or committee.
- 3.18 Clause 3.16 does not prohibit Councillors from discussing a matter before the Council or committee prior to considering the matter in question at a Council or committee meeting, or from voluntarily holding a shared view with other Councillors on the merits of a matter.
- 3.19 Clause 3.16 does not apply to a decision to elect the Chairperson or deputy Chairperson, or to nominate a person to be a member of a Council committee or a representative of the Council on an external body.

⁶ Refer to Rous County Council Work Health and Safety Policy
Rous County Council Code of Conduct

Obligations in relation to meetings

- 3.20 You must act in accordance with Council's Code of Meeting Practice during Council and committee meetings.
- 3.21 You must comply with rulings by the chair at Council and committee meetings or other proceedings of the Council unless a motion dissenting from the ruling is passed.
- 3.22 You must not engage in bullying behaviour (as defined under this Part) towards the chair, other Council officials or any members of the public present during Council or committee meetings or other proceedings of the Council (such as, but not limited to, workshops and briefing sessions).
- 3.23 You must not engage in conduct that disrupts Council or committee meetings or other proceedings of the Council (such as, but not limited to, workshops and briefing sessions), or that would otherwise be inconsistent with the orderly conduct of meetings.
- 3.24 If you are a Councillor, you must not engage in any acts of disorder or other conduct that is intended to prevent the proper or effective functioning of the Council, or of a committee of the Council. Without limiting this clause, you must not:
- a) leave a meeting of the Council or a committee for the purposes of depriving the meeting of a quorum, or
 - b) submit a rescission motion with respect to a decision for the purposes of voting against it to prevent another Councillor from submitting a rescission motion with respect to the same decision, or
 - c) deliberately seek to impede the consideration of business at a meeting.

PART 4 PECUNIARY INTERESTS

What is a pecuniary interest?

- 4.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.
- 4.2 You will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.
- 4.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
- (a) your interest, or
 - (b) the interest of your spouse or de facto partner, your relative, or your partner or employer, or
 - (c) a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.
- 4.4 For the purposes of clause 4.3:
- (a) Your "relative" is any of the following:
 - i) your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child

- ii) your spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- iii) the spouse or de facto partner of a person referred to in paragraphs (i) and (ii).
- (b) "de facto partner" has the same meaning as defined in section 21C of the *Interpretation Act 1987*.

4.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c):

- (a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
- (b) just because the person is a member of, or is employed by, a Council or a statutory body, or is employed by the Crown, or
- (c) just because the person is a member of, or a delegate of a Council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

What interests do not have to be disclosed?

4.6 You do not have to disclose the following interests for the purposes of this Part:

- (a) your interest as an elector
- (b) your interest as a ratepayer or person liable to pay a charge
- (c) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this code
- (d) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to your relative by the Council in the same manner and subject to the same conditions as apply to persons who are not subject to this code
- (e) an interest you have as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not)
- (f) if you are a Council committee member, an interest you have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if you have been appointed to represent the organisation or group on the Council committee
- (g) an interest you have relating to a contract, proposed contract or other matter, if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company
- (h) an interest you have arising from the proposed making by the Council of an agreement between the Council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because your relative is a shareholder (but not a director) of the corporation, or is a member (but not a member of the committee) of the association, or is a partner of the partnership
- (i) an interest you have arising from the making by the Council of a contract or agreement with your relative for, or in relation to, any of the following, but only if the proposed contract or agreement is similar in terms and

conditions to such contracts and agreements as have been made, or as are proposed to be made, by the Council in respect of similar matters with other residents of the area:

- i) the performance by the Council at the expense of your relative of any work or service in connection with roads or sanitation
 - ii) security for damage to footpaths or roads
 - iii) any other service to be rendered, or act to be done, by the Council by or under any Act conferring functions on the Council, or by or under any contract
- (j) an interest relating to the payment of fees to Councillors (including the Chairperson and deputy Chairperson)
 - (k) an interest relating to the payment of expenses and the provision of facilities to Councillors (including the Chairperson and deputy Chairperson) in accordance with a policy under section 252 of the LGA,
 - (l) an interest relating to an election to the office of Chairperson arising from the fact that a fee for the following 12 months has been determined for the office of Chairperson
 - (m) an interest of a person arising from the passing for payment of a regular account for the wages or salary of an employee who is a relative of the person⁷
 - (n) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a Councillor or a Council committee member
 - (o) an interest arising from the appointment of a Councillor to a body as a representative or delegate of the Council, whether or not a fee or other recompense is payable to the representative or delegate, but excluding an interest arising from the election of a Councillor as a member of the governing body of a county Council who is employed by, or holds an office or place of profit under, the county Council.

4.7 For the purposes of clause 4.6, "relative" has the same meaning as in clause 4.4, but includes your spouse or de facto partner.

What disclosures must be made by a designated person?

4.8 Designated persons include:

- (a) the General Manager
- (b) other senior staff of the Council for the purposes of section 332 of the LGA
- (c) a person (other than a member of the senior staff of the Council) who is a member of staff of the Council or a delegate of the Council and who holds a position identified by the Council as the position of a designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest
- (d) a person (other than a member of the senior staff of the Council) who is a member of a committee of the Council identified by the Council as a committee whose members are designated persons because the functions of the committee involve the exercise of the Council's functions (such as regulatory functions or contractual functions) that, in their

⁷ By means of an example, this can refer to such an instance where a payroll officer who processes the pay of an employee who is also a relative of the payroll officer.

exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.

4.9 A designated person:

- (a) must prepare and submit written returns of interests in accordance with clauses 4.21, and
- (b) must disclose pecuniary interests in accordance with clause 4.10.

4.10 A designated person must disclose in writing to the General Manager (or if the person is the General Manager, to the Council) the nature of any pecuniary interest the person has in any Council matter with which the person is dealing as soon as practicable after becoming aware of the interest.

4.11 Clause 4.10 does not require a designated person who is a member of staff of the Council to disclose a pecuniary interest if the interest relates only to the person's salary as a member of staff, or to their other conditions of employment.

4.12 The General Manager must, on receiving a disclosure from a designated person, deal with the matter to which the disclosure relates or refer it to another person to deal with.

4.13 A disclosure by the General Manager must, as soon as practicable after the disclosure is made, be laid on the table at a meeting of the Council and the Council must deal with the matter to which the disclosure relates or refer it to another person to deal with.

What disclosures must be made by Council staff other than designated persons?

4.14 A member of staff of Council, other than a designated person, must disclose in writing to their manager or the General Manager the nature of any pecuniary interest they have in a matter they are dealing with as soon as practicable after becoming aware of the interest.

4.15 The staff member's manager or the General Manager must, on receiving a disclosure under clause 4.14, deal with the matter to which the disclosure relates or refer it to another person to deal with.

What disclosures must be made by Council advisers?

4.16 A person who, at the request or with the consent of the Council or a Council committee, gives advice on any matter at any meeting of the Council or committee, must disclose the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given. The person is not required to disclose the person's interest as an adviser.

4.17 A person does not breach clause 4.16 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.

What disclosures must be made by a Council committee member?

4.18 A Council committee member must disclose pecuniary interests in accordance with clause 4.28 and comply with clause 4.29.

4.19 For the purposes of clause 4.18, a "Council committee member" includes a member of staff of Council who is a member of the committee.

What disclosures must be made by a Councillor?

4.20 A Councillor:

- (a) must prepare and submit written returns of interests in accordance with clause 4.21, and
- (b) must disclose pecuniary interests in accordance with clause 4.28 and comply with clause 4.29 where it is applicable.

Board Members of a county Council employed by the county Council

4.20A Despite anything to the contrary in this code, a board member of a county Council who is an employee of the county Council or holds an office or place of profit under the county Council is taken to have a pecuniary interest in any matter before the county Council or a committee of the county Council that relates directly or indirectly to their employment with the county Council or the office or place of profit they hold under the county Council.

Disclosure of interests in written returns

4.21 A Councillor or designated person must make and lodge with the General Manager a return in the form set out in schedule 2 to this code, disclosing the Councillor's or designated person's interests as specified in schedule 1 to this code within 3 months after:

- (a) becoming a Councillor or designated person, and
- (b) 30 June of each year, and
- (c) the Councillor or designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).

4.22 A person need not make and lodge a return under clause 4.21, paragraphs (a) & (b) if:

- (a) they made and lodged a return under that clause in the preceding 3 months, or
- (b) they have ceased to be a Councillor or designated person in the preceding 3 months.

4.23 A person must not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.

4.24 The General Manager must keep a register of returns required to be made and lodged with the General Manager.

4.25 Returns required to be lodged with the General Manager under clause 4.21(a) and (b) must be tabled at the first meeting of the Council after the last day the return is required to be lodged.

4.26 Returns required to be lodged with the General Manager under clause 4.21(c) must be tabled at the next Council meeting after the return is lodged.

4.27 Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 201899* and any guidelines issued by the Information Commissioner.

Disclosure of pecuniary interests at meetings

4.28 A Councillor or a Council committee member who has a pecuniary interest in any matter with which the Council is concerned, and who is present at a meeting of the

Council or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.

- 4.29 The Councillor or Council committee member must not be present at, or in sight of, the meeting of the Council or committee:
- (a) at any time during which the matter is being considered or discussed by the Council or committee, or
 - (b) at any time during which the Council or committee is voting on any question in relation to the matter.
- 4.30 In the case of a meeting of a board of a joint organisation, a voting representative is taken to be present at the meeting for the purposes of clauses 4.28 and 4.29 where they participate in the meeting by telephone or other electronic means.
- 4.31 A disclosure made at a meeting of a Council or Council committee must be recorded in the minutes of the meeting.
- 4.32 A general notice may be given to the General Manager in writing by a Councillor or a Council committee member to the effect that the Councillor or Council committee member, or the Councillor's or Council committee member's spouse, de facto partner or relative, is:
- (a) a member of, or in the employment of, a specified company or other body, or
 - (b) a partner of, or in the employment of, a specified person.
- Such a notice is, unless and until the notice is withdrawn or until the end of the term of the Council in which it is given (whichever is the sooner), sufficient disclosure of the Councillor's or Council committee member's interest in a matter relating to the specified company, body or person that may be the subject of consideration by the Council or Council committee after the date of the notice.
- 4.33 A Councillor or a Council committee member is not prevented from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the Councillor or Council committee member has an interest in the matter of a kind referred to in clause 4.6.
- 4.34 A person does not breach clauses 4.28 or 4.29 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.
- 4.35 Despite clause 4.29, a Councillor who has a pecuniary interest in a matter may participate in a decision to delegate consideration of the matter in question to another body or person.
- 4.36 Clause 4.29 does not apply to a Councillor who has a pecuniary interest in a matter that is being considered at a meeting if:
- (a) the matter is a proposal relating to:
 - (i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the Council's area, or
 - (ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the Council's area, and

- (b) the pecuniary interest arises only because of an interest of the Councillor in the Councillor's principal place of residence or an interest of another person (whose interests are relevant under clause 4.3) in that person's principal place of residence, and
- (c) the Councillor made a special disclosure under clause 4.37 in relation to the interest before the commencement of the meeting.

4.37 A special disclosure of a pecuniary interest made for the purposes of clause 4.36(c) must:

- (a) be in the form set out in schedule 3 of this code and contain the information required by that form, and
- (b) be laid on the table at a meeting of the Council as soon as practicable after the disclosure is made, and the information contained in the special disclosure is to be recorded in the minutes of the meeting.

4.38 The Minister for Local Government may, conditionally or unconditionally, allow a Councillor or a Council committee member who has a pecuniary interest in a matter with which the Council is concerned to be present at a meeting of the Council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:

- (a) that the number of Councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
- (b) that it is in the interests of the electors for the area to do so.

4.39 A Councillor or a Council committee member with a pecuniary interest in a matter who is permitted to be present at a meeting of the Council or committee, to take part in the consideration or discussion of the matter and to vote on the matter under clause 4.38, must still disclose the interest they have in the matter in accordance with clause 4.28.

PART 5 NON-PECUNIARY CONFLICTS OF INTEREST

What is a non-pecuniary conflict of interest?

- 5.1 Non-pecuniary interests are private or personal interests a Council official has that do not amount to a pecuniary interest as defined in clause 4.1 of this code. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.
- 5.2 A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.
- 5.3 The personal or political views of a Council official do not constitute a private interest for the purposes of clause 5.2.
- 5.4 Non-pecuniary conflicts of interest must be identified and appropriately managed to uphold community confidence in the probity of Council decision-making. The onus is on you to identify any non-pecuniary conflict of interest you may have in matters that you deal with, to disclose the interest fully and in writing, and to take appropriate action to manage the conflict in accordance with this code.

- 5.5 When considering whether or not you have a non-pecuniary conflict of interest in a matter you are dealing with, it is always important to think about how others would view your situation.

Managing non-pecuniary conflicts of interest

- 5.6 Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 5.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter. In the case of members of Council staff other than the General Manager, such a disclosure is to be made to the staff member's manager. In the case of the General Manager, such a disclosure is to be made to the Chairperson.
- 5.7 If a disclosure is made at a Council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes on each occasion on which the non-pecuniary conflict of interest arises. This disclosure constitutes disclosure in writing for the purposes of clause 5.6.
- 5.8 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.
- 5.9 As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 4.1, but it involves:
- a) a relationship between a Council official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 or another person from the Council official's extended family that the Council official has a close personal relationship with, or another person living in the same household
 - b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship.
 - c) an affiliation between the Council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a Council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation.
 - d) membership, as the Council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the Council and the organisation are potentially in conflict in relation to the particular matter
 - e) a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
 - f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.
- 5.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:
- a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and

the matter being allocated to another person for consideration or determination, or

- b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a Council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29.

- 5.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.
- 5.12 If you are a member of staff of Council other than the General Manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of your manager. In the case of the General Manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of the Chairperson.
- 5.13 Despite clause 5.10(b), a Councillor who has a significant non-pecuniary conflict of interest in a matter, may participate in a decision to delegate consideration of the matter in question to another body or person.
- 5.14 Council committee members are not required to declare and manage a non-pecuniary conflict of interest in accordance with the requirements of this Part where it arises from an interest they have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if they have been appointed to represent the organisation or group on the Council committee.

Political donations

- 5.15 Councillors should be aware that matters before Council or committee meetings involving their political donors may also give rise to a non-pecuniary conflict of interest.
- 5.16 Where you are a Councillor and have received or knowingly benefitted from a reportable political donation:
 - a) made by a major political donor in the previous four years, and
 - b) the major political donor has a matter before Council,you must declare a non-pecuniary conflict of interest in the matter, disclose the nature of the interest, and manage the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29. A disclosure made under this clause must be recorded in the minutes of the meeting.
- 5.17 For the purposes of this Part:
 - a) a “reportable political donation” has the same meaning as it has in section 6 of the *Electoral Funding Act 2018*
 - b) “major political donor” has the same meaning as it has in the *Electoral Funding Act 2018*.
- 5.18 Councillors should note that political donations that are not a “reportable political donation”, or political donations to a registered political party or group by which a Councillor is endorsed, may still give rise to a non-pecuniary conflict of interest. Councillors should determine whether or not such conflicts are significant for the purposes of clause 5.9 and take the appropriate action to manage them.

5.19 Despite clause 5.16, a Councillor who has received or knowingly benefitted from a reportable political donation of the kind referred to in that clause, may participate in a decision to delegate consideration of the matter in question to another body or person.

Loss of quorum as a result of compliance with this Part

5.20 A Councillor who would otherwise be precluded from participating in the consideration of a matter under this Part because they have a non-pecuniary conflict of interest in the matter is permitted to participate in consideration of the matter if:

- a) the matter is a proposal relating to:
 - i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the Council's area, or
 - ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the Council's area, and
- b) the non-pecuniary conflict of interest arises only because of an interest that a person has in that person's principal place of residence, and
- c) the Councillor discloses the interest they have in the matter that would otherwise have precluded their participation in consideration of the matter under this Part in accordance with clause 5.6.

5.21 ⁸The Minister for Local Government may, conditionally or unconditionally, allow a Councillor or a Council committee member who is precluded under this Part from participating in the consideration of a matter to be present at a meeting of the Council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:

- a) that the number of Councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
- b) that it is in the interests of the electors for the area to do so.

5.22 Where the Minister exempts a Councillor or committee member from complying with a requirement under this Part under clause 5.21, the Councillor or committee member must still disclose any interests they have in the matter the exemption applies to, in accordance with clause 5.6.

Other business or employment

5.23 The General Manager must not engage, for remuneration, in private employment, contract work or other business outside the service of the Council without the approval of the Council.

5.24 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the Council that relates to the business of the Council or that might conflict with the staff member's Council duties unless they have notified the General Manager in writing of the employment, work or business and the General Manager has given their written approval for the staff member to engage in the employment, work or business.

⁸ Councillors or Council committee members who are precluded from participating under this Part must apply individually in writing to the Minister seeking an exemption. The Minister will consider the requests and will reply in writing of their decision outlining, where necessary, any specific conditions relevant to the matter.

5.24 A. Members of staff are required to reaffirm that there has been no change to the status of their private employment, contract work or other business outside of the service of Council annually. If changes have occurred to their status, members of staff must notify the General Manager, in writing.

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- 5.25 The General Manager may at any time prohibit a member of staff from engaging, for remuneration, in private employment, contract work or other business outside the service of the Council that relates to the business of the Council, or that might conflict with the staff member's Council duties.
- 5.26 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the Council if prohibited from doing so.
- 5.27 Members of staff must ensure that any outside employment, work or business they engage in will not:
- a) conflict with their official duties
 - b) involve using confidential information or Council resources obtained through their work with the Council including where private use is permitted
 - c) require them to work while on Council duty
 - d) discredit or disadvantage the Council
 - e) pose, due to fatigue, a risk to their health or safety, or to the health and safety of their co-workers.

Personal dealings with Council

- 5.28 You may have reason to deal with your Council in your personal capacity (for example, as a ratepayer, recipient of a Council service or applicant for a development consent granted by Council). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.
- 5.29 You must undertake any personal dealings you have with the Council in a manner that is consistent with the way other members of the community deal with the Council. You must also ensure that you disclose and appropriately manage any conflict of interest you may have in any matter in accordance with the requirements of this code.

Supplementary provisions applicable to board members of a county Council

- 5.30 Attendance at public meetings –
- Board members should avoid attending, or speaking at, public meetings organised by members of the community or a constituent Council about matters that are currently before or is likely to come before the County Council unless the relevant meeting has been organised at the request of the County Council or the County Council has authorised the Board member to attend or speak at the meeting. In circumstances where Board members are not authorised to attend or speak at a meeting they should decline any invitation to attend the meeting and advise the meeting organisers to make a submission to the County Council and register to address the Board at its meeting.
- 5.31 Previous involvement in matters at constituent Council –
- Board members will generally be considered to have a significant non-pecuniary conflict of interest where they have deliberated or voted on, or otherwise considered, a matter, and/or been present when such consideration is undertaken, in their role as a Councillor of a constituent Council and that matter, or a related matter, subsequently comes before the County Council for consideration.

5.32 Private dealings about matters with constituent Council –

Board members must not expect or request preferential treatment in relation to any matter concerning a constituent Council in which they have a private interest because of their role as a Board member. Board members will generally be considered to have a significant non-pecuniary conflict of interest if a matter in respect of which they have had private dealings with a constituent Council subsequently comes before the County Council for consideration.

5.33 Communicating or representing County Council's position on matters to constituent Councils –

Board members must not purport to communicate or represent the County Council's position on any matter to constituent Councils contrary to any official statement or communication made by the Chairperson, General Manager or other person authorised by the County Council, or unless authorised by the County Council to do so.

5.34 Disclosure of information to constituent Councils –

Board members must not, without the County Council's consent or other lawful authority, disclose information obtained in connection with their role as Board members to constituent Councils, nor use such information in connection with the performance of their role as Councillors of constituent Councils.

5.35 Communication with constituent Councils –

Board members are not to discuss any matter that is before the County Council with any Councillor of a constituent Council in circumstances where the Councillor or the constituent Council has made a submission to the County Council about the matter.

5.36 Lobbying on behalf of constituent Councils –

Board members must disclose to the General Manager (outside of Board meetings) or to the Chairperson (in Board meetings) as soon as practicable whether they are lobbying or otherwise promoting the interests of a constituent Council in relation to a matter with which the County Council is dealing.

PART 6 PERSONAL BENEFIT

6.1 For the purposes of this Part, a gift or a benefit is something offered to or received by a Council official or someone personally associated with them for their personal use and enjoyment.

6.2 A reference to a gift or benefit in this Part does not include:

- a) items with a value of \$10 or less
- b) a political donation for the purposes of the *Electoral Funding Act 2018*
- c) a gift provided to the Council as part of a cultural exchange or sister-city relationship that is not converted for the personal use or enjoyment of any individual Council official or someone personally associated with them
- d) a benefit or facility provided by the Council to an employee or Councillor
- e) attendance by a Council official at a work-related event or function for the purposes of performing their official duties, or
- f) free or subsidised meals, beverages or refreshments provided to Council officials in conjunction with the performance of their official duties such as, but not limited to:
 - i) the discussion of official business

- ii) work-related events such as Council-sponsored or community events, training, education sessions or workshops
- iii) conferences
- iv) Council functions or events
- v) social functions organised by groups, such as Council committees and community organisations.

Gifts and benefits

6.3 You must avoid situations that would give rise to the appearance that a person or body is attempting to secure favourable treatment from you or from the Council, through the provision of gifts, benefits or hospitality of any kind to you or someone personally associated with you.

6.4 A gift or benefit is deemed to have been accepted by you for the purposes of this Part, where it is received by you or someone personally associated with you.

How are offers of gifts and benefits to be dealt with?

6.5 You must not:

- a) seek or accept a bribe or other improper inducement
- b) seek gifts or benefits of any kind
- c) accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty
- d) subject to clause 6.7, accept any gift or benefit of more than token value as defined by clause 6.9
- e) accept an offer of cash or a cash-like gift as defined by clause 6.13, regardless of the amount
- f) participate in competitions for prizes where eligibility is based on the Council being in or entering into a customer-supplier relationship with the competition organiser
- g) personally benefit from reward points programs when purchasing on behalf of the Council.

6.6 Where you receive a gift or benefit of any value other than one referred to in clause 6.2, you must disclose this promptly to your manager or the General Manager in writing. The recipient, manager, or General Manager must ensure that, at a minimum, the following details are recorded in the Council's gift register:

- a) the nature of the gift or benefit
- b) the estimated monetary value of the gift or benefit
- c) the name of the person who provided the gift or benefit, and
- d) the date on which the gift or benefit was received.

6.7 Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, the gift or benefit must be surrendered to the Council, unless the nature of the gift or benefit makes this impractical.

Gifts and benefits of token value

6.8 You may accept gifts and benefits of token value. Gifts and benefits of token value are one or more gifts or benefits received from a person or organisation over a 12-month

period that, when aggregated, do not exceed a value of \$100. They include, but are not limited to:

- a) invitations to and attendance at local social, cultural or sporting events with a ticket value that does not exceed \$100
- b) gifts of alcohol that do not exceed a value of \$100
- c) ties, scarves, coasters, tie pins, diaries, chocolates or flowers or the like
- d) prizes or awards that do not exceed \$100 in value.

Gifts and benefits of more than token value

- 6.9 Gifts or benefits that exceed \$100 in value are gifts or benefits of more than token value for the purposes of clause 6.5(d) and, subject to clause 6.7, must not be accepted.
- 6.10 Gifts and benefits of more than token value include, but are not limited to, tickets to major sporting events (such as international matches or matches in national sporting codes) with a ticket value that exceeds \$100, corporate hospitality at a corporate facility at major sporting events, free or discounted products or services for personal use provided on terms that are not available to the general public or a broad class of persons, the use of holiday homes, artworks, free or discounted travel.
- 6.11 Where you have accepted a gift or benefit of token value from a person or organisation, you must not accept a further gift or benefit from the same person or organisation or another person associated with that person or organisation within a single 12-month period where the value of the gift, added to the value of earlier gifts received from the same person or organisation, or a person associated with that person or organisation, during the same 12-month period would exceed \$100 in value.
- 6.12 For the purposes of this Part, the value of a gift or benefit is the monetary value of the gift or benefit inclusive of GST.

“Cash-like gifts”

- 6.13 For the purposes of clause 6.5(e), “cash-like gifts” include but are not limited to, gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internet credit, lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class of persons.

Improper and undue influence

- 6.14 You must not use your position to influence other Council officials in the performance of their official functions to obtain a private benefit for yourself or for somebody else. A Councillor will not be in breach of this clause where they seek to influence other Council officials through the proper exercise of their role as prescribed under the LGA.
- 6.15 You must not take advantage (or seek to take advantage) of your status or position with Council, or of functions you perform for Council, in order to obtain a private benefit for yourself or for any other person or body.

PART 7 RELATIONSHIPS BETWEEN COUNCIL OFFICIALS

Obligations of Councillors and administrators

- 7.1 Each Council is a body politic. The Councillors or administrator/s are the governing body of the Council. Under section 223 of the LGA, the role of the governing body of the Council includes the development and endorsement of the strategic plans, programs, strategies and policies of the Council, including those relating to workforce policy, and to keep the performance of the Council under review.

7.2 Councillors or administrators must not:

- a) direct Council staff other than by giving appropriate direction to the General Manager by way of Council or committee resolution, or by the Chairperson or administrator exercising their functions under section 226 of the LGA
- b) in any public or private forum, direct or influence, or attempt to direct or influence, any other member of the staff of the Council or a delegate of the Council in the exercise of the functions of the staff member or delegate
- c) contact a member of the staff of the Council on Council-related business unless in accordance with the policy and procedures governing the interaction of Councillors and Council staff that have been authorised by the Council and the General Manager
- d) contact or issue instructions to any of the Council's contractors, including the Council's legal advisers, unless by the Chairperson or administrator exercising their functions under section 226 of the LGA.

7.3 Despite clause 7.2, Councillors may contact the Council's external auditor or the chair of the Council's audit risk and improvement committee to provide information reasonably necessary for the external auditor or the audit, risk and improvement committee to effectively perform their functions.

Obligations of staff

7.4 Under section 335 of the LGA, the role of the General Manager includes conducting the day-to-day management of the Council in accordance with the strategic plans, programs, strategies and policies of the Council, implementing without undue delay, lawful decisions of the Council and ensuring that the Chairperson and other Councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their official functions.

7.5 Members of staff of Council must:

- a) give their attention to the business of the Council while on duty
- b) ensure that their work is carried out ethically, efficiently, economically and effectively
- c) carry out reasonable and lawful directions given by any person having authority to give such directions
- d) give effect to the lawful decisions, policies and procedures of the Council, whether or not the staff member agrees with or approves of them
- e) ensure that any participation in political activities outside the service of the Council does not interfere with the performance of their official duties.

Inappropriate interactions

7.6 You must not engage in any of the following inappropriate interactions:

- a) Councillors and administrators approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
- b) Council staff approaching Councillors and administrators to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
- c) subject to clause 8.6, Council staff refusing to give information that is available to other Councillors to a particular Councillor

- d) Councillors and administrators who have lodged an application with the Council, discussing the matter with Council staff in staff-only areas of the Council
- e) Councillors and administrators approaching members of local planning panels or discussing any application that is either before the panel or that will come before the panel at some future time, except during a panel meeting where the application forms part of the agenda and the Councillor has a right to be heard by the panel at the meeting
- f) Councillors and administrators being overbearing or threatening to Council staff
- g) Council staff being overbearing or threatening to Councillors or administrators
- h) Councillors and administrators making personal attacks on Council staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of this code in public forums including social media
- i) Councillors and administrators directing or pressuring Council staff in the performance of their work, or recommendations they should make
- j) Council staff providing ad hoc advice to Councillors and administrators without recording or documenting the interaction as they would if the advice was provided to a member of the community
- k) Council staff meeting with applicants or objectors alone AND outside office hours to discuss planning applications or proposals
- l) Councillors attending on-site inspection meetings with lawyers and/or consultants engaged by the Council associated with current or proposed legal proceedings unless permitted to do so by the Council's General Manager or, in the case of the Chairperson or administrator, unless they are exercising their functions under section 226 of the LGA.

PART 8 ACCESS TO INFORMATION AND COUNCIL RESOURCES

Councillor and administrator access to information

- 8.1 The General Manager is responsible for ensuring that Councillors and administrators can access information necessary for the performance of their official functions. The General Manager and public officer are also responsible for ensuring that members of the public can access publicly available Council information under the *Government Information (Public Access) Act 2009* (the GIPA Act).
- 8.2 The General Manager must provide Councillors and administrators with the information necessary to effectively discharge their official functions.
- 8.3 Members of staff of Council must provide full and timely information to Councillors and administrators sufficient to enable them to exercise their official functions and in accordance with Council procedures.
- 8.4 Members of staff of Council who provide any information to a particular Councillor in the performance of their official functions must also make it available to any other Councillor who requests it and in accordance with Council procedures.
- 8.5 Councillors and administrators who have a private interest only in Council information have the same rights of access as any member of the public.
- 8.6 Despite clause 8.4, Councillors and administrators who are precluded from participating in the consideration of a matter under this code because they have a

conflict of interest in the matter, are not entitled to request access to Council information in relation to the matter unless the information is otherwise available to members of the public, or the Council has determined to make the information available under the GIPA Act.

Councillors and administrators to properly examine and consider information

8.7 Councillors and administrators must ensure that they comply with their duty under section 439 of the LGA to act honestly and exercise a reasonable degree of care and diligence by properly examining and considering all the information provided to them relating to matters that they are required to make a decision on.

Refusal of access to information

8.8 Where the General Manager or public officer determine to refuse access to information requested by a Councillor or administrator, they must act reasonably. In reaching this decision they must take into account whether or not the information requested is necessary for the Councillor or administrator to perform their official functions (see clause 8.2) and whether they have disclosed a conflict of interest in the matter the information relates to that would preclude their participation in consideration of the matter (see clause 8.6). The General Manager or public officer must state the reasons for the decision if access is refused.

Use of certain Council information

- 8.9 In regard to information obtained in your capacity as a Council official, you must:
- a) subject to clause 8.14, only access Council information needed for Council business
 - b) not use that Council information for private purposes
 - c) not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from any information to which you have access by virtue of your office or position with Council
 - d) only release Council information in accordance with established Council policies and procedures and in compliance with relevant legislation.

Use and security of confidential information

- 8.10 You must maintain the integrity and security of confidential information in your possession, or for which you are responsible.
- 8.11 In addition to your general obligations relating to the use of Council information, you must:
- a) only access confidential information that you have been authorised to access and only do so for the purposes of exercising your official functions
 - b) protect confidential information
 - c) only release confidential information if you have authority to do so
 - d) only use confidential information for the purpose for which it is intended to be used
 - e) not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
 - f) not use confidential information with the intention to cause harm or detriment to the Council or any other person or body
 - g) not disclose any confidential information discussed during a confidential session of a Council or committee meeting or any other confidential forum (such as, but not limited to, workshops or briefing sessions).

Personal information

8.12 When dealing with personal information you must comply with:

- a) the *Privacy and Personal Information Protection Act 1998*
- b) the *Health Records and Information Privacy Act 2002*
- c) the Information Protection Principles and Health Privacy Principles
- d) the Council's Privacy Management Plan
- e) the Privacy Code of Practice for Local Government

Use of Council resources

8.13 You must use Council resources ethically, effectively, efficiently and carefully in exercising your official functions, and must not use them for private purposes, except when supplied as part of a contract of employment (but not for private business purposes), unless this use is lawfully authorised and proper payment is made where appropriate.

8.14 Union delegates and consultative committee members may have reasonable access to Council resources and information for the purposes of carrying out their industrial responsibilities, including but not limited to:

- a) the representation of members with respect to disciplinary matters
- b) the representation of employees with respect to grievances and disputes
- c) functions associated with the role of the local consultative committee.

8.15 You must be scrupulous in your use of Council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.

8.16 You must avoid any action or situation that could create the appearance that Council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.

8.17 You must not use Council resources (including Council staff), property or facilities for the purpose of assisting your election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.

8.18 You must not use the Council letterhead, Council crests, Council email or social media or other information that could give the appearance it is official Council material:

- a) for the purpose of assisting your election campaign or the election campaign of others, or
- b) for other non-official purposes.

8.19 You must not convert any property of the Council to your own use unless properly authorised.

Internet access

8.20 You must not use Council's computer resources or mobile or other devices to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature, or that could otherwise lead to criminal penalty or civil liability and/or damage the Council's reputation.

Council record keeping

- 8.21 You must comply with the requirements of the *State Records Act 1998* and ~~the any policies, procedures or guidelines put in place by the Council's concerning information management, records management policy.~~
- 8.22 All information created, sent and received in your official capacity is a Council record and must be managed in accordance with the requirements of the *State Records Act 1998* and the Council's approved ~~records management policies and information management~~ practices, including policies, procedures or guidelines.
- 8.23 All information stored in either soft or hard copy on Council supplied resources (including technology devices and email accounts) is deemed to be related to the business of the Council and will be treated as Council records, regardless of whether the original intention was to create the information for personal purposes.
- 8.24 You must not destroy, alter, or dispose of Council information or records, unless authorised to do so. If you need to alter or dispose of Council information or records, you must do so in consultation with the Council's records manager and comply with the requirements of the *State Records Act 1998*.

Councillor access to Council buildings

- 8.25 Councillors and administrators are entitled to have access to the Council chamber, committee room, Chairperson's office (subject to availability), Councillors' rooms, and public areas of Council's buildings during normal business hours and for meetings. Councillors and administrators needing access to these facilities at other times must obtain authority from the General Manager.
- 8.26 Councillors and administrators must not enter staff-only areas of Council buildings without the approval of the General Manager (or their delegate) or as provided for in the procedures governing the interaction of Councillors and Council staff.
- 8.27 Councillors and administrators must ensure that when they are within a staff-only area they refrain from conduct that could be perceived to improperly influence Council staff decisions.

PART 9 MAINTAINING THE INTEGRITY OF THIS CODE

Complaints made for an improper purpose

- 9.1 You must not make or threaten to make a complaint or cause a complaint to be made alleging a breach of this code for an improper purpose.
- 9.2 For the purposes of clause 9.1, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:
- a) to bully, intimidate or harass another Council official
 - b) to damage another Council official's reputation
 - c) to obtain a political advantage
 - d) to influence a Council official in the exercise of their official functions or to prevent or disrupt the exercise of those functions
 - e) to influence the Council in the exercise of its functions or to prevent or disrupt the exercise of those functions
 - f) to avoid disciplinary action under the Procedures

- g) to take reprisal action against a person for making a complaint alleging a breach of this code
- h) to take reprisal action against a person for exercising a function prescribed under the Procedures
- i) to prevent or disrupt the effective administration of this code under the Procedures.

Detrimental action

- 9.3 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made alleging a breach of this code.
- 9.4 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under the Procedures.
- 9.5 For the purposes of clauses 9.3 and 9.4, a detrimental action is an action causing, comprising or involving any of the following:
- a) injury, damage or loss
 - b) intimidation or harassment
 - c) discrimination, disadvantage or adverse treatment in relation to employment
 - d) dismissal from, or prejudice in, employment
 - e) disciplinary proceedings.

Compliance with requirements under the Procedures

- 9.6 You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under the Procedures.
- 9.7 You must comply with a reasonable and lawful request made by a person exercising a function under the Procedures. A failure to make a written or oral submission invited under the Procedures will not constitute a breach of this clause.
- 9.8 You must comply with a practice ruling made by the Office under the Procedures.
- 9.9 Where you are a Councillor or the General Manager, you must comply with any Council resolution requiring you to take action as a result of a breach of this code.

Disclosure of information about the consideration of a matter under the Procedures

- 9.10 All allegations of breaches of this code must be dealt with under and in accordance with the Procedures.
- 9.11 You must not allege breaches of this code other than by way of a complaint made or initiated under the Procedures.
- 9.12 You must not make allegations about, or disclose information about, suspected breaches of this code at Council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.
- 9.13 You must not disclose information about a complaint you have made alleging a breach of this code or any other matter being considered under the Procedures except for the purposes of seeking legal advice, unless the disclosure is otherwise permitted under the Procedures.

9.14 Nothing under this Part prevents a person from making a public interest disclosure to an appropriate public authority or investigative authority under the *Public Interest Disclosures Act 1994*.

Complaints alleging a breach of this Part

9.15 Complaints alleging a breach of this Part by a Councillor, the General Manager or an administrator are to be managed by the Office. This clause does not prevent the Office from referring an alleged breach of this Part back to the Council for consideration in accordance with the Procedures.

9.16 Complaints alleging a breach of this Part by other Council officials are to be managed by the General Manager in accordance with the Procedures.

FOR ADOPTION

SCHEDULE 1: DISCLOSURES OF INTERESTS AND OTHER MATTERS IN WRITTEN RETURNS SUBMITTED UNDER CLAUSE 4.21

Part 1: Preliminary

Definitions

1. For the purposes of the schedules to this code, the following definitions apply:

address means:

- a) in relation to a person other than a corporation, the last residential or business address of the person known to the Councillor or designated person disclosing the address, or
- b) in relation to a corporation, the address of the registered office of the corporation in New South Wales or, if there is no such office, the address of the principal office of the corporation in the place where it is registered, or
- c) in relation to any real property, the street address of the property.

de facto partner has the same meaning as defined in section 21C of the *Interpretation Act 1987*.

disposition of property means a conveyance, transfer, assignment, settlement, delivery, payment or other alienation of property, including the following:

- a) the allotment of shares in a company
- b) the creation of a trust in respect of property
- c) the grant or creation of a lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property
- d) the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of a debt, contract or chose in action, or of an interest in respect of property
- e) the exercise by a person of a general power of appointment over property in favour of another person
- f) a transaction entered into by a person who intends by the transaction to diminish, directly or indirectly, the value of the person's own property and to increase the value of the property of another person.

gift means a disposition of property made otherwise than by will (whether or not by instrument in writing) without consideration, or with inadequate consideration, in money or money's worth passing from the person to whom the disposition was made to the person who made the disposition, but does not include a financial or other contribution to travel.

interest means:

- a) in relation to property, an estate, interest, right or power, at law or in equity, in or over the property, or
- b) in relation to a corporation, a relevant interest (within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth) in securities issued or made available by the corporation.

listed company means a company that is listed within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth.

occupation includes trade, profession and vocation.

professional or business association means an incorporated or unincorporated body or organisation having as one of its objects or activities the promotion of the economic interests of its members in any occupation.

property includes money.

return date means:

- a) in the case of a return made under clause 4.21(a), the date on which a person became a Councillor or designated person
- b) in the case of a return made under clause 4.21(b), 30 June of the year in which the return is made
- c) in the case of a return made under clause 4.21(c), the date on which the Councillor or designated person became aware of the interest to be disclosed.

relative includes any of the following:

- a) a person's spouse or de facto partner
- b) a person's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- c) a person's spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- d) the spouse or de facto partner of a person referred to in paragraphs (b) and (c).

travel includes accommodation incidental to a journey.

Matters relating to the interests that must be included in returns

- 2. *Interests etc. outside New South Wales:* A reference in this schedule or in schedule 2 to a disclosure concerning a corporation or other thing includes any reference to a disclosure concerning a corporation registered, or other thing arising or received, outside New South Wales.
- 3. *References to interests in real property:* A reference in this schedule or in schedule 2 to real property in which a Councillor or designated person has an interest includes a reference to any real property situated in Australia in which the Councillor or designated person has an interest.
- 4. *Gifts, loans etc. from related corporations:* For the purposes of this schedule and schedule 2, gifts or contributions to travel given, loans made, or goods or services supplied, to a Councillor or designated person by two or more corporations that are related to each other for the purposes of section 50 of the *Corporations Act 2001* of the Commonwealth are all given, made or supplied by a single corporation.

Part 2: Pecuniary interests to be disclosed in returns

Real property

5. A person making a return under clause 4.21 of this code must disclose:
 - a) the street address of each parcel of real property in which they had an interest on the return date, and
 - b) the street address of each parcel of real property in which they had an interest in the period since 30 June of the previous financial year, and
 - c) the nature of the interest.
6. An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
 - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
 - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to their duties as the holder of a position required to make a return.
7. An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a Councillor or designated person.
8. For the purposes of clause 5 of this schedule, "interest" includes an option to purchase.

Gifts

9. A person making a return under clause 4.21 of this code must disclose:
 - a) a description of each gift received in the period since 30 June of the previous financial year, and
 - b) the name and address of the donor of each of the gifts.
10. A gift need not be included in a return if:
 - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
 - b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
 - c) the donor was a relative of the donee, or
 - d) subject to paragraph (a), it was received prior to the person becoming a Councillor or designated person.
11. For the purposes of clause 10 of this schedule, the amount of a gift other than money is an amount equal to the value of the property given.

Contributions to travel

12. A person making a return under clause 4.21 of this code must disclose:
 - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person in the period since 30 June of the previous financial year, and
 - b) the dates on which the travel was undertaken, and
 - c) the names of the states and territories, and of the overseas countries, in which the travel was undertaken.

13. A financial or other contribution to any travel need not be disclosed under this clause if it:
- a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or Council vehicles), or
 - b) was made by a relative of the traveller, or
 - c) was made in the ordinary course of an occupation of the traveller that is not related to their functions as the holder of a position requiring the making of a return, or
 - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12-month period or less, or
 - e) was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
 - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales or to enable the traveller to represent the party within Australia, or
 - g) subject to paragraph (d) it was received prior to the person becoming a Councillor or designated person.
14. For the purposes of clause 13 of this schedule, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.

Interests and positions in corporations

15. A person making a return under clause 4.21 of this code must disclose:
- a) the name and address of each corporation in which they had an interest or held a position (whether remunerated or not) on the return date, and
 - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
 - c) the nature of the interest, or the position held, in each of the corporations, and
 - d) a description of the principal objects (if any) of each of the corporations, except in the case of a listed company.
16. An interest in, or a position held in, a corporation need not be disclosed if the corporation is:
- a) formed for the purpose of providing recreation or amusement, or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
 - b) required to apply its profits or other income in promoting its objects, and
 - c) prohibited from paying any dividend to its members.
17. An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
18. An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a Councillor or designated person.

Interests as a property developer or a close associate of a property developer

19. A person making a return under clause 4.21 of this code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.

20. For the purposes of clause 19 of this schedule:

close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the *Electoral Funding Act 2018*.

property developer has the same meaning as it has in Division 7 of Part 3 of the *Electoral Funding Act 2018*.

Positions in trade unions and professional or business associations

21. A person making a return under clause 4.21 of the code must disclose:

- a) the name of each trade union, and of each professional or business association, in which they held any position (whether remunerated or not) on the return date, and
- b) the name of each trade union, and of each professional or business association, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
- c) a description of the position held in each of the unions and associations.

22. A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a Councillor or designated person.

Dispositions of real property

23. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.

24. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June of the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.

25. A disposition of real property need not be disclosed if it was made prior to a person becoming a Councillor or designated person.

Sources of income

26. A person making a return under clause 4.21 of this code must disclose:

- a) each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on the following 30 June, and
- b) each source of income received by the person in the period since 30 June of the previous financial year.

27. A reference in clause 26 of this schedule to each source of income received, or reasonably expected to be received, by a person is a reference to:
- a) in relation to income from an occupation of the person:
 - (i) a description of the occupation, and
 - (ii) if the person is employed or the holder of an office, the name and address of their employer, or a description of the office, and
 - (iii) if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
 - b) in relation to income from a trust, the name and address of the settlor and the trustee, or
 - c) in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.
28. The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
29. The source of any income received by the person that they ceased to receive prior to becoming a Councillor or designated person need not be disclosed.
30. A fee paid to a Councillor or to the Chairperson or deputy Chairperson under sections 248 or 249 of the LGA need not be disclosed.

Debts

31. A person making a return under clause 4.21 of this code must disclose the name and address of each person to whom the person was liable to pay any debt:
- a) on the return date, and
 - b) at any time in the period since 30 June of the previous financial year.
32. A liability to pay a debt must be disclosed by a person in a return made under clause 4.21 whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time in the period since 30 June of the previous financial year, as the case may be.
33. A liability to pay a debt need not be disclosed by a person in a return if:
- a) the amount to be paid did not exceed \$500 on the return date or in the period since 30 June of the previous financial year, as the case may be, unless:
 - (i) the debt was one of two or more debts that the person was liable to pay to one person on the return date, or at any time in the period since 30 June of the previous financial year, as the case may be, and
 - (ii) the amounts to be paid exceeded, in the aggregate, \$500, or
 - b) the person was liable to pay the debt to a relative, or
 - c) in the case of a debt arising from a loan of money the person was liable to pay the debt to an authorised deposit-taking institution or other person whose ordinary business includes the lending of money, and the loan was made in the ordinary course of business of the lender, or
 - d) in the case of a debt arising from the supply of goods or services:

- (i) the goods or services were supplied in the period of 12 months immediately preceding the return date, or were supplied in the period since 30 June of the previous financial year, as the case may be, or
 - (ii) the goods or services were supplied in the ordinary course of any occupation of the person that is not related to their duties as the holder of a position required to make a return, or
- e) subject to paragraph (a), the debt was discharged prior to the person becoming a Councillor or designated person.

Discretionary disclosures

34. A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.

**SCHEDULE 2: FORM OF WRITTEN RETURN OF INTERESTS
SUBMITTED UNDER CLAUSE 4.21**

'Disclosures by Councillors and designated persons' return

1. The pecuniary interests and other matters to be disclosed in this return are prescribed by Schedule 1 of the Model Code of Conduct for Local Councils in NSW (the Model Code of Conduct).
2. If this is the first return you have been required to lodge with the General Manager after becoming a Councillor or designated person, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a Councillor or designated person.
3. If you have previously lodged a return with the General Manager and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the General Manager, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a Councillor or designated person, (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
4. If you have previously lodged a return with the General Manager and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
5. This form must be completed using block letters or typed.
6. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.
7. If there are no pecuniary interests or other matters of the kind required to be disclosed under a heading in this form, the word "NIL" is to be placed in an appropriate space under that heading.

Important information

This information is being collected for the purpose of complying with clause 4.21 of the Model Code of Conduct.

You must not lodge a return that you know or ought reasonably to know is false or misleading in a material particular (see clause 4.23 of the Model Code of Conduct). Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Council, the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

The information collected on this form will be kept by the General Manager in a register of returns. The General Manager is required to table all returns at a Council meeting.

Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2018* and any guidelines issued by the Information Commissioner.

You have an obligation to keep the information contained in this return up to date. If you become aware of a new interest that must be disclosed in this return, or an interest that you have previously failed to disclose, you must submit an updated return within three months of becoming aware of the previously undisclosed interest.

Disclosure of pecuniary interests and other matters by [full name of Councillor or designated person]

as at [return date]

in respect of the period from [date] to [date]

[Councillor's or designated person's signature]
[date]

A. Real Property

Street address of each parcel of real property in which I had an interest at the return date/at any time since 30 June	Nature of interest

B. Sources of income

1 Sources of income I reasonably expect to receive from an occupation in the period commencing on the first day after the return date and ending on the following 30 June

Sources of income I received from an occupation at any time since 30 June		
Description of occupation	Name and address of employer or description of office held (if applicable)	Name under which partnership conducted (if applicable)

2 Sources of income I reasonably expect to receive from a trust in the period commencing on the first day after the return date and ending on the following 30 June

Sources of income I received from a trust since 30 June	
Name and address of settlor	Name and address of trustee

3 Sources of other income I reasonably expect to receive in the period commencing on the first day after the return date and ending on the following 30 June

Sources of other income I received at any time since 30 June
[Include description sufficient to identify the person from whom, or the circumstances in which, that income was received]

C. Gifts

Description of each gift I received at any time since 30 June	Name and address of donor

D. Contributions to travel

Name and address of each person who made any financial or other contribution to any travel undertaken by me at any time since 30 June	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken

E. Interests and positions in corporations

Name and address of each corporation in which I had an interest or held a position at the return date/at any time since 30 June	Nature of interest (if any)	Description of position (if any)	Description of principal objects (if any) of corporation (except in case of listed company)

F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)

G. Positions in trade unions and professional or business associations

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) at the return date/at any time since 30 June	Description of position

H. Debts

Name and address of each person to whom I was liable to pay any debt at the return date/at any time since 30 June

I. Dispositions of property

1 Particulars of each disposition of real property by me (including the street address of the affected property) at any time since 30 June as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time

2 Particulars of each disposition of property to a person by any other person under arrangements made by me (including the street address of the affected property), being dispositions made at any time since 30 June, as a result of which I obtained, either wholly or in part, the use and benefit of the property

J. Discretionary disclosures

SCHEDULE 3: FORM OF SPECIAL DISCLOSURE OF PECUNIARY INTEREST SUBMITTED UNDER CLAUSE 4.37

1. This form must be completed using block letters or typed.
2. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

Important information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.36(c) of the Model Code of Conduct for Local Councils in NSW (the Model Code of Conduct).

The special disclosure must relate only to a pecuniary interest that a Councillor has in the Councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Model Code of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Model Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

"Relative" is defined by clause 4.4 of the Model Code of Conduct as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the Council or Council committee meeting at which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

Special disclosure of pecuniary interests by *[full name of Councillor]*

in the matter of *[insert name of environmental planning instrument]*

which is to be considered at a meeting of the *[name of Council or Council committee (as the case requires)]*

to be held on the day of 20 .

Pecuniary interest	
Address of the affected principal place of residence of the Councillor or an associated person, company or body (the identified land)	
Relationship of identified land to the Councillor <i>[Tick or cross one box.]</i>	<input type="checkbox"/> The Councillor has an interest in the land (e.g. is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> An associated person of the Councillor has an interest in the land. <input type="checkbox"/> An associated company or body of the Councillor has an interest in the land.
Matter giving rise to pecuniary interest ⁹	
Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land) ¹⁰ <i>[Tick or cross one box]</i>	<input type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control <i>[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</i>	
Proposed change of zone/planning control <i>[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</i>	
Effect of proposed change of zone/planning control on Councillor or associated person <i>[Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</i>	

⁹ Clause 4.1 of the Model Code of Conduct provides that a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter, or if the interest is of a kind specified in clause 4.6 of the Model Code of Conduct.

¹⁰ A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a Councillor or a person, company or body referred to in clause 4.3 of the Model Code of Conduct has a proprietary interest.

| _____
[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.]

Councillor's signature

Date

[This form is to be retained by the Council's General Manager and included in full in the minutes of the meeting]

FOR ADOPTION

Quarterly Budget Review Statement Quarter ending 31 December 2024

Responsible Officer: Group Manager Organisational Services (Helen McNeil)

Recommendation

That Council note the results presented in the Quarterly Budget Review Statement as at 31 December 2024 and authorise the variations to the amounts from those previously estimated.

Background

The Integrated Planning and Reporting (IP&R) framework sets out minimum standards of reporting that will assist Council in adequately disclosing its overall financial position and to provide sufficient additional information to enable informed decision-making and enhance transparency.

The Quarterly Budget Review Statement (QBRs) is made up of a minimum of six key statements:

- (QBRs1) Statement by the Responsible Accounting Officer on Council's financial position
- (QBRs2) Budget Review Income and Expenses Statement
- (QBRs3) Budget Review Capital Budget
- (QBRs4) Budget Review Cash and Investments Position
- (QBRs5) Budget Review Contracts and Other Expenses
- (QBRs6) Budget Review Key Performance Indicators

For the information of Council, the original 2024/25 budget was adopted on 19 June 2024 as part of the 2024/25 Operational plan and the 2024/28 Delivery program.

Governance

- **Finance**

(QBRs1) Report by Responsible Accounting Officer

The following statement is made in accordance with clause 203(2) of the *Local Government (General) Regulation 2021*.

"It is my opinion that the Quarterly Budget Review Statement of Rous County Council for the quarter ended 31 December 2024 indicates that Council's projected financial position at 30 June 2025 will be satisfactory at year end, having regard to the projected estimates of income and expenditure, the original budgeted income and expenditure and Council's short-term liquidity position."



Jonathan Patino
Responsible Accounting Officer

Commentary on Proposed Adjustments – December 2024 (Table 1)

The following table details proposed budget variations as compared to the original budget and quarterly adjustments. The tables that follow summarise the changes on a reporting unit basis. For reporting purposes, only changes over \$10,000 are individually referenced.

Revenue has increased by \$0.3M, operating expenditure has decreased by \$1.1M, capital expenditure has decreased by \$4.1M and grants held as liability have increased by \$4M, resulting in an overall change of \$9.5M to be transferred to reserves.

Significant Adjustments

Capital Works Program

Management have taken the QBRS as an opportunity to review the capital works program, particularly the impact of carry over budgets and the resources available to complete works. This remains an important focus with a complete review of proposed capital works to be undertaken as part of the annual budget process.

Impact on Reserves as a Whole

The required changes this quarter will provide a substantial increase to our budgeted reserves. The overall internal reserves policy position is still forecast to be met, along with the New South Wales Treasury Corporation loan covenant requirement to hold reserves that equal 6 months of the next financial year's operating expenditure less depreciation.

(QBR2) Table 1: Summary of Proposed Changes Whole Organisation – December 2024

BUDGET ITEMS	Original Budget 2024/25	2023/24 Carryovers	September	December	Ref	Projected Year End Result 2024/25
			30-Sep-24	31-Dec-24		
			Quarter	Quarter		
Operating Income						
Bulk	31,058,300	0	391,000	(327,500)	BW1, BW9	31,121,800
Retail	3,966,700	0	(170,800)	0		3,795,900
Flood	1,910,300	0	3,845,800	600,000	FM1, FM2	6,356,100
Weeds	1,632,500	0	804,800	0		2,437,300
Property	162,600	0	(35,700)	0		126,900
Fleet	123,500	0	0	0		123,500
TOTAL OPERATING INCOME	38,853,900	0	4,835,100	272,500		43,961,500
Operating Expenses						
Bulk	28,211,300	1,923,100	2,580,000	(1,125,900)	BW1, BW2, BW3, BW4, BW5, BW6, BW7, BW8, BW20, BW21, BW23	31,588,500
Retail	3,959,000	0	13,500	0		3,972,500
Flood	2,461,600	278,300	2,634,900	800		5,375,600
Weeds	1,794,400	0	968,400	2,100		2,764,900
Property	333,400	0	(52,100)	41,700	P1	323,000
Fleet	225,300	0	(56,700)	0		168,600
TOTAL OPERATING EXPENSES	36,985,000	2,201,400	6,088,000	(1,081,300)		44,193,100
OPERATING RESULT	1,868,900	(2,201,400)	(1,252,900)	1,353,800		(231,600)
Exclude Depreciation	8,756,500	0	0	41,700		8,798,200
Cash Result	10,625,400	(2,201,400)	(1,252,900)	1,395,500		8,566,500
Less: Capital Expense	38,305,600	6,484,600	(5,891,800)	(4,069,300)	BW9, BW10, BW11, BW12, BW13, BW14, BW15, BW16, BW17, BW18, BW19, BW22, RW1, FM1, FM2	34,829,100
Add: Loan Funds	30,000,000	0	(5,000,000)	0		25,000,000
Less: Loan Repayments	4,256,900	0	0	0		4,256,900
Adjustment for Grants held as Liability	0	0	0	4,024,200	BW9, FM1, FM2	4,024,200
Add: From/Less: (To) Reserve	1,937,100	8,686,000	361,100	(9,489,000)		1,495,200
Estimated Cash Movement	0	0	0	0		0

Budget Adjustments Required this Quarter

New / Existing	Description	Reporting Unit	Category	Ref	Adjustment Amount		Notes
					Current Budget (2024/25)	LTFP (2025/26-2033/34)	
New	Fresh Start Apprenticeship and Traineeship Funding	BULK	Operating Revenue Operating Expenditure	BW1 BW1	(72,500) 101,000		Rous has been successful in obtaining funding under the Office of Local Government Fresh Start Program designed to boost the local government workforce, whilst providing genuine career opportunities for jobseekers and schools leavers. The successful application covers 2 on-country management trainees in the Catchment and Cultural Awareness department and 2 apprentice electricians in the Dams and Treatment department. Only wages are covered by the funding, meaning that a transfer of \$28,500 is requested from the Bulk Water reserve to fund the additional employment on-costs for the current financial year. Changes to future years forecasts will be assessed as part of the annual budget process. The funding agreement was due to be signed in early February.
Existing	People & Culture Projects Officer - ELMO System Enhancement	BULK	Operating Expenditure	BW2	28,500		An extension of the contract of the People & Culture Projects Officer to May 2025 is required to continue making enhancements to the ELMO system (Council's Human Resources employee hub). This will include ELMO housekeeping including cleanup and approval reviews, review of staff training materials and redesign of recruitment and onboarding processes. A transfer of \$28,500 is requested from the Bulk Water reserve to continue this project.
Existing	Future Water Project - Direct Potable Reuse Pilot Scheme	BULK	Operating Expenditure	BW3	10,000	(5,000)	Rous is an inaugural member of the WaterVal scheme and has committed \$5,000 per year for 3 years to support this program which is designed to promote a robust Water Validation methodology for PRW schemes. The budget for these amounts was originally approved for the 2023/24, 2024/25 and 2025/26 financial years. The payment for the 2023/24 year was not made and this amount was previously returned to reserves. The payment for the 3 years will now be made in the current financial year. Therefore, it is requested to bring forward the \$5,000 approved for the 2025/26 financial year to the current financial year and also transfer back the \$5,000 previously returned to the Bulk Water reserve.
Existing	Future Water Project - Biodiversity and Cultural Heritage Assessments at site of proposed Dunoon Dam	BULK	Operating Expenditure	BW4	(341,600)	341,600	The Future Water Project team has been reviewing the status of all it's projects as part of the annual budget process. Some of the committed work on this project is now not expected to be completed this financial year. Therefore, it is requested that \$341,600 of the approved budget be deferred to the 2025/26 financial year.
Existing	Future Water Project - IWCM Strategy Review	BULK	Operating Expenditure	BW5	(120,000)	120,000	The Future Water Project team has been reviewing the status of all it's projects as part of the annual budget process. Some of the committed work on this project is now not expected to be completed this financial year. Therefore, it is requested that \$120,000 of the approved budget be deferred to the 2025/26 financial year.

New / Existing	Description	Reporting Unit	Category	Ref	Adjustment Amount		Notes
					Current Budget (2024/25)	LTFP (2025/26-2033/34)	
Existing	Future Water Project - Richmond Area Coastal Floodplain Alluvial Groundwater Source	BULK	Operating Expenditure	BW6	(150,000)	150,000	The Future Water Project team has been reviewing the status of all its projects as part of the annual budget process. Some of the committed work on this project is now not expected to be completed this financial year. Therefore, it is requested that \$150,000 of the approved budget be deferred to the 2025/26 financial year.
Existing	Future Water Project - Wilsons River Licence Project	BULK	Operating Expenditure	BW7	(250,000)	250,000	The Future Water Project team has been reviewing the status of all its projects as part of the annual budget process. Some of the committed work on this project is now not expected to be completed this financial year. Therefore, it is requested that \$250,000 of the approved budget be deferred to the 2025/26 financial year.
Existing	Future Water Project - Rocky Creek Dam Dead Storage Investigation	BULK	Operating Expenditure	BW8	41,300	0	Rous' Drought Management Plan includes undertaking detailed investigations into accessing dead storage in Rocky Creek Dam. A consultant was engaged to carry out an options assessment in the 2023/24 financial year and work has been ongoing in the current financial year to develop design and implementation plans for this emergency drought option. A further \$41,300 is required to be transferred from the Bulk Water reserve to complete this phase of the project.
Existing	Wilsons River Watermain Crossing at Bexhill	BULK	Capital Revenue Capital Expenditure	BW9 BW9	400,000 (400,000)	(400,000) 400,000	This multi-year project, for the burial of an elevated water main crossing of the Wilsons River near Bexhill and funded by the State Government under the Infrastructure Betterment Fund, is at the design stage. Some of this ongoing work is expected to continue after the end of the current financial year. As some of the grant funds were received upfront and are being recognised as income as the work is completed, there is a nil budget impact.
Existing	Water Loss Implementation	BULK	Capital Expenditure	BW10	150,000	(150,000)	The Water Loss Implementation program is a four-year program of works to reduce water loss from the distribution network. The program is ahead of schedule with contract commitments entered into this financial year for installation of additional bulk metering in the water distribution network, flow control measures and leak and pipeline condition surveys. It is proposed to bring forward \$150,000 of the budget from the 2026/27 financial year to the current year to continue the committed works. The remainder of the scheduled works will be assessed as part of the annual budget process and it is expected that the program will be completed a year ahead of schedule.

New / Existing	Description	Reporting Unit	Category	Ref	Adjustment Amount		Notes
					Current Budget (2024/25)	LTFP (2025/26-2033/34)	
New	Emigrant Creek Water Treatment Plant BAC Tank UV Covers	BULK	Capital Expenditure	BW11	75,000	0	This is an emergent project originating from the repainting of the internal surfaces of the two BAC open-topped tanks at Emigrant Creek Water Treatment Plant in July 2023 with a high build epoxy painting system compliant with AS4020 (Paints in contact with potable water). Oxidation of the coatings was observed in March 2024 and, following discussions with the contractor and coating manufacturer, it was confirmed that the oxidation was the result of exposure to a combination of air and UV. The consequences of allowing the oxidation process to continue would be a reduced life of the internal coatings. It is proposed that roof structures be installed to shade the painted surfaces of the tanks and prevent oxidation from occurring. These roof covers would also reduce the risks of other contaminants entering the water. A transfer of \$75,000 is requested from the Bulk Water reserve to fund this installation.
Existing	St Helena 300 Upgrade	BULK	Capital Expenditure	BW12	(200,000)	200,000	A portion of the St Helena 300 pipe upgrade (connection from 525 to Bangalow Industrial Estate) was scheduled for the current financial year, in conjunction with some private development works being undertaken on the same site. Due to delays with the private development, the majority of this project will need to be deferred to the 2025/26 financial year.
Existing	Byron 200 Mains Renewal	BULK	Capital Expenditure	BW13	(200,000)	200,000	The approved budget for the current financial year includes \$300,000 for planning and design for the renewal of the Byron 200 water main. Only \$100,000 of this budget is now expected to be used in the current financial year and it is requested to defer the remaining \$200,000 to the 2025/26 financial year.
Existing	Emigrant Creek Dam Causeway	BULK	Capital Expenditure	BW14	(472,000)	150,000	It was initially planned to construct a concrete causeway at the base of Emigrant Creek Dam to improve access to the other side for operational monitoring and maintenance. However, Rous staff now believe that the access issue can be addressed with a project of reduced scope. While plans are still being finalised, it is believed that \$322,000 of the previously approved budget can be returned to the Bulk Water reserve, with a budget of \$50,000 being retained in the current financial year for the installation of a work shed on the other side of the dam and survey and design of a walkway, and \$150,000 being deferred to the 2025/26 financial year for construction of the walkway.
Existing	Installation of a Solar PV system on the roof of the water reservoir at Nightcap WTP as part of the Renewable Energy and Emissions Reduction Plan	BULK	Capital Expenditure	BW15	(270,000)	270,000	This project has been delayed as Council staff await the outcome of a grant application to partially fund the work. Therefore, it is requested that the approved budget of \$270,000 be deferred to the 2025/26 financial year.

New / Existing	Description	Reporting Unit	Category	Ref	Adjustment Amount		Notes
					Current Budget (2024/25)	LTFP (2025/26-2033/34)	
Existing	Future Water Project - Alstonville Groundwater	BULK	Capital Expenditure	BW16	(2,684,300)	2,684,300	The Future Water Project team has been reviewing the status of all its projects as part of the annual budget process. Some of the planned work on this project is now not expected to be completed this financial year, mostly due to delays with the purchase of the Marom Creek Water Treatment Plant and related assets from Ballina Shire Council. Therefore, it is requested that \$2,684,300 of the approved budget be deferred to the 2025/26 financial year.
Existing	Future Water Project - Tyagarah Groundwater	BULK	Capital Expenditure	BW17	300,000	0	This multi-year project requires additional ecological assessments and preparatory on-ground works for test drilling. A transfer of \$300,000 is requested from the Bulk Water reserve to fund these works. The test drilling results will define the future path for this project and the budget for future years will be assessed as part of the annual budget process.
Existing	Future Water Project - Woodburn Groundwater	BULK	Capital Expenditure	BW18	(680,000)	680,000	The Future Water Project team has been reviewing the status of all its projects as part of the annual budget process. Some of the planned work on this project is now not expected to be completed this financial year. Therefore, it is requested that \$680,000 of the approved budget be deferred to the 2025/26 financial year.
New	Natural Disaster Relief Assistance Program Funding - Bungawalbin Levee	FLOOD	Capital Revenue Capital Expenditure	FM1 FM1	(500,000) 500,000	(6,400,900) 6,400,900	Council has been successful in obtaining funding from the NSW Government under the Natural Disaster Relief Assistance Program to restore Bungawalbin Levee, which was damaged in the flood events of 2022. The capital works to restore the levee will be carried out over the next 2 years, finishing during the 2026/27 financial year. Due to the difficulty of funding this work from the Flood Mitigation reserve before claiming reimbursement from the NDRA Program at the completion of the project, Council is negotiating a tripartite agreement with the NSW Reconstruction Authority and NSW Public Works, which will allow for progress payments to be made, including an initial 20% on execution of the tripartite agreement and a further 30% on funding approval.
New	Natural Disaster Relief Assistance Program Funding - South Lismore Levee	FLOOD	Capital Revenue Capital Expenditure	FM2 FM2	(100,000) 100,000	(1,447,500) 1,447,500	Council has been successful in obtaining funding from the NSW Government under the Natural Disaster Relief Assistance Program to restore South Lismore Levee, which was damaged in the flood events of 2022. The capital works to restore the levee will be carried out over the next 2 years, finishing during the 2026/27 financial year. Due to the difficulty of funding this work from the Flood Mitigation reserve before claiming reimbursement from the NDRA Program at the completion of the project, Council is negotiating a tripartite agreement with the NSW Reconstruction Authority and NSW Public Works, which will allow for progress payments to be made, including an initial 20% on execution of the tripartite agreement and a further 30% on funding approval.

New / Existing	Description	Reporting Unit	Category	Ref	Adjustment Amount		Notes
					Current Budget (2024/25)	LTFP (2025/26-2033/34)	
Existing	Depreciation	PROPERTY	Operating Expenditure	P1	41,700		0 Council finance staff have adjusted the estimate for depreciation in the Property Fund for the current financial year to reflect adjustments in the value of properties. Changes to future years forecasts will be assessed as part of the annual budget process. This is a non-cash adjustment, which means there is a nil effect on the Property reserve.
Existing	Budget Savings Identified Valve Replacement	BULK	Capital Expenditure	BW19	(25,000)		0 This budget is for the replacement of critical valves in the water distribution network. Some of the valves requiring replacement in the current financial year were purchased with the previous year's remaining budget. Therefore, there are sufficient funds available to install the remaining valves and return \$25,000 to the Bulk Water reserve.
Existing	Future Water Project - Purified Recycled Water Investigations	BULK	Operating Expenditure	BW20	(267,200)		0 This multi-year project is complete and the balance of the funds can be returned to the Bulk Water reserve.
Existing	Future Water Project - Project Management	BULK	Operating Expenditure	BW21	(100,000)		0 More of the Future Water Project team's time has been capitalised to projects than originally expected. Therefore, \$100,000 of the approved budget for project management can be returned to the Bulk Water reserve.
Existing	Emigrant Creek Water Treatment Plant Floatation	BULK	Capital Expenditure	BW22	(13,000)		0 This project is no longer required and the funds can be returned to the Bulk Water reserve.
Existing	Asset Componentisation Review	BULK	Operating Expenditure	BW23	(75,000)		0 This planned project, to create a new asset componentisation structure is no longer required as it has been superseded by the NOVUS project. Therefore, the funds can be returned to the Bulk Water reserve.
Existing	Smart Metering and Backflow Project	RETAIL	Capital Expenditure	RW1	(250,000)		0 This multi-year project, to install smart meters and backflow prevention devices for Rous retail customers, is almost complete and is expected to come in below budget. Therefore, \$250,000 can be returned to the Retail Water reserve.
					(5,423,100)	4,890,900	

Bulk Water Reporting Unit

(QBR2) Income & Expenses - Bulk

	Original Budget 2024/25	2023/24 Carryovers	Approved Changes Sept Review	Recommend Changes for Council Resolution	Ref	Projected Year End Result 2024/25	Actual YTD
Operating Income							
Water Sales	23,530,800	0	0	0		23,530,800	11,788,300
Interest Income / Sundry	896,600	0	400,000	0		1,296,600	917,600
Property Income	23,800	0	0	0		23,800	10,700
Operating Grants and Contributions	757,100	0	(157,600)	72,500	BW1	672,000	0
Profit on Sale	0	0	0	0		0	0
Capital Income	5,850,000	0	148,600	(400,000)	BW9	5,598,600	936,100
Total Operating Income	31,058,300	0	391,000	(327,500)		31,121,800	13,652,700
Operating Expense							
Administration Expenses	734,000	44,800	(5,400)	3,500		776,900	889,200
Administration - Retail Water Cost	(1,975,500)	0	0	0		(1,975,500)	(823,100)
Finance Costs	1,956,400	0	0	0		1,956,400	479,300
Building/Depot Expenses	556,800	0	79,400	20,000		656,200	331,800
Fleet Hire Expense	671,700	0	28,200	0		699,900	363,700
Training & Staff	332,900	9,800	0	0		342,700	203,400
Insurance	418,900	0	5,000	0		423,900	351,800
Members Expenses	152,900	0	0	0		152,900	57,200
Salaries & Wages	9,691,900	0	933,800	64,400	BW1, BW2, BW21	10,690,100	5,124,800
Operations Purchases	8,634,700	1,868,500	1,539,000	(1,213,800)	BW3, BW4, BW5, BW6, BW7, BW8, BW20, BW23	10,828,400	2,942,400
Depreciation	7,036,600	0	0	0		7,036,600	3,433,400
Total Operating Expense	28,211,300	1,923,100	2,580,000	(1,125,900)		31,588,500	13,353,900
Operating Result	2,847,000	(1,923,100)	(2,189,000)	798,400		(466,700)	298,800
Less: Depreciation	7,036,600	0	0	0		7,036,600	3,433,400
Operating Result Excl. Non Cash	9,883,600	(1,923,100)	(2,189,000)	798,400		6,569,900	3,732,200
Less: Capital Expenses	37,721,900	4,786,200	(6,236,800)	(4,419,300)	BW9, BW10, BW11, BW12, BW13, BW14, BW15, BW16, BW19, BW18, BW19, BW22	31,852,000	5,366,400
Add: Loan Funds	30,000,000	0	(5,000,000)	0		25,000,000	0
Less: Loan Repayments	4,256,900	0	0	0		4,256,900	1,627,000
Adjustment for Grants held as Liability	0	0	0	400,000	BW9	400,000	0
Transfer from/(to) Reserve	2,095,200	6,709,300	952,200	(5,617,700)		4,139,000	3,261,200
Net Cash Movement	0	0	0	0		0	0

Impact on Bulk Water Cash Reserve

The required changes above will result in \$5,617,700 being transferred to the Bulk Water cash reserve in the 2024/25 financial year. The projected balance as at 30 June 2025 will increase to \$23,185,200 which is beyond the internal reserves policy target of 4 months operating expenditure (excluding depreciation) plus Employee Leave Entitlement Reserve plus Renewable Energy and Emissions Reduction Plan Reserve or \$9,247,200. Externally restricted cash reserves are excluded from the internal reserves policy target above, however, the total cash balance as at 30 June 2025 is forecast to be \$25,370,900.

Retail Water Reporting Unit

(QBR52) Income & Expenses - Retail

	Original Budget 2024/25	2023/24 Carryovers	Approved Changes Sept Review	Recommend Changes for Council Resolution	Ref	Projected Year End Result 2024/25	Actual YTD
Operating Income							
Water Sales	3,923,600	0	(170,800)	0		3,752,800	1,469,200
Interest Income / Sundry	27,800	0	0	0		27,800	14,300
Capital Income	15,300	0	0	0		15,300	0
Total Operating Income	3,966,700	0	(170,800)	0		3,795,900	1,483,500
Operating Expense							
Administration Expenses	2,351,400	0	0	0		2,351,400	973,100
Building/Depot Expenses	5,000	0	0	0		5,000	6,400
Fleet Hire Expenses	87,400	0	16,300	0		103,700	43,700
Salaries and Wages	668,700	0	146,200	0		814,900	242,800
Operations Purchases	320,000	0	(149,000)	0		171,000	102,700
Depreciation and Amortisation	526,500	0	0	0		526,500	146,400
Total Operating Expense	3,959,000	0	13,500	0		3,972,500	1,515,100
Operating Result	7,700	0	(184,300)	0		(176,600)	(31,600)
Less Depreciation	526,500	0	0	0		526,500	146,400
Operating Result Excl. Non Cash	534,200	0	(184,300)	0		349,900	114,800
Less: Capital Expenses	168,200	1,350,100	0	(250,000)	RW1	1,268,300	862,300
Transfer from/(to) Reserve	(366,000)	1,350,100	184,300	(250,000)		918,400	747,500
Net Cash Movement	0	0	0	0		0	0

Impact on Retail Water Cash Reserve

The required changes above will result in \$250,000 being transferred to the Retail Water cash reserve in the 2024/25 financial year. The projected balance as at 30 June 2025 will increase to \$380,600 which is short of the internal reserves policy target of 4 months operating expenditure (excluding depreciation) or \$1,148,700. This includes a planned transfer of \$1,000,000 from Bulk Water reserves to fund the smart metering/backflow project.

While the forecast cash reserve balance is significantly lower than the internal target, this is a planned outcome based on the need to allocate funds from Bulk Water to cover the costs associated with the Smart Metering and Backflow project. The Reporting Unit is positioned to meet this internal target from 2027/2028 onwards.

Flood Mitigation Reporting Unit

(QBR52) Income & Expenses - Flood

	Original Budget 2024/25	2023/24 Carryovers	Approved Changes Sept Review	Recommend Changes for Council Resolution	Ref	Projected Year End Result 2024/25	Actual YTD
Operating Income							
Grants and Contributions	1,808,500	0	3,930,400	0		5,738,900	1,519,900
Interest Income / Sundry	17,200	0	0	0		17,200	10,500
Capital Income	84,600	0	(84,600)	600,000	FM1, FM2	600,000	0
Total Operating Income	1,910,300	0	3,845,800	600,000		6,356,100	1,530,400
Operating Expense							
Administration Expenses	217,300	0	0	0		217,300	91,700
Building/Depot Expenses	9,900	0	0	300		10,200	4,300
Fleet Hire Expenses	76,000	0	0	0		76,000	38,000
Training & Staff	0	0	0	0		0	400
Insurance	6,200	0	0	0		6,200	6,000
Salaries and Wages	535,400	2,800	67,500	0		605,700	237,100
Operations Purchases	900,500	275,500	2,567,400	500		3,743,900	415,700
Depreciation and Amortisation	716,300	0	0	0		716,300	459,900
Loss on Sale	0	0	0	0		0	
Total Operating Expense	2,461,600	278,300	2,634,900	800		5,375,600	1,253,100
Operating Result	(551,300)	(278,300)	1,210,900	599,200		980,500	277,300
Less Depreciation	716,300	0	0	0		716,300	459,900
Operating Result Excl. Non Cash	165,000	(278,300)	1,210,900	599,200		1,696,800	737,200
Less: Capital Expenses	219,500	22,000	0	600,000	FM1, FM2	841,500	32,900
Adjustment for Grants held as Liability	0	0	0	3,624,200	FM1, FM2	3,624,200	0
Transfer from/(to) Reserve	54,500	300,300	(1,210,900)	(3,623,400)		(4,479,500)	(704,300)
Net Cash Movement	0	0	0	0		0	0

Impact on Flood Mitigation Cash Reserve

These required changes above will result in a \$3,623,400 transfer to the Flood Mitigation cash reserve in the 2024/25 financial year. The projected balance as at 30 June 2025 will decrease to \$1,651,200 which is beyond the internal reserves policy target of 4 months operating expenditure (excluding depreciation) or \$1,553,100. Externally restricted cash reserves are excluded from the internal reserves policy target above, however, the total cash balance as at 30 June 2025 is forecast to be \$5,275,400.

Weed Biosecurity Reporting Unit

(QBR2) Income & Expenses - Weeds

	Original Budget 2024/25	2023/24 Carryovers	Approved Changes Sept Review	Recommend Changes for Council Resolution	Ref	Projected Year End Result 2024/25	Actual YTD
Operating Income							
Grants and Contributions	1,578,600	0	804,800	0		2,383,400	482,600
Interest Income / Sundry	53,900	0	0	0		53,900	30,400
Capital Income	0	0	0	0		0	
Total Operating Income	1,632,500	0	804,800	0		2,437,300	513,000
Operating Expense							
Administration Expenses	318,600	0	12,000	0		330,600	140,400
Building/Depot Expenses	19,000	0	0	1,100		20,100	12,700
Fleet Hire Expenses	191,600	0	93,800	0		285,400	100,900
Training & Staff	0	0	0	0		0	19,200
Salaries and Wages	1,133,900	0	654,700	0		1,788,600	656,300
Operations Purchases	99,800	0	207,900	1,000		308,700	144,700
Depreciation and Amortisation	31,500	0	0	0		31,500	15,700
Total Operating Expense	1,794,400	0	968,400	2,100		2,764,900	1,089,900
Operating Result	(161,900)	0	(163,600)	(2,100)		(327,600)	(576,900)
Less Depreciation	31,500	0	0	0		31,500	15,700
Operating Result Excl. Non Cash	(130,400)	0	(163,600)	(2,100)		(296,100)	(561,200)
Less: Capital Expenses	21,000	0	0	0		21,000	700
Transfer from/(to) Reserve	151,400	0	163,600	2,100		317,100	561,900
Net Cash Movement	0	0	0	0		0	0

Impact on Weed Biosecurity Cash Reserve

These required changes above will result in \$2,100 being transferred from the Weed Biosecurity cash reserve in the 2024/25 financial year. The projected balance as at 30 June 2025 will decrease to \$416,500 which is short of the internal reserves policy target of 4 months operating expenditure (excluding depreciation) or \$911,100.

Property Reporting Unit

(QBR52) Income & Expenses - Property

	Original Budget 2024/25	2023/24 Carryovers	Approved Changes Sept Review	Recommend Changes for Council Resolution	Ref	Projected Year End Result 2024/25	Actual YTD
Operating Income							
Interest Income / Sundry	7,500	0	0	0		7,500	3,100
Property Income	155,100	0	(35,700)	0		119,400	69,700
Capital Income	0	0	0	0		0	
Total Operating Income	162,600	0	(35,700)	0		126,900	72,800
Operating Expense							
Administration Expenses	55,900	0	0	0		55,900	23,300
Building/Depot Expenses	177,500	0	(40,100)	0		137,400	102,400
Salaries and Wages	44,200	0	0	0		44,200	36,100
Operations Purchases	12,000	0	(12,000)	0		0	800
Depreciation and Amortisation	43,800	0	0	41,700	P1	85,500	53,600
Total Operating Expense	333,400	0	(52,100)	41,700		323,000	216,200
Operating Result	(170,800)	0	16,400	(41,700)		(196,100)	(143,400)
Less Depreciation	43,800	0	0	41,700		85,500	53,600
Operating Result Excl. Non Cash	(127,000)	0	16,400	0		(110,600)	(89,800)
Less: Capital Expenses	50,000	326,300	225,000	0		601,300	200,200
Transfer from/(to) Reserve	177,000	326,300	208,600	0		711,900	290,000
Net Cash Movement	0	0	0	0		0	0

Impact on Property Cash Reserve

Nil for this quarter.

Fleet Reporting Unit

(QBR2) Income & Expenses - Fleet

	Original Budget 2024/25	2023/24 Carryovers	Approved Changes Sept Review	Recommend Changes for Council Resolution	Ref	Projected Year End Result 2024/25	Actual YTD
Operating Income							
Interest Income / Sundry	123,500	0	0	0		123,500	60,800
Profit on Sale	0	0	0	0		0	0
Capital Income	0	0	0	0		0	0
Total Operating Income	123,500	0	0	0		123,500	60,800
Operating Expense							
Administration Expenses	1,500	0	0	0		1,500	1,400
Fleet Operations	722,500	0	0	0		722,500	308,500
Fleet Hire Income	(1,026,700)	0	(56,700)	0		(1,083,400)	(538,100)
Salaries and Wages	126,200	0	0	0		126,200	44,600
Operations Purchases	0	0	0	0		0	1,100
Depreciation and Amortisation	401,800	0	0	0		401,800	258,100
Loss on Sale	0	0	0	0		0	0
Total Operating Expense	225,300	0	(56,700)	0		168,600	75,600
Operating Result	(101,800)	0	56,700	0		(45,100)	(14,800)
Less Depreciation	401,800	0	0	0		401,800	258,100
Operating Result Excl. Non Cash	300,000	0	56,700	0		356,700	243,300
Less: Capital Expenses	125,000	0	120,000	0		245,000	122,200
Transfer from/(to) Reserve	(175,000)	0	63,300	0		(111,700)	(121,100)
Net Cash Movement	0	0	0	0		0	0

Impact on Fleet Cash Reserve

Nil for this quarter.

Budget Review for the Quarter Ended 31 December 2024

(QBR3) Capital Budget

	Original Budget 2024/25	2023/24 Carryovers	Approved Changes Sept Review	Recommend Changes for Council Resolution	Ref	Projected Year End Result 2024/25	Actual YTD
Capital Funding:							
Capital Grants & Contributions	550,000	149,400	0	200,000		899,400	65,500
Internal Restrictions							
- Renewals	5,400,200	1,256,600	(18,900)	(303,000)		6,334,900	1,649,600
- New Assets	27,055,400	5,078,600	(5,872,900)	(3,966,300)		22,294,800	3,933,500
External Restrictions							
- Infrastructure	0	0	0	0		0	0
Other Capital Funding Sources							
- Operating Revenue	0	0	0	0		0	0
- S64 Contributions	5,300,000	0	0	0		5,300,000	936,100
Income from Sale of Assets							
- Plant and Equipment	0	0	0	0		0	0
- Land and Buildings	0	0	0	0		0	0
Total Capital Funding	38,305,600	6,484,600	(5,891,800)	(4,069,300)		34,829,100	6,584,700
Capital Expenditure:							
New Assets							
- Plant and Equipment	0	0	0	0		0	0
- Office Equipment	2,596,800	390,700	(2,966,500)	0		21,000	0
- Inventory (Land)	0	309,500	225,000	0		534,500	204,500
- Land and Buildings	19,500,000	2,576,100	(10,000,000)	0		12,076,100	2,227,500
- Infrastructure	10,258,600	1,802,300	6,868,600	(3,966,300)	BW10, BW12, BW13, BW14, BW15, BW16, BW17, BW18, RW1	14,963,200	2,437,600
Renewals (Replacement)							
- Plant and Equipment	125,000	0	120,000	0		245,000	122,100
- Office Equipment	282,000	0	0	0		282,000	7,900
- Land and Buildings	50,000	16,800	336,000	0		402,800	285,800
- Infrastructure	5,493,200	1,389,200	(474,900)	(103,000)	BW9, BW10, BW11, BW12, BW13, BW19, BW22, RW1, FM1, FM2	6,304,500	1,299,300
Total Capital Expenditure	38,305,600	6,484,600	(5,891,800)	(4,069,300)		34,829,100	6,584,700

Impact on Capital Works Program

The required adjustments above will result in a reduction in capital works of \$4,069,300 being transferred to reserves, reducing the total capital works program for 2024/25 to \$34,829,100. As at 31 December, \$6,584,700 or 18.9% of these works have been completed, while another \$30,856,800 or 88.6% has been committed, partially for the 2025/26 financial year.

Budget Review for the Quarter Ended 31 December 2024

(QBR54) Cash & Investments

	Opening Balances 2023/24	Original Budget 2024/25	2023/24 Carryovers	Approved Changes Sept Review	Recommend Changes for Council Resolution	Projected Year End Result 2024/25
Unrestricted:						
Flood Mitigation	99,000	0	0	0	0	99,000
Weeds Biosecurity	25,800	0	0	0	0	25,800
Retail Water	100,000	0	0	0	0	100,000
Property	100,000	0	0	0	0	100,000
Fleet	50,000	0	0	0	0	50,000
Bulk Water	2,354,000	0	0	0	0	2,354,000
Total Unrestricted	2,728,800	0	0	0	0	2,728,800
Externally Restricted:						
Flood Grants	274,800	(190,200)	0	(84,600)	3,624,200	3,624,200
Weeds Grants	217,900	(217,900)	0	0	0	0
Weeds Other	508,000	0	0	0	0	508,000
Bulk Water Grants	2,668,100	(2,481,600)	0	0	400,000	586,500
Bulk Water Other	2,370,000	(1,327,500)	0	556,700	0	1,599,200
Total Externally Restricted	6,038,800	(4,217,200)	0	472,100	4,024,200	6,317,900
Internally Restricted:						
Flood Mitigation	422,000	135,800	(300,300)	1,295,500	(800)	1,552,200
Weeds Biosecurity	490,000	66,400	0	(163,600)	(2,100)	390,700
Retail Water	199,000	1,366,000	(1,350,100)	(184,300)	250,000	280,600
Property	898,000	(177,000)	(326,300)	(208,600)	0	186,100
Fleet	316,300	175,000	0	(63,300)	0	428,000
Bulk Water	23,117,800	713,900	(6,709,300)	(1,508,900)	5,217,700	20,831,200
Total Internally Restricted	25,443,100	2,280,100	(8,686,000)	(833,200)	5,464,800	23,668,800
Total Reserves	34,210,700	(1,937,100)	(8,686,000)	(361,100)	9,489,000	32,715,500

Investment and Cash Bank Statement

The Responsible Accounting Officer certifies that all funds including those under restriction have been invested in accordance with section 625 of the *Local Government Act 1993*, clause 212 of the *Local Government (General) Regulation 2021* and Council's 'Investment' policy. Council's bank statement has been reconciled up to and including 31 December 2024.

Reconciliation

The YTD cash and investment figure reconciles to the actual balances held as follows:

	\$
Cash at Bank (as per bank statements)	5,339,173
Investments on Hand	23,500,000
Reconciled Cash at Bank & Investments	<u>28,839,173</u>

A comparison of the actual cash and investment balance above of \$28,839,173 as at 31 December 2024 to the forecast cash and investment balance of \$32,715,500 as at 30 June 2025 indicates that, while significant spending will occur before 30 June 2025, Council is also planning to drawdown significant loan funds.

(QBR5) Contractors

Contractor	Contract Details & Purpose	Contract Value	Contract Date	Duration of Contract	Budgeted (Y/N)
		(\$) Excluding GST			
Byron Shire Council	"Slow the Flow" soil health improvement project	50,000	28/10/2024	2 years	Y
Ballina Shire Council	Riparian restoration and catchment revegetation	300,000	1/10/2024	2 years	Y
Byron Shire Council	Riparian restoration and catchment revegetation	300,000	28/10/2024	2 years	Y
Lismore City Council	Riparian restoration and catchment revegetation	300,000	7/11/2024	2 years	Y
Richmond Valley Council	Riparian restoration and catchment revegetation	300,000	21/10/2024	2 years	Y
Tweed Shire Council	Riparian restoration and catchment revegetation	300,000	1/10/2024	2 years	Y
Northern Co-Operative Meat Company Ltd	Riparian restoration and catchment revegetation	200,000	16/10/2024	2 years	Y
Northern Co-Operative Meat Company Ltd	Landscape rehydration	200,000	16/10/2024	2 years	Y
FJB Sheet Metal Fabrications Pty Ltd	Fabrication and installation of external stair to NCWTP switch room	59,406	15/10/2024	2 mths	Y
Engeny Australia Pty Ltd	Water security analysis: yield assessment	63,440	3/10/2024	4 mths	Y
Slade Drilling	Tyagarah groundwater investigations	313,691	11/10/2024	9 mths	Y
Kyogle Council	Riparian restoration and catchment revegetation	300,000	23/10/2024	2 years	Y
Local Land Services	Soil health improvement project	450,000	17/10/2024	2 years	Y
Exco Partners Pty Ltd	ERP and EAM implementation	1,356,541	23/10/2024	5 years	Y
KBS Mackay	Construction of the Broadwater DN250 water main	318,834	5/11/2024	6 mths	Y
GHD Pty Ltd	Design and scope development - Wilson River elevated main relocation	83,760	5/11/2024	1 year	Y
Jamieson Dams & Civil Pty Ltd	Independent peer review of RCD Dam Safety Report and Risk Review Report	54,513	7/11/2024	2 mths	Y
CivilCS Pty Ltd	Bulk meter installations	249,474	13/11/2024	6 mths	Y
SD Gibson P/L t/as Scott Gibson Painting Contractor	Painting of Molesworth Steet and Kyogle Street Depot	67,050	25/11/2024	3 mths	Y
Safegroup Automation Pty Ltd	Integration of new flow meters into SCADA	52,097	25/11/2024	3 mths	Y
Alex Llewellyn P/L t/as Llewellyn Building & Reno	Molesworth Street make-good and Kyogle Street and Conway Street fit-outs	77,095	4/12/2024	3 mths	Y

Note: Minimum reporting level is 1% of estimated income from continuing operations or \$50,000 whichever is the lesser.

(QBR5) Consultancy and Legal Expenses**Definition of Consultant**

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high-level specialist or professional advice to assist decision making by management. Generally, it is the advisory nature of the work that differentiates a consultant from other contractors.

Expense	Expenditure YTD \$	Budgeted (Y/N)
Consultancies	\$466,500	Y
Legal Fees	\$25,700	Y

Comment: All consultancies and legal expenses incurred to date are within budget allocations. All figures exclude GST.

Consultancies		
	Organisational Services - Content Manager Upgrade	7,700
	Organisational Services - Indexation of Flood Mitigation Assets	2,000
	Organisational Services - Borrowing Advisory Services	30,000
	Organisational Services - Enterprise Risk Management System	20,900
	Planning & Delivery - ECWTP Strategic Review	32,100
	Planning & Delivery - Dam Safety Management System	113,900
	Planning & Delivery - Richmond River Bank and Riparian Condition Assessment	27,000
	Planning & Delivery - Flood Mitigation Strategic Review	26,200
	Future Water Project - Emergency Desalination Investigation	27,300
	Future Water Project – Purified Recycled Water for Drinking Investigation	104,700
	Future Water Project - RCD Dead Storage Investigation	49,100
	Future Water Project – Wilsons River Emergency Supply Studies	20,600
	Properties & Relocation - Proposal for Pecan Nut at Gallans Road Farm	5,000
Legal Fees		
	Easement Matters	7,500
	Legal Services - Purchase of Woodburn Property	3,100
	Legal Services - Gallans Road	14,900
	Legal Services - Debt Matters	200

Statement of Expenses for Councillors

Councillor Expenses for the Quarter Ending 31/12/2024 (Q2)

Quarter 2	Other Expenses	Official Business of Council - Travel	Official Business of Council - Professional Development/Training	Total by Councillor (Q2)
Councillor Bruem *	0	0	0	0
Councillor Cadwallader	0	0	0	0
Councillor Gordon	0	0	0	0
Councillor Hauge	0	0	0	0
Councillor Humphrys	0	0	0	0
Councillor Krieg	0	0	0	0
Councillor Lyon *	0	0	0	0
Councillor Mustow	0	0	1,505	1,505
Councillor Ndiaye	0	0	0	0
Councillor Ramsey	0	0	0	0
Councillor Rob *	0	0	0	0
Total Per Expense Type	0	0	1,505	1,505

	Q1	Q2	Q3	Q4	Total by Councillor YTD
Councillor Bruem *	0	0	0	0	0
Councillor Cadwallader	0	0	0	0	0
Councillor Gordon	2,364	0	0	0	2,364
Councillor Hauge	0	0	0		0
Councillor Humphrys	0	0	0	0	0
Councillor Krieg	0	0	0		0
Councillor Lyon *	0	0	0	0	0
Councillor Mustow	0	1,505	0	0	1,505
Councillor Ndiaye	0	0	0	0	0
Councillor Ramsey	0	0	0		0
Councillor Rob *	0	0	0	0	0
Total Per Expense Type	2,364	1,505	0	0	3,869

Budget 2024/25 FYR	35,000
Remaining budget	31,131


* Indicates an outgoing Councillor


This information is provided in accordance with paragraph 6.2 of the 'Payment of Expenses and Provision of Facilities for Chairperson and Councillors' policy.

(QBR56) Key Performance Indicators

In assessing an organisation's financial position, there are several performance indicators that can assist to easily identify whether an organisation is financially sound. These indicators and their associated benchmarks, as stipulated by Office of Local Government, are set out below:

	# Performance Indicator		Bulk	Retail	Flood	Weeds	Property	Fleet	Consolidated (Whole Organisation)	Local Government Bench Mark
1	Operating Performance	2024/25 Budget Review	(6,065,300)	(191,900)	380,500	(327,600)	(196,100)	(45,100)	(6,445,500)	Surplus
		2023/24 Actual	(3,633,400)	(160,200)	(592,400)	(674,000)	(103,000)	(87,000)	(5,250,000)	
2	Current Ratio	2024/25 Budget Review	3.02	0.67	10.64	0.76	3.99	2.70	2.87	> 1.5
		2023/24 Actual	3.93	1.41	6.25	0.87	15.63	2.17	3.69	
3	Debt Service Cover Ratio	2024/25 Budget Review	0.16	-	-	-	-	-	0.38	> 2
		2023/24 Actual	0.82	-	-	-	-	-	0.90	
4	Own Source Operating Revenue Ratio	2024/25 Budget Review	80%	100%	25%	50%	100%	100%	72%	> 60%
		2023/24 Actual	84%	100%	31%	51%	100%	100%	79%	
5	Building and Infrastructure Renewals Ratio	2024/25 Budget Review	0.80 : 1	1.17 : 1	1.17 : 1	-	0.78 : 1	-	0.89 : 1	> 1:1
		2023/24 Actual	0.36 : 1	8.29 : 1	0.28 : 1	-	1.59 : 1	-	0.69 : 1	


 Projected result meets or exceeds benchmark.


 Projected result does not meet benchmark.

(QBR6.2) Key Performance Indicators (including Capital Revenue)

An alternative set of Key Performance Indicators is provided below. This is due to capital revenue from Section 64 Developer Contribution being the second highest revenue source for Council. These indicators differ from those that are stipulated by Office of Local Government.

	# Performance Indicator		Bulk	Retail	Flood	Weeds	Property	Fleet	Consolidated (Whole Organisation)	Local Government Bench Mark
1	Operating Performance	2024/25 Budget Review	(466,700)	(176,600)	980,500	(327,600)	(196,100)	(45,100)	(231,600)	Surplus
		2023/24 Actual	69,000	(154,000)	801,000	(674,000)	(103,000)	(87,000)	(148,000)	
2	Current Ratio	2024/25 Budget Review	3.02	0.67	10.64	0.76	3.99	2.70	2.87	> 1.5
		2023/24 Actual	3.93	1.41	6.25	0.87	15.63	2.17	3.69	
3	Debt Service Cover Ratio	2024/25 Budget Review	1.06	-	-	-	-	-	1.38	> 2
		2023/24 Actual	1.52	-	-	-	-	-	1.85	
4	Own Source Operating Revenue Ratio	2024/25 Budget Review	97%	100%	25%	50%	100%	100%	84%	> 60%
		2023/24 Actual	95%	100%	31%	51%	100%	100%	88%	
5	Building and Infrastructure Renewals Ratio	2024/25 Budget Review	0.80 : 1	1.17 : 1	1.17 : 1	-	0.78 : 1	-	0.89 : 1	> 1:1
		2023/24 Actual	0.36 : 1	8.29 : 1	0.28 : 1	-	1.59 : 1	-	0.69 : 1	

 Projected result meets or exceeds benchmark.

 Projected result does not meet benchmark.

Key Performance Indicator Definitions

Please note that comments relate to the consolidated financial indicators.

1. Operating Result Before Capital Contributions

The operating result is the surplus or deficit that Council makes from normal operations (including depreciation) excluding expenditure on capital items. A surplus is a positive financial indicator.

2. Current Ratio Liquidity

The current ratio measures Council's ability to pay existing liabilities in the next 12 months. A ratio greater than one is a positive financial indicator.

3. Debt Service Cover Ratio

This ratio demonstrates the cost of servicing Council's annual debt obligations (loan repayments, both principal and interest) as a portion of available revenue from ordinary activities. A higher ratio is a positive financial indicator.

4. Own Source Operating Revenue Ratio

This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions. A Council's financial flexibility improves the higher the level of its own source revenue. A higher ratio is a positive financial indicator.

5. Building and Infrastructure Renewal Ratio

This ratio indicates the rate of renewal/replacement of existing assets against the depreciation of the same category of assets. A ratio greater than one is a positive financial indicator.

Grant application information

This table provides information on grant applications that have been approved or submitted up to time of preparation of the QBRS. Any grants that may have been approved after that date or that have been applied for, will be covered in future reports. The details of new grants, including grants awaiting a determination, are provided below. A financial update on active grants has also been provided, including grant programs that cover multiple years.

Note: all totals are GST exclusive

Grant Name	Reporting Unit	Synopsis	Funding Body	Program	Project Length	Total Project Value	Grant Funding	Council Funding	Total Expenditure to Date	Balance of Approved Funds to Spend
New Grant Applications Awaiting Outcome										
Stage 1 - NSW Apprenticeships and Trainees Program AT100048	Water	The Program funding addresses identified workforce shortages, skill gaps and will boost critical workforce numbers. The sector is impacted by a trend for outsourcing which has caused a severe depletion of in-house trade capabilities	OLG	A fresh start for Local Government Apprentices, Trainees and Cadets - Round One / Stage 1 - NSW Apprentices and Trainees Program (1x Bus Admin 2yr Traineeship, 2x Indig Mgt parks/gardens 2 yr Traineeship, 2x Electrical 4 year apprenticeships)	1/1/2025 to 01/01/2029	740,000	TBA	TBA		
Good Neighbour Program	Weeds	A strategic initiative aimed at addressing priority weed infestation on private properties adjacent to public lands, fostering collaborative efforts to enhance biosecurity and protect shared landscapes.	NSW LLS	Good neighbours program is designed to tackle priority weed infestations on private property neighbouring public lands	2024-2025	580,125	565,125	15,000		
Active Grants										
Natural Resource Management Flood Water Sustainability Project Grant	Water	Emergency Repairs Claim	Public Works Advisory	Northern Rivers March 2022 Flood/Water Sewerage Program		1,600,000	1,600,000	-	789,796	810,204
Safe & Secure Water Program 2022-2024 (SSWP479) - Tranche 3	Water	Funding for Stage 1 of Rous County Council - FWP2060. Planning, Investigation and Design Project. DPE is funding 25% of the estimated actual project costs.	DPE	Rous Water Customers Water Security Program	15 mths (31.05.24)	8,037,600	2,009,400	-	2,027,660	(18,260)
Local Water Utility Grants	Water	Regional Leakage Reduction Program – Local Water Utility Grants A maximum total amount of 114,025.00 (GST exclusive) payable in instalments. This is based on 25% of \$456,100.00 (total project costs). If total project costs are less than this, the payment will be adjusted accordingly.	DPIE	Regional Leakage Reduction Program	15 mths (31.05.24)	456,100	114,025	342,075	457,469	(1,369)
Wilson's River Tidal Pool Riparian - riparian restoration	Water	Wilson River tidal pool - riparian restoration (Leedman Property)	DPIE	2023-2024 Coast and Estuary Grants Program - Implementation Stream	3 years	55,860	27,930	27,930	10,772	-
Wilson River Reach Fish Habitat Action Grant 2023	Water	Boat Harbour Riparian Repair Project	DPIE	Fish Habitat Action Grants	12m (4.6.2025)	79,266	39,266	40,000	12,821	66,445
Wilson's River Elevated Crossing Realignment Bexhill	Water	Grant - Bexhill Mains Elevated Crossing	DRNSW	Infrastructure Betterment Fund Department of Regional NSW (NSW Betterment Programs)	18 months (30.05.2025)	2,435,000	2,435,000	-	-	2,435,000
Richmond River Tidal Inundation Assessment (CMP Stage 2)	Flood	A tidal inundation assessment for the entire tidal inundation reach of the Richmond River estuary - delineated over two areas, Ballina Shire LGA as one part, and the full extent of tidal zone of the estuary (incorporating Richmond Valley and Lismore City Council LGAs) as the second part	Dept of Climate Change, Energy, the Env and Water	2023-2024 Coast and Estuary Grants Program - Planning Stream	12 mths	60,000	40,000	20,000	-	-
Richmond River Bank and Condition Assessment (CMP Stage 2)	Flood	A riverbank and riparian condition assessment that implements a comprehensive review of existing conditions in the Richmond. Outcomes of the assessment can be used to prioritise investment in future on-ground river restoration works.	Dept of Climate Change, Energy, the Env and Water	2023-2024 Coast and Estuary Grants Program - Planning Stream	18 months	390,000	260,000	130,000	27,000	-

Grant Name	Reporting Unit	Synopsis	Funding Body	Program	Project Length	Total Project Value	Grant Funding	Council Funding	Total Expenditure to Date	Balance of Approved Funds to Spend
Water Quality Monitoring 2019-22	Flood	Richmond River water quality monitoring project	DPIE	Coastal & Estuary Grants Program	36 mths	199,768	99,884	99,884	192,510	7,258
Flood Maintenance 2024-2025	Flood	Fourth year of a four year grant. Each year Council approves spending on this project in excess of the required 1:2 (funding per the agreement \$169,200).	DPIE	Floodplain Management Grants Scheme	12 mths	169,200	84,600	84,600	399,353	
Coraki Riparian Project	Flood	Richmond River coastal riparian project at Coraki	DPIE	Fish Habitat Action Grant	12 mths	112,160	40,000	72,160	78,443	33,717
Richmond and Wilsons Rivers NSW Flood Mitigation Planning	Flood	This planning project is anticipated to reduce the risk and improve resilience of the community to floods in the natural environment by conducting a comprehensive scan of strategic disaster risks and mitigation options for the Richmond River Catchment.	DISER	Preparing Australian Communities – Local Stream Program	3 years	250,000	250,000	-	137,481	112,519
East Coraki Riparian Project	Flood	East Coraki reserve coastal and estuary implementation program	DPI	2021-22 Coastal and Estuary Implementation Program (started 2024FY)	3 years	80,000	40,000	40,000	43,200	36,800
Improve the condition of Coraki and Woodburnn Town Drains	Flood	Improve the condition of Coraki and Woodburnn Town Drains	NSW Reconstruction Authority	Emergency Response Fund - Northern Rivers Recovery and Resilience Program 2022-23: NP6 Improve condition of Coraki and Woodburnn town drains	12 mths (31.12.2024)	150,000	140,250	9,750	80,434	69,566
Revitalise South & East Lismore Town Drains	Flood	Improve the condition of South & East Lismore Town Drains	NSW Reconstruction Authority	Emergency Response Fund - Northern Rivers Recovery and Resilience Program 2022-23: NP7 Revitalise South and East Lismore Town Drains	12 mths (31.12.2024)	196,350	196,350	-	95,865	
Building the resilience of Bungawalbyn Bass habitat – Stage 1 (Site 6)	Flood	This grant will address bank erosion on Bungawalbyn Creek, a high conservation value waterway and valued Bass fishery	NSW DPI	Flagship Fish Habitat Rehabilitation Grants	3 years (30.06.2026)	158,000	158,000	-	-	158,000
Northern Rivers Watershed Initiative (NRWI)	Flood	The NRWI involves undertaking works in the Richmond, Evans, Brunswick and Tweed catchments to improve river health and restore natural hydrologic functioning to deliver environmental, social and economic benefits.	Department of Primary Industries & Regional Development	Northern Rivers Watershed Initiative -Election Policy Statement Funding (Rous to Manage)	24 months (starting Sept 2024)	5,000,000	5,000,000	-	135,000	-
Bungalwalbyn East Levee Immediate Reconstruction Works	Flood	Bungalwalbyn East Levee Immediate Reconstruction Works	NSW Public Works (Dept Regional NSW)	Natural Disaster Essential Public Asset Restoration Grant - NSW Severe Weather and Flooding 22 February 2022 onwards - AGRN 1012. Natural Disaster Relief Assistance (NDRA) Program	3 years	84,996	84,996	-	84,996	-
East Coraki Levee Immediate Reconstruction Works	Flood	East Coraki Levee Immediate Reconstruction Works	NSW Public Works (Dept Regional NSW)	Natural Disaster Essential Public Asset Restoration Grant - NSW Severe Weather and Flooding 22 February 2022 onwards - AGRN 1012. Natural Disaster Relief Assistance (NDRA) Program	3 years	49,327	49,327	-	49,327	-
West Ballina Levee Immediate Reconstruction Works	Flood	West Ballina Levee Immediate Reconstruction Works	NSW Public Works (Dept Regional NSW)	Natural Disaster Essential Public Asset Restoration Grant - NSW Severe Weather and Flooding 22 February 2022 onwards - AGRN 1012. Natural Disaster Relief Assistance (NDRA) Program	3 years	59,392	59,392	-	59,392	-
Bungalwalbin Levee	Flood	Bungalwalbin Levee restoration		Natural Disaster Relief Assistance (NDRA) Program		6,900,935	6,900,935	-	-	6,900,935
South Lismore Levee	Flood	South Lismore Levee restoration		Natural Disaster Relief Assistance (NDRA) Program		1,547,480	1,547,480	-	-	1,547,480
Parthenium 2024	Weeds	Surveillance, control, site maintenance of high risk properties. Distribution of educational materials.	DPI	New Weed Incursion - Parthenium Weed (Parthenium hysterophorus) Response	12 mths	35,000	27,000	8,000	7,268	27,732

Grant Name	Reporting Unit	Synopsis	Funding Body	Program	Project Length	Total Project Value	Grant Funding	Council Funding	Total Expenditure to Date	Balance of Approved Funds to Spend
Miconia 2024-2028	Weeds	Miconia surveillance and eradication	QLD Department of Agriculture & Fisheries	Miconia - The NSW component of the National Tropical Weed Eradication Program (NTWEP)	4 years	2,165,824	2,165,824	-	74,793	2,091,031
North Coast Bushfire Recovery – Delivery of – W1 Tropical Soda Apple Landholder Engagement Project in the North Coast (5 years) - YR 4 (2024FY)	Weeds	Tropical Soda Apple Landholder Engagement and Compliance Program – delivery of 210 property inspections	LLS & DPI	NSW Bushfire Recovery Stimulus	12mths	32,000	32,000	-	22,071	18,783
North Coast Bushfire Recovery – Delivery of – W1 Tropical Soda Apple Landholder Engagement Project in the North Coast (5 years) - YR 5 (2025FY)	Weeds	Tropical Soda Apple Landholder Engagement and Compliance Program – delivery of 210 property inspections	LLS & DPI	NSW Bushfire Recovery Stimulus	12mths	32,000	32,000	-	-	32,000
Tropical Soda Apple (Riparian/High Risk Pathways)	Weeds	Tropical Soda Apple - strategic and ongoing control in high-risk pathways.	LLS	Small Grants Funding	8 mths	47,750	42,750	5,000	23,364	24,386
Priority Weeds Washdown Facility	Weeds	Funding to support essential programs and treatments of new incursions of prohibited weeds - Priority weeds washdown facility	DPI	2022-2023 New Weed Incursion - Priority Weeds Washdown Facility	12mths	49,995	49,995	-	-	49,995
Frogbit 2023/24	Weeds	Expand inspections areas, treatment of Frogbit infestation and follow up treatment	DPI	New Weed Incursion - Frogbit (<i>Limnobium laevigatum</i>) Rapid Response	6 mths	50,000	40,000	10,000	19,461	30,539
Frogbit 2024/25	Weeds	Expand inspections areas, treatment of Frogbit infestation and follow up treatment	NSW DPI	Frogbit Eungella New Incursion	6 mths	22,000	20,000	2,000	-	22,000
Tropical Soda Apple High Risk Pathways 2023/24	Weeds	Next 12 months -Continue surveillance/control of the Tropical Soda apple in identified high risk pathways	DPI	Tropical Soda Apple High Risk Pathways (New incursion)	12 mths	52,000	50,000	2,000	53,282	(1,282)
Tropical Soda Apple High Risk Pathways 2024/25	Weeds	Next 12 months -Continue surveillance/control of the Tropical Soda apple in identified high risk pathways	NSW DPI	Upper Richmond River TSA High Risk Pathways	12 mths	52,000	50,000	2,000	-	52,000
Weeds Action Program 2020-25 (2025)	Weeds	Funding allocated annually	DPiE	North Coast Weeds Action Program 2020-25	12 mths	642,095	642,095	-	752,090	(109,995)
Unsuccessful grant applications										
Nil										

- **Legal**

In accordance with clause 203 of the *Local Government (General) Regulation 2021*, Council's financial position is satisfactory having regard to the original estimate of income and expenditure and Council's projected short-term liquidity position.

Consultation

This report was prepared in consultation with the General Manager and relevant staff.

Conclusion

In summary, all budget items other than those identified in the report have performed within the parameters set by Council in adopting the 2024/25 Operational Plan.

Transferred Retail Water Customers associated with the purchase of Marom Creek Water Treatment Plant

Responsible Officer: Group Manager Planning and Delivery (Andrew Logan)

Recommendation

That Council endorse the recommended approach and transitional fee structure, as outlined in this report, for the transfer of existing Ballina Shire Council retail customers to Council, as part of the purchase of the Marom Creek Water Treatment Plant from Ballina Shire Council.

Background

The purpose of this report is to seek in-principal support for a transitional fee structure for the retail customers that are affected by the transfer of the Marom Creek Water Treatment Plant (MCWTP) and its associated infrastructure, as per Council Resolution [37/24] and specifically Item 5(a)(i) of the minutes of Rous County Council's (Council) extraordinary meeting of 17 July 2024.

The transitional fee structure will be included in an update of the Retail Water Customer Account Assistance Policy which is scheduled to be tabled at Council's April 2025 meeting.

Transferring ownership of the MCWTP, along with existing groundwater supplies provides the most advantageous water security and cost outcomes for the regional supply, constituent councils and the community.

Since July 2024 Council and Ballina Shire Council (BaSC) have been working to finalise the sales contract regarding the proposed acquisition by Council of the MCWTP (and associated assets) from BaSC. This includes approximately 11.1 kilometres of water distribution pipelines that have 57 retail water connections. A map of the transferred pipelines is shown in Attachment 1.

Historically, Council has endeavoured to ensure that its retail water charges are in line with its constituent councils. However, in more recent times, the fees for Council's retail water supply have increased at a faster rate than those charged by BaSC. Table 1 provides an overview of the Rous region's water fees and charges, based on a 20mm metered connection for the 2024/25 financial year.

Table 1- Rous region's water fees and charges (FY24/25)

Local Water Utility (LWU) Area	Fixed Charges (20mm meter)	LWU's (\$/KL) Volumetric charges	Step Charge (threshold) KL/A	Step 2 Charge (\$/KL)	Average usage (KL/A) ²	Usage charges	Total Charges
Ballina Shire Council	\$250	\$2.82	350	\$4.23	270	\$761	\$1,011
Byron Shire Council	\$237	\$3.61			266	\$960	\$1,197
Lismore City Council	\$369.08	\$5.03			189	\$949	\$1,318
Richmond Valley Council	\$208	\$3.25	200	\$4.95	210	\$700	\$908
Rous County Council	\$411.40 ¹	\$3.28			347	\$1,138	\$1,550
Average	\$295.10	\$3.60	275	\$4.59	256	\$902	\$1,197

1 - Includes the \$196 charge for the backflow prevention device

2 - Usage is based on the 2022/23 average residential consumption

A comparison between current BaSC and future Council water fees and charges, based on actual 2023/24 water usage for the transferred retail water connections is shown in Table 2.

Table 2- Comparison of water fees and charges (23/24 actual) for transferred BaSC customers

Row Labels	No. of Meters	BaSC Usages charges	RCC usage charges	BaSC Total Costs	RCC total Costs	Difference
20mm connection	44	\$34,068	\$35,345	\$45,068	\$53,445	\$8,376
25mm connection	8	\$10,060	\$10,493	\$13,180	\$14,777	\$1,596
32mm connection	1	\$564	\$656	\$1,205	\$1,414	\$209
40mm connection	1	\$0	\$0	\$1,003	\$1,076	\$73
50mm connection ¹	1	\$1,139	\$1,266	\$2,705	\$2,838	\$133
80mm connection ¹	2	\$979	\$1,138	\$9,021	\$8,589	-\$431
Grand Total	57	\$46,811	\$48,898	\$72,183	\$82,139	\$9,956

1 - Connections associated with the NSW Wollongbar Agricultural Station

Based on the recorded usage in the 2023/24 financial year, the typical annual increase in water fees and charges is approximately \$190 to \$210 per customer for connections up to 32mm in size. For connections greater than 32mm, there is minimal difference in the total annual average bill charged by BaSC when compared to Council.

It is recommended that a transitional fee structure is applied to customers with meters 32mm and lower. A review of larger connections indicates a commercial nature to these properties, with one connection having no recorded usage for the last two financial years resulting in a negligible impact.

Proposed transitional fee structure

To ensure that the transferred BaSC retail customers are not financially disadvantaged with an immediate increase to water charges, it is recommended that a transitional fee structure be adopted for a period of five years. Fixed charges for the connection, based on meter size, would be in addition to the water consumption and backflow charges.

Table 3 outlines the proposed transitional fee structure.

Table 3 - Proposed transitional fee structure for water consumption and backflow

	Financial Year				
	2024-25	2025-26	2026-27	2027-28	2028-29
Rous Consumption Charge					
Forecast Price Path (Proposed % Increase)		8.00%	8.00%	8.00%	8.00%
Forecast Consumption Charge (\$/KL)	3.28	3.54	3.82	4.13	4.46
Proposed Transition charge to transitioned customers (\$/KL)	2.82	3.16	3.54	3.97	4.46
% Increase for transitioned customers		12.06%	12.03%	12.15%	12.34%
Rous Backflow Device Annual Charge \$196 (23/24)					
Transition charge to new customers (Indexed in line with charge changes)	0	49	98	147	196
% Increase		25%	50%	75%	100%
Rous Annual Facility (fixed) Charges¹					
20mm water meter connection	\$215.35	\$229.95	\$248.20	\$267.18	\$288.35
25mm water meter connection	\$339.50	\$365.00	\$394.20	\$424.56	\$456.25
32mm water meter connection	\$562.10	\$605.90	\$653.35	\$702.72	\$755.55
40mm water meter connection	\$879.70	\$949.00	\$1,022.00	\$1,101.66	\$1,186.25
50mm water meter connection	\$1,376.10	\$1,485.55	\$1,602.35	\$1,727.52	\$1,865.15
80mm water meter connection	\$3,529.60	\$3,810.60	\$4,113.55	\$4,439.58	\$4,792.45

1 – Fixed charges are subject to the annual budget process and may change in future years.

It is recommended that the fixed charge component of Council's water charges will be the same as the amount determined annually, during the budget process. Table 4 provides a comparison of the fixed charges between Council and BaSC.

Table 4 – Fixed Charge Comparison

Financial Year	No. of Meters	BaSC	Rous ¹	Difference
		2024-25	2024-25	
20mm water meter connection	44	\$250	\$215.35	-\$34.65
25mm water meter connection	8	\$390	\$339.50	-\$50.50
32mm water meter connection	1	\$641	\$562.10	-\$78.90
40mm water meter connection	1	\$1,003	\$879.70	-\$123.30
50mm water meter connection	1	\$1,566	\$1,376.10	-\$189.90
80mm water meter connection	2	\$4,021	\$3,529.60	-\$491.40

1 - Excludes the \$196 charge for the backflow prevention device

Based on Table 3, there will be a loss of revenue due to the proposed transitional fee structure. This estimated loss in revenue is shown in Table 5.

Table 5 - Estimated loss in revenue

	Financial Year				
	2024-25 ¹	2025-26	2026-27	2027-28	2028-29
Consumption Charge	\$1,638	\$5,413	\$3,989	\$2,279	\$0
Backflow Device Annual Charge	\$2,646	\$8,379	\$5,586	\$2,793	\$0
Total loss on revenue	\$4,284	\$13,792	\$9,575	\$5,072	\$0

1 assumes only one quarter for that FY

The total estimated loss in revenue is \$34,724 over the 5-year period, based on an average recorded consumption for the transitioning customers over the last 2-year period. At the same time, the expected total retail revenue from the newly transferred retail customers is \$339,655.

There will be some additional costs to set up and administer the proposed transitional fee structure, however, these costs are anticipated to be negligible. It is recognised that BaSC may seek to adjust its revenue policy, given Council's forecast bulk water price path over this five-year period, of the proposed transitional fee structure. Should that be the case, Council can review its transitional fee structure when it adopts the operational plan and budget in June of each year.

Upon the transfer of retail customers, which is expected to occur by the fourth quarter of FY25, Council will implement a smart metering and backflow prevention changeover project. It is proposed that these works will be funded under the existing Future Water Project budget allocations for the Alstonville Plateau water supply scheme and completed by staff.

Analysis completed on recorded water usage for the transferred retail water customers, indicates that several of the meters greater than 20mm but less than 50mm, do not require a water meter of this size based on actual recorded consumption over the last two financial years. This is likely due to changes in ownership over time and associated changes to property related activities and practices. These customers will be offered the opportunity to have a smaller connection installed as part of the smart meter and backflow prevention changeover. This may reduce the fixed charges component and further alleviate the increase in fees for these customers.

Governance

- **Finance**

There are sufficient budget allocations within the Future Water Project for the Alstonville Plateau water supply scheme project to accommodate the change-over to smart meters, along with the installation of the backflow prevention devices.

Based on the proposed transitional fee structure, the estimated loss in revenue (as outlined in Table 4) is insignificant in comparison to the forecast revenue. The forecast revenue for the retail water fund is \$3.967M for the 2024/25 financial year.

The current funding arrangements for the Retail Water Customer Account Assistance Policy will be reviewed for the 2025/26 financial year onwards. This budget review will accompany the policy update at Council's April meeting. However, since the deployment of Council's smart metering fleet, the change to the Retail Water Customer Account Assistance budget is likely to be negligible, as a result of the proposed transitional fee structure.

- **Legal**

It is recommended that the charges imposed on the affected customers is reduced based on a proposed update to the Retail Water Customer Account Assistance Policy, instead of revising the current and future year's revenue policies. The proposed approach allows the affected customers to be advised of the change, once the sales contract (between Council and BaSC) has been

exchanged and ensures that the water charges can be reduced prior to the issuing of the first water accounts to customers from Council in the fourth quarter of FY25. This approach also ensures the actual reduction in fees can be tracked and reported to Council.

In relation to its retail water charges, Council has authority to set the form (e.g. fixed amount, rate per kilolitre, or a combination of them)¹ and the amount, including determining differing amounts for the same charge,² taking into consideration factors such as the quantity of water supplied and the nature and use of the premises to which the water is supplied.³

Whilst there are recommended practises for determining location based pricing, this is not one of those instances. The proposed transitional fee structure is considered reasonable given the circumstances and within the above-mentioned legislative parameters.

Consultation

There has been no external consultation undertaken as a part of this process. Affected retail water customers have not been consulted on the transfer arrangements by either BaSC or Council.

The proposed transitional fee structure was developed through an internal consultative process involving the relevant Council teams, mainly water billing, finance and operations. This approach has received broad support.

It is anticipated contracts will be exchanged in February 2025 with settlement occurring in April 2025. This will align with the third quarter (and final) account issued to these customers from BaSC. Once these customers have been transferred, Rous will deploy its smart meters as soon as possible.

BaSC and Rous have prepared joint statements to key stakeholders about the pending changes once contracts have been exchanged.

Conclusion

As a result of Council acquiring the MCWTP and associated assets, there are 57 retail customers that would have a significant and immediate increase in water charges. It is recommended that a transitional fee structure be applied to these customers to provide for a smooth and progressive increase in their fixed charge and usage charges over a 5-year period.

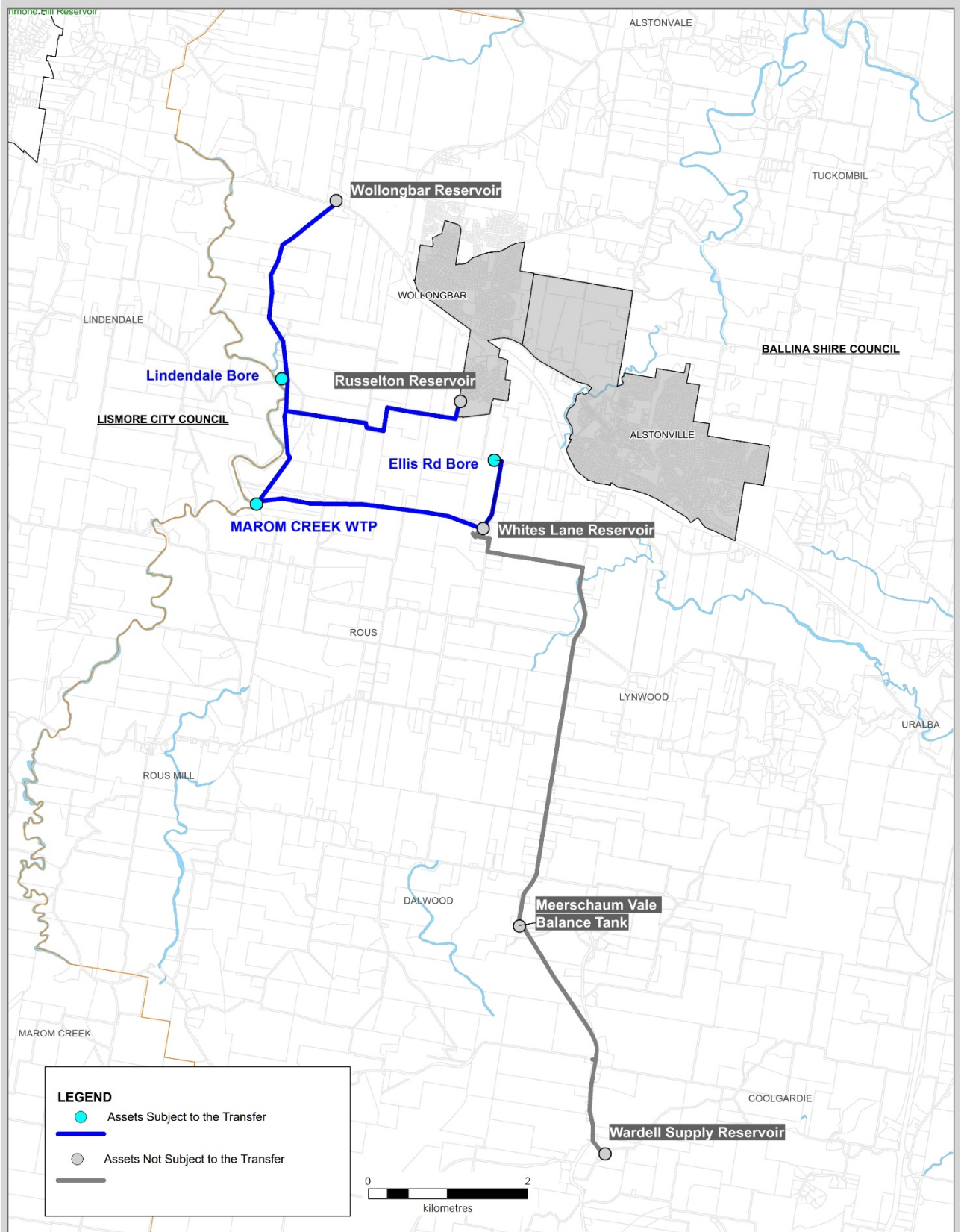
¹ [Section 540](#) of the *Local Government Act 1993*

² [Section 541](#) *Ibid.*

³ [Section 539](#) *Ibid.*

Attachment


1. Map of transferred pipelines



LEGEND

- Assets Subject to the Transfer
- Assets Not Subject to the Transfer



<p>Attachment 1 - Ballina Shire Council Assets to be Transferred to Rous - Marom Creek WTP Sales Contract</p>		
<p>THE INFORMATION ON THIS MAP MAY NOT BE ACCURATE. Disclaimer: The material contained on this map is made available on the understanding that Rous County Council is not hereby engaged in rendering professional advice. While all reasonable care has been taken to ensure the information contained on this map is up to date and accurate, no warranty is given that the information contained on this map is free from error or omission. Any reliance placed on such information shall be at the sole risk of the user. Please verify the accuracy of the information prior to using it.</p>	<p style="text-align: center;">N</p> <p>Printed Date: 11/09/2024 Prepared By: Jeremy Shepherd Projection: MGA Zone 56</p>	<p style="text-align: center;">  ROUS COUNTY COUNCIL </p> <p style="font-size: small;"> ROUS COUNTY COUNCIL ADMINISTRATION CENTRE Level 4, 219/232 Molesworth Street LISMORE NSW 2480 Ph: (02) 6623 3800 Email: council@rous.nsw.gov.au Web: www.rous.nsw.gov.au </p>

Public exhibition of draft Policy: Payment of expenses and provision of facilities for chairperson and councillors

Responsible Officer: Group Manager Organisational Services (Helen McNeil)

Recommendation

That Council:

1. Publicly exhibit the revised 'Payment of fees, expenses and provision of facilities for chairperson and councillors' policy (**Attachment 1**) for a period of 28 days.
2. Should no public submission be received, revoke the policy titled '[Payment of fees, expenses and provision of facilities for chairperson and councillors](#)' and adopt the policy at **Attachment 1** effective as at the end date of public exhibition.
3. Should any public submission be received, consider those submissions at its next meeting in conjunction with consideration of revoking the existing policy and adopting a revised 'Payment of fees, expenses and provision of facilities for chairperson and councillors' policy.

Background

Council is required by legislation to adopt a policy for the payment of expenses or the provision of facilities to councillors within the first 12 months of each term of council.¹

Council's existing 'Payment of fees, expenses and provision of facilities for chairperson and councillors' policy dated 17 August 2022 is now due for review and the revised policy required to be adopted prior to September 2025.²

Outcome of review

Through the review process, no changes to the Office of Local Government's model 'Payment of expenses and provision of facilities for chairperson and councillors' policy, or relevant sections of the *Local Government Act 1993* (NSW), were identified.

There have therefore been no changes made to Council's existing policy dated 17 August 2022. The policy is recommended for re-adoption without change.

Governance

- **Finance**

Council's Long-Term Financial Plan has budget funding allocated for both the payment of councillor fees and councillor superannuation contributions. In the 2024/25 Financial Year, Council has fixed the annual fee payable to councillors and the chairperson at 100% of the maximum determined by the Local Government Remuneration Tribunal (LGRT), that being \$11,280 for councillors and \$18,520 for the chairperson.³

In total, Council allocated \$114,000, inclusive of superannuation, to the payment of councillor fees in the 2024/25 Financial Year.

¹ [Division 5, Part 2, Chapter 9 Section 252 \(1\) Local Government Act 1993](#) (NSW)

² [Payment of expenses and provision of facilities for chairperson and councillors](#), Rous County Council, 2022.

³ [Determination No. 2](#) – Fees for Councillors and Mayors as per section 241 of the LG Act effective from 1 July 2024, p.27.

Budget funding is also allocated for other expenses, such as attendance at conferences and the provision of childcare while a councillor is undertaking their civic functions.

In the 2023/24 Financial Year, \$39,700 was allocated to such expenditure. A total of \$8,274 was spent on the following:

Councillor attendance at conferences and seminars (including airfares, registrations, meals and accommodation)	\$1,412
Other training of councillors and provision of skill development for councillors	\$6,416
Expenses involved in the provision of care for a child of, or an immediate family member of, a councillor, to allow the councillor to undertake their civic functions	\$446

Given the underspend, an increase in the budget for councillor fees and expenses is not proposed for the 2025/26 Financial year. Where appropriate, Rous will engage with constituent councils to share the cost of professional development for councillors.

- **Legal**

Discussion and adoption of a policy for the payment of expenses and the provision of facilities to councillors must be made in open council and cannot be closed to the public.⁴

Staff are satisfied that the proposed policy meets the requirements of the *Local Government Act 1993* and the *Local Government (General) Regulation 2021*.

Individual councillors may opt out of receiving superannuation contribution payments or opt to receive reduced payments. To forgo or opt to receive reduced payments, councillors must request this in writing to the General Manager.

Council is not permitted to make a superannuation contribution payment to a councillor who has agreed in writing to forgo or reduce the payment.⁵

Consultation

Council is required to invite public submissions for a period of 28 days on its proposed policy for the payment of expenses and the provision of facilities to councillors prior to adopting or amending the policy.⁶

Conclusion

The revised 'Payment of fees, expenses and provision of facilities for chairperson and councillors' policy has been reviewed to ensure it continues to meet legislative requirements. The policy is recommended for re-adoption subject to the public notice/exhibit requirements and receipt of any public submissions.

Attachments

1. Revised 'Payment of fees, expenses and provision of facilities for chairperson and councillors' (**for public exhibition**).

⁴ *Local Government Act 1993 (NSW)* [Section 254](#) Ibid.

⁵ [Section 254B](#) (4) (C) Ibid.

⁶ [Section 253](#) Ibid.



Policy

Payment of fees, expenses and provision of facilities for chairperson and councillors

Approved by Council:

To fix the annual fee for the Chairperson and councillors and outline the expenses that can be incurred and facilities provided to councillors to assist in the discharge their civic duties as members of the governing body of Rous County Council.

Safety

Teamwork

Accountability

Respect

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Background

The provision of expenses and facilities enables councillors to fulfil their civic duties as the elected representatives of Council. Similarly, the payment of an annual fee to the Chairperson and Councillors recognises the commitment and high ethical and professional standard expected of elected representatives in discharging their civic duties.

The community is entitled to know the extent of these fees and expenses, as well as the facilities provided. To ensure accountability and transparency is maintained, this policy establishes:

- The annual fee payable to the Chairperson and Councillors
- The expenses that can be incurred and reimbursed (including dollar limits) and facilities available to Councillors
- the process for application, approval, reconciliation and reimbursement (where applicable).

The policy has been prepared in accordance with the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2021* (the Regulation) and complies with the Office of

Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

Policy statement

1. Key policy principles

1.1 Accessibility

In accordance with the principles of equity and inclusion, councillors with accessibility needs will be provided with the aids, equipment and assistive technology they require to effectively perform their civic duties.

1.2 No general expense allowance

In accordance with the requirements of the *Local Government (General) Regulation 2021* Council does not provide councillors with a general expense allowance. A general expense allowance is a sum of money paid by Council to a councillor to expend on an item or service that is not required to be receipted and/or otherwise reconciled accorded to a set procedure and within a specified timeframe.

1.3 Access to and use of expenses and facilities – only incidental and private benefit allowed

Council resources (for example, property, official services and facilities) must be used ethically, efficiently and carefully. They must not be used for private benefit or gain or personal interest including but not limited to: a councillor's re-election, a political party event or activity. Councillors must avoid any action or situation that could create the appearance that council resources are being used inappropriately.

Councillors must not obtain more than an incidental private benefit under this policy. Incidental private benefit is not subject to compensatory payment back to Council.

Benefits received under consumer loyalty programs or other incentive bonus schemes (such as 'frequent flyer' schemes), where the rewards are convertible directly or indirectly to money, are considered to be a non-incidental private benefit. Where any non-incidental private benefit occurs, reimbursement to Council to the estimated value of the private benefit is required. This is calculated at the estimated private use percentage versus business use percentage.

1.4 Giving of gifts and benefits – only token value

Where it is appropriate for a councillor to give a gift or benefit while on official business of Council (for example, on a Council business related trip or when receiving visitors), these gifts and benefits must be of token value only (refer to Council's Code of Conduct for definition of 'token value').

2. Annual fees

2.1 The *Local Government Act 1993* provides that a council must pay each councillor an annual fee. The chairperson must also be paid an annual fee in addition to the fee paid to the chairperson as a councillor.

2.2 In both instances council may fix the annual fee and, if it does, it must fix the annual fee in accordance with the appropriate determination of the Local Government Remuneration Tribunal. The Tribunal is required to make a determination by no later than 1 May each year.

- 2.3 Council has fixed the annual fee payable to the chairperson and councillors at 100% of the maximum determined by the Local Government Remuneration Tribunal.

3. Superannuation

- 3.1 Council will make a superannuation contribution payment to the superannuation account nominated by the Councillor with, and at the same intervals as, the annual fee that is payable to the Councillor.
- 3.2 The amount of the superannuation contribution payment will be the amount Council would have been required to contribute under the Commonwealth Superannuation legislation if the Councillor were classed as an employee (**Note:** A Councillor is not to be taken as an employee of Council because they receive a superannuation contribution payment).
- 3.3 Council will not make a superannuation contribution payment –
- a) unless the council has previously passed a resolution at an open meeting to make superannuation contribution payments to its councillors, or
 - b) if the councillor does not nominate a superannuation account for the payment before the end of the month to which the payment relates, or
 - c) to the extent the councillor has agreed in writing to forgo or reduce the payment.

FOR PUBLIC EXHIBITION

4. Monetary limits – expenses

Expense - description	Monetary limits	Who can approve the expense?	What will be provided?
Carer	<p>\$2,000 (excl. GST) per councillor, per financial year*</p> <p><i>*The General Manager may, at their discretion, approve a request for an increase to this amount in respect of a particular councillor.</i></p>	General Manager.	<p>Reimbursement for reasonable care arrangements to allow the councillor to attend official business of Council.</p> <p>Includes reimbursement up to one hour before and after the scheduled start and conclusion of the official business of Council.</p> <p>Reimbursement may be provided for childcare expenses (of the councillor's children up to and including the age of 16 years), care of the elderly, disabled and/or sick immediate family members for whom the councillor has carer responsibilities.</p>
Legal	<p>Level 1: ≤ \$5,000 (excl. GST) per councillor, per financial year.</p> <p>Level 2: > \$5,000 (excl. GST) per councillor, per financial year.</p>	<p>General Manager.</p> <p>Council's indemnity protection provider (in consultation with the General Manager).</p>	<p>Council may provide reimbursement or indemnify a councillor for reasonable costs properly incurred:</p> <ul style="list-style-type: none"> • For legal proceedings being taken against them in defending an action arising from: <ul style="list-style-type: none"> - The performance of good faith of a function of a county councillor; or - Defending an action in defamation. • For an inquiry, investigation or hearing into a councillor's conduct by an investigative or review body, including: <ul style="list-style-type: none"> - Local Government Pecuniary Interest and Disciplinary Tribunal - Independent Commission Against Corruption - NSW Ombudsman - Office of Local Government - NSW Police Force - Director of Public Prosecutions

Expense - description	Monetary limits	Who can approve the expense?	What will be provided?
			<p>- Council's Conduct Review Committee/Reviewer,</p> <p>provided that:</p> <p>(i) The inquiry/hearing arises from the performance of good faith or a councillor's functions and the matter has proceeded to a formal investigation or review.</p> <p>(ii) Code of Conduct complaints: only available where the General Manager has referred the matter to a Conduct Reviewer/Conduct Review Committee to make formal inquiries into a matter in accordance with the procedures in the Code of Conduct.</p> <p>(iii) Pecuniary interest or misbehaviour matters: only available where a formal investigation has been commenced by the Office of Local Government.</p> <p>(iv) Where the investigative or review body makes a finding that is not substantially unfavourable to the councillor (eg. does not proceed to a finding, an inadvertent minor technical breach).</p>
Official business of Council – excluding professional development	Level 1: ≤ \$500 (excl. GST) per councillor, per financial year.	General Manager.	<p>The councillor's direct expenses to attend, including (where applicable):</p> <ul style="list-style-type: none"> • ticket/registration • travel • accommodation • meals • incidentals.
	Level 2: > \$500 (excl. GST) per councillor, per financial year.	Resolution of Council (as a consequence of an appointment to a council committee for the term of the appointment (for attendance at committee meetings, etc.).)	

Expense - description	Monetary limits	Who can approve the expense?	What will be provided?
	Level 3: > \$500 (excl. GST) per councillor, per financial year.	Resolution of Council.	
Official business of Council – professional development	Level 1: ≤ \$2,500 (excl. GST) or less per councillor, per financial year.	General Manager.	The councillor's direct expenses to attend, including (where applicable): <ul style="list-style-type: none"> • ticket/registration • travel • accommodation • meals • incidentals.
	Level 2: > \$2,500 (excl. GST) per councillor, per financial year.	Resolution of Council.	

NOTE: Councillors may only receive reimbursement for expenses and access and use facilities as set out in this policy.

5. Provision of facilities

The Chairperson will be provided access to a Council office (equipped with a telephone, photocopier, facsimile machine and secretarial/administrative support services).

Councillors may access printing and secretarial/administrative support services on request, where it can be demonstrated that it is related directly to official business of Council.

6. Procedures

6.1 General rules

All bookings for official business of Council will, wherever possible, be paid for or reimbursed in accordance with relevant limits. These limits include:

- Any monetary limits listed in part 2 of this policy
- kilometre allowance under the Local Government (State) Award or airfare rate, whichever is the lower
- ATO 'Reasonable Travel and Meal Allowance Expenses' Determination applicable for the date of travel.

6.2 Pre-purchasing

Bookings and payments for tickets/registration, accommodation and travel relating to official business of Council must, wherever possible, be coordinated through the Executive Secretary or Executive Support Officers.

All requests to attend official business of Council must be made using the 'Councillor request for attendance at official business of Council' form.

6.3 Advance payment

Advance payment for meals and incidentals is available by EFT provided that a completed 'Vendor payment request form' has been lodged with sufficient notice to allow for the preparation of the advance (minimum two weeks).

6.4 Reimbursement

Reimbursement will only be made:

- (a) in accordance with the general rules listed at part 4.1 of this policy;
- (b) on lodgement of a completed 'Request for reimbursement' form within three months of the cost or expense being incurred (unless otherwise required by this policy) and accompanied by:
 - i. itemised account of the expenditure; and
 - ii. valid GST receipts.

For periods of less than a full year, for example, after a local government election, the reimbursement per councillor will be calculated on a pro rata basis.

6.4.1 Meals

Meals that are not included in the official business of Council will be reimbursed subject to the conditions outlined at part 4.1 of this policy and the production of a signed statutory declaration outlining the expenses (where valid GST receipts are unavailable).

6.4.2 Incidentals

Reasonable out of pocket expenses or incidental travel expenses incurred (such as telephone calls, facsimile calls, internet charges, taxi fares, parking fees, tolls etc.) will be reimbursed subject to the conditions outlined at part 4.1 of this policy and the production of a signed statutory declaration outlining the expenses (where valid GST receipts are unavailable).

6.4.3 Use of private vehicles

Travel to official business of Council in a private vehicle will be reimbursed in accordance with part 4.1 of this policy.

Note 1: All travel relating to official business of Council must be undertaken using the most direct route and most practicable and economic mode of transport, subject to any personal and medical considerations.

Note 2: If travelling to official business of Council, every attempt should be made to car pool with other councillors or Council staff.

Note 3: The driver is personally responsible for all traffic or parking fines incurred while travelling in private or Council vehicles.

6.4.4 Carer

Reimbursement for carer expenses may be provided on completion of the 'Request for reimbursement' form and statutory declaration. The following information is to be included in the statutory declaration:

- (a) official business of Council attended
- (b) individual requiring care
- (c) duration care was provided, and cost.

7. Dispute resolution

Should a dispute arise under this policy including the dispute regarding the approval or rejection of a claim, then the dispute should be reviewed by the chairperson. A report regarding the review and outcome must be put to the next full Council meeting.

8. Reporting

8.1 Councillor reports

Where a Council staff member does not attend the official business of Council, the councillor must prepare a report for Council detailing highlights, particularly noting aspects relevant to Council business and/or the community. This report is to be included in the next Council business paper following attendance at the official business of Council.

8.2 Quarterly budget review statement report

Any expenses provided to a councillor will be reported in the quarterly budget review statement report to Council.

8.3 Annual report

The General Manager will provide a summary of all expenses and facilities provided under this policy in Council's Annual Report.

Definitions

ATO means Australian Taxation Office.

Commonwealth Superannuation legislation means the *Superannuation Guarantee (Administration) Act 1992* (Cth)

Constituent council means Ballina Shire Council, Byron Shire Council, Lismore City Council and Richmond Valley Council

Council means Rous County Council

Expenses means payment or reimbursement by Council for reasonable costs or charges associated with the performance of a councillor's civic duties. Expenses are separate and in addition to annual fees.

Facilities means equipment or services provided by Council to councillors to enable them to perform their civic functions with relative ease and at a standard appropriate to their role as councillors.

Official business of Council means functions that the chairperson or councillor are required, invited, or requested to attend to fulfil their obligations as Council representatives and/or have a direct benefit to Council including but not limited to:

- (a) Council meetings and Council committee meetings
- (b) meetings of committees facilitated by Council (for example, section 355 committees)
- (c) meetings, functions, workshops and other events to which attendance by a councillor has been requested or approved
- (d) receptions hosted or supported by Council (for example, Council's Christmas celebration or equivalent functions; charitable functions formally supported by Council)
- (e) professional development.

Professional development means a seminar, conference, training course or other development opportunity relevant to the role of the chairperson or councillor.

Valid GST receipt means an original tax invoice or receipt for an expense that meets the requirements of *A New Tax System (Goods and Services) Tax Act 1999*.

Contact officer

General Manager.

Related documents

Policies

Not applicable.

Procedures

Not applicable.

Legislation

Local Government Act 1993.

Other

Code of Conduct.

Code of Conduct Procedures.

Councillor Induction and Professional Development Guide (2012).

Guidelines for the payment of expenses and provision of facilities for mayors and Councillors in NSW, Office of Local Government (October 2009).

Local Government (State) Award.

No excuse for misuse: Preventing the misuse of council resources, Guidelines: 2, Independent Commission Against Corruption (November 2002).
Office of Local Government Circulars and Guidelines.

Office use only	File no.: 172/13	Next review date: 4 years.	
Version	Purpose and description	Date adopted by Council	Resolution no.
10.0	New layout; revised provisions relating to professional development.	19/04/2017	31/17
11.0	FOR PUBLIC EXHIBIT - Reviewed and updated to include the fixing of the annual fee and payment of superannuation to Councillors	17/08/2022	54/22
11.1	Revised policy deemed adopted following 28 days public exhibit with no submissions received.	17/08/2022	54/22
11.2			

FOR PUBLIC EXHIBITION

Policy: Cyber Security

Responsible Officer: Group Manager Organisational Services (Helen McNeil)

Recommendation

That Council:

1. Revoke the policy titled 'Cyber Security' dated 20 October 2021 attached to this report (**Attachment 1**); and
2. Adopt the revised policy of the same name attached to this report (**Attachment 2**).

Background

Council's 'Cyber Security' policy was adopted on 20 October 2021 and is due for review as part of Council's regular policy review program.

This policy was informed by the [NSW Cyber Security Policy](#), which is mandatory for all NSW State Government agencies to adopt, and is designed to:

- (a) provide a set of security controls to regulate the use, passage, and storage of cyber within Council in addition to applicable legislative requirements,
- (b) help protect Council and to minimise the risk that might result from inappropriate use of Council cyber,
- (c) establish a consistent policy position for cyber security,
- (d) have a current cyber incident response plan that integrates with the Council incident management process,
- a) support the development of a cyber security strategy, architecture, and risk management process and incorporate these into the agency's current risk framework and processes.

The review found that if re-adopted, with the minor administrative improvements outlined below, this policy will continue to support Council to identify and respond to cyber incidents.

Review outcome

Through the review process no changes to the NSW Government Cyber Security Policy were identified, and the requirements in that policy continue to be recommended as a foundation of good practice for local government. The review also made reference to the ['Cyber Security Guidelines – Local Government'](#) (2022) published by Cyber Security NSW.

A minor amendment to the review frequency of Council's current policy has been made to achieve administrative efficiencies by aligning the review frequency of the policy with most of Council's policies, being a four (4) yearly cycle rather than an annual cycle. The amendment to the review frequency of this policy was also identified in the internal audit on records management completed in 2024.¹

Other minor amendments include the addition of cross-references to additional procedures developed to support enhanced information access and security processes at Council.

All amendments to the revised policy at [Attachment 2](#) to this report have been made as a 'tracked change' for ease of reference.

¹ Recommendation no. 8 'Internal Audit Report – Records Management' (InConsult, 2024)

Governance

- **Finance**

Not applicable.

- **Legal**

It is not mandatory for Council to adopt the provisions of the NSW Government's Cyber Security Policy. However, adapting and adopting these provisions within Council's own policy is consistent with recommendations put forward by the Audit Office of NSW.

Consultation

The revised policy has been updated in consultation with the ICT Manager.

Conclusion

The Cyber Security policy has been reviewed and remains current subject to a minor amendment to its review frequency. It is therefore recommended to Council for re-adoption with a review frequency of four (4) years.

Attachments

1. Cyber Security policy dated 20 October 2021 (for **revocation**)
2. Cyber Security policy (**for adoption**)

Policy



Cyber security

Approved by Council: 20/10/2021

To set out the mandatory requirements for management of cyber security risks to information and systems.

Safety

Teamwork

Accountability

Respect

POLICY STATEMENT

To ensure Council's Information and Communication Technology ('ICT') systems are fit-for-the- future, Council has adopted a hybrid operating model known as a 'cloud first' strategy. This strategy will reduce the risks associated with on-premise systems and better promote achievement of Council's business objectives.

A robust and mature cyber security program is critical to the achievement of Council's business objectives. Council's cyber security program consists of a number of mandatory requirements and has been informed by and is modelled on the NSW Government Cyber Security policy which is recommended as a foundation of strong practice for local councils.

This policy applies to all systems, people and processes that constitute the Council's information systems including, but not limited to, councillors, employees, ICT service providers, contractors, and all other parties with access to Council's ICT systems.

Mandatory requirement 1

LEAD

By implementing cyber security planning and governance.

- 1.1 Adopt and maintain an Information Security Incident and Data Breach Response Plan that integrates with Council's Business Continuity Plan.
- 1.2 Develop and implement Security procedures that support the objectives of this Policy; to be reviewed annually.
- 1.3 Develop and maintain an ICT Risk Register which will include cyber security risks.
- 1.4 Ensure cyber security minimum requirements are documented and built into procurement governance including requirements for bespoke ICT systems and assets.
- 1.5 Require third party ICT service providers, as a condition of engagement, to adhere to requirements for, among other things, the reporting and investigation of any suspected or actual security incident.
- 1.6 Consider cyber security threats when performing risk assessments and include 'high' and 'extreme' risks in Council's overall risk management framework.

Mandatory requirement 2**PREPARE***By promoting organisation-wide cyber security culture and accountability.*

- 2.1 Implement regular cyber security education for all employees and contractors, including roles and responsibilities outlined in this policy, and expectations on reporting of cyber security risks.
- 2.2 Ensure that third party ICT service providers understand and implement Council's cyber security requirements as a condition of contract.
- 2.3 Foster a culture where cyber security risk management is an important and valued aspect of decision-making and where cyber security risk management processes are understood and applied.
- 2.4 Ensure approval and screening processes are appropriate and consistently used to govern and regulate access to Council systems and information using the principle 'minimum access required to do the job'. This includes the timely removal of access when no longer required or when employment is terminated.
- 2.5 Share information on security threats and intelligence with Cyber Security NSW and cooperate across NSW Government to enable management of government-wide cyber risk.

Mandatory requirement 3**PREVENT***By safeguarding information and systems*

- 3.1 Ensure all devices, ICT systems and physical assets are secured in accordance with the Security procedures.
- 3.2 Undertake the design, development, deployment, and maintenance of new ICT systems, or enhancements to existing ICT systems or decommissioning of ICT systems, in accordance with the Security procedures and in consultation with the ICT Manager.
- 3.3 Ensure all new ICT systems, or enhancements to existing ICT systems, comply with national standards and any relevant international standards where appropriate.
- 3.4 Implement Security Incident Management Response procedures.
- 3.5 Ensure ICT systems have the capability to produce an audit trail and activity logging to enable the assessment of the integrity of data and fraud detection.

Mandatory requirement 4**DETECT, RESPOND,
RECOVER***By improving business resilience and the ability to rapidly detect and respond to Cyber Incidents or Cyber Crisis.*

- 4.1 Test the Cyber Incident Response Plan annually and report results to the Leadership Team and other relevant stakeholders, as required.

- 4.2 Deploy monitoring processes and tools to allow for adequate incident identification and response.
- 4.3 Report confirmed Cyber Incidents or Cyber Crisis to Cyber Security NSW.
- 4.4 Evaluate effectiveness of Cyber Incident Response Plan following a Cyber Incident or Cyber Crisis and identify and implement improvements.
- 4.5 Maintain a register of Cyber Incidents and Cyber Crisis to allow identification of patterns and trends and high-risk areas that need targeted risk treatment.

Mandatory requirement 5

REPORT

By reporting against the requirements outlined in the policy and other cyber security measures for the previous financial year.

- 5.1 Provide status updates on control measures implemented for any cyber security risks classified as 'moderate', 'high', 'extreme' to each meeting of Council's Audit, Risk and Improvement Committee (ARIC).
- 5.2 Report suspected or actual Cyber Incident or Cyber Crisis to the first ARIC meeting following the breach or after becoming aware of the suspected breach.
- 5.3 Provide statistical reporting on Cyber Incidents or Cyber Crisis concerning Council to ARIC annually.
- 5.4 Provide reporting to the Leadership Team and ARIC (as required) regarding non-conformance with this policy and Security procedures.

1. ROLES AND RESPONSIBILITIES

- **Council staff, Councillors, contractors/consultants and service providers** are responsible for:
 - Managing the risk associated with ICT systems and information and ensuring compliance with policies, standards, procedures, and guidelines.
 - Reporting non-conformance with this policy and/or suspected or actual Cyber Incidents or Cyber Crisis immediately to the ICT Manager.
- **Audit Risk and Improvement Committee** is responsible for overseeing and advising the General Manager and the governing body of:
 - Appropriateness and/or effectiveness of internal controls, processes and procedures for the risk Council faces in relation to cyber security.
 - Compliance, or otherwise, of stakeholders with Council's policy and procedures for managing cyber security risk including reporting requirements.
 - Trends or patterns evidenced in the occurrence(s) of Cyber Incidents or Cyber Crisis.
- **ICT Manager** is responsible for:
 - Overseeing the implementation, adherence to and review of this policy.
 - Defining and implementing an Information Security Incident and Data Breach Response Plan.

- Developing a cyber security strategy, architecture, and risk management process and incorporating these, with the assistance of the Enterprise Risk Coordinator, into Council's current risk management framework and processes.
 - Assessing and providing recommendations on any exemptions to this policy and Security procedures.
 - Attending ARIC meetings to assist in meeting reporting requirements, as required.
 - Taking the lead in investigating, responding to and reporting on suspected or actual Cyber Incidents and Cyber Crisis.
 - Reporting Cyber Incidents and Cyber Crisis to Cyber Security NSW and ARIC.
 - Representing Council on whole-of-government collaboration, advisory or steering groups established by Cyber Security NSW.
 - Establishing training and awareness programs to increase employee cyber security capability.
 - Maintaining the register of Cyber Incidents or Cyber Crisis.
- **Enterprise Risk Coordinator** is responsible for:
 - Assisting the ICT Manager in analysing cyber security risks.
 - Ensuring the effectiveness of cyber security controls are reviewed as part of a Council-wide program.

2. DEFINITIONS

ARIC - Audit, Risk and Improvement Committee.

Cyber Incident - moderate or higher impact to services, information, assets, reputation or relationships. Public visibility of impacts through service degradation or public disclosure of information/systems breaches, with economic impacts.

Cyber Crisis – major disruption to services and operations, with genuine risks to critical infrastructure and services, with risks to the safety of citizens and businesses. Intense media interest, large demands on resources and critical services.

ICT - Information and Communications Technology, includes software, hardware, network, infrastructure, devices and systems that enable the digital use and management of information and the interaction between people in a digital environment.

Security Procedures - Council's internal cyber security procedures including both functional and assurance requirements within a product, system, process or technology environment.

CONTACT OFFICER

ICT Manager.

RELATED DOCUMENTS

Policies

Code of Conduct
Privacy Management
Risk Management

Procedures

A number of procedures will be developed and will be approved by the General Manager and Leadership Team post adoption of this policy

Legislation

Privacy and Personal Information Protection Act 1998 (NSW)

Health Records and Information Privacy Act 2002 (NSW)

Government Information (Public Access) Act 2009 (NSW)

State Records Act 1998 (NSW)

Other

Australian Cyber Security Centre (ACSC) Essential 8:

<https://www.cyber.gov.au/publications/essential-eight-explained>

NSW Government Digital – ‘Mandatory 25’ Requirements for Cyber Security:

<https://www.digital.nsw.gov.au/policy/cyber-security-policy/mandatory-requirements>

Office use only	CM: D20/2822	Next review date: Annual
Version		Resolution no.
0.1	Initial draft 14/09/2020	
0.2	Draft reviewed 27/01/2021	
0.3	Final review 30/08/2021	
0.4	Adopted Council meeting 20/10/2021	54/21

Policy



Cyber security

Approved by Council: [\[DRAFT\]20/10/2021](#)

To set out the mandatory requirements for management of cyber security risks to information and systems.

Safety

Teamwork

Accountability

Respect

POLICY STATEMENT

To ensure Council's Information and Communication Technology ('ICT') systems are fit-for-the- future, Council has adopted a hybrid operating model known as a 'cloud first' strategy. This strategy will reduce the risks associated with on-premise systems and better promote achievement of Council's business objectives.

A robust and mature cyber security program is critical to the achievement of Council's business objectives. Council's cyber security program consists of a number of mandatory requirements and has been informed by and is modelled on the NSW Government Cyber Security policy which is recommended as a foundation of strong practice for local councils.

This policy applies to all systems, people and processes that constitute the Council's information -systems including, but not limited to, councillors, employees, ICT service providers, contractors, and all other parties with access to Council's ICT systems.

Mandatory requirement 1

LEAD

By implementing cyber security planning and governance.

- 1.1 Adopt and maintain an Information Security Incident and Data Breach Response Plan that integrates with Council's Business Continuity Plan.
- 1.2 Develop and implement Security procedures that support the objectives of this Policy; to be reviewed annually.
- 1.3 Develop and maintain an ICT Risk Register which will include cyber security risks.
- 1.4 Ensure cyber security minimum requirements are documented and built into procurement governance including requirements for bespoke ICT systems and assets.
- 1.5 Require third party ICT service providers, as a condition of engagement, to adhere to requirements for, among other things, the reporting and investigation of any suspected or actual security incident.
- 1.6 Consider cyber security threats when performing risk assessments and include 'high' and 'extreme' risks in Council's overall risk management framework.

Mandatory requirement 2**PREPARE***By promoting organisation-wide cyber security culture and accountability.*

- 2.1 Implement regular cyber security education for all employees and contractors, including roles and responsibilities outlined in this policy, and expectations on reporting of cyber security risks.
- 2.2 Ensure that third party ICT service providers understand and implement Council's cyber security requirements as a condition of contract.
- 2.3 Foster a culture where cyber security risk management is an important and valued aspect of decision-making and where cyber security risk management processes are understood and applied.
- 2.4 Ensure approval and screening processes are appropriate and consistently used to govern and regulate access to Council systems and information using the principle 'minimum access required to do the job'. This includes the timely removal of access when no longer required or when employment is terminated.
- 2.5 Share information on security threats and intelligence with Cyber Security NSW and cooperate across NSW Government to enable management of government-wide cyber risk.

Mandatory requirement 3**PREVENT***By safeguarding information and systems*

- 3.1 Ensure all devices, ICT systems and physical assets are secured in accordance with the Security procedures.
- 3.2 Undertake the design, development, deployment, and maintenance of new ICT systems, or enhancements to existing ICT systems or decommissioning of ICT systems, in accordance with the Security procedures and in consultation with the ICT Manager.
- 3.3 Ensure all new ICT systems, or enhancements to existing ICT systems, comply with national standards and any relevant international standards where appropriate.
- 3.4 Implement Security Incident Management Response procedures.
- 3.5 Ensure ICT systems have the capability to produce an audit trail and activity logging -to enable the assessment of the integrity of data and fraud detection.

Mandatory requirement 4**DETECT, RESPOND,
RECOVER***By improving business resilience and the ability to rapidly detect and respond to Cyber Incidents or Cyber Crisis.*

- 4.1 Test the Cyber Incident Response Plan annually and report results to the Leadership Team and other relevant stakeholders, as required.

- 4.2 Deploy monitoring processes and tools to allow for adequate incident identification and response.
- 4.3 Report confirmed Cyber Incidents or Cyber Crisis to Cyber Security NSW.
- 4.4 Evaluate effectiveness of Cyber Incident Response Plan following a Cyber Incident or Cyber Crisis and identify and implement improvements.
- 4.5 Maintain a register of Cyber Incidents and Cyber Crisis to allow identification of patterns and trends and high-risk areas that need targeted risk treatment.

Mandatory requirement 5

REPORT

By reporting against the requirements outlined in the policy and other cyber security measures for the previous financial year.

- 5.1 Provide status updates on control measures implemented for any cyber security risks classified as 'moderate', 'high', 'extreme' to each meeting of Council's [ARICudit, Risk and Improvement Committee \(ARIC\)](#).
- 5.2 Report suspected or actual Cyber Incident or Cyber Crisis to the first ARIC meeting following the breach or after becoming aware of the suspected breach.
- 5.3 Provide statistical reporting on Cyber Incidents or Cyber Crisis concerning Council to ARIC annually.
- 5.4 Provide reporting to the Leadership Team and ARIC (as required) regarding non-conformance with this policy and Security procedures.

1. ROLES AND RESPONSIBILITIES

- **Council staff, Councillors, contractors/consultants and service providers** are responsible for:
 - Managing the risk associated with ICT systems and information and ensuring compliance with policies, standards, procedures, and guidelines.
 - Reporting non-conformance with this policy and/or suspected or actual Cyber Incidents or Cyber Crisis immediately to the ICT Manager.
- **Audit Risk and Improvement Committee** is responsible for overseeing and advising the General Manager and the governing body of:
 - Appropriateness and/or effectiveness of internal controls, processes and procedures for the risk Council faces in relation to cyber security.
 - Compliance, or otherwise, of stakeholders with Council's policy and procedures for managing cyber security risk including reporting requirements.
 - Trends or patterns evidenced in the occurrence(s) of Cyber Incidents or Cyber Crisis.
- **ICT Manager** is responsible for:
 - Overseeing the implementation, adherence to and review of this policy.
 - Defining and implementing an Information Security Incident and Data Breach Response Plan.

- Developing a cyber security strategy, architecture, and risk management process and incorporating these, with the assistance of the Enterprise Risk Coordinator, into Council's current risk management framework and processes.
 - Assessing and providing recommendations on any exemptions to this policy and Security procedures.
 - Attending ARIC meetings to assist in meeting reporting requirements, as required.
 - Taking the lead in investigating, responding to and reporting on suspected or actual Cyber Incidents and Cyber Crisis.
 - Reporting Cyber Incidents and Cyber Crisis to Cyber Security NSW and ARIC.
 - Representing Council on whole-of-government collaboration, advisory or steering groups established by Cyber Security NSW.
 - Establishing training and awareness programs to increase employee cyber security capability.
 - Maintaining the register of Cyber Incidents or Cyber Crisis.
- **Risk and Assurance Specialist** ~~Enterprise Risk Coordinator~~ is responsible for:
 - Assisting the ICT Manager in analysing cyber security risks.
 - Ensuring the effectiveness of cyber security controls are reviewed as part of a Council-wide program.

2. DEFINITIONS

ARIC - Audit, Risk and Improvement Committee.

Cyber Incident - moderate or higher impact to services, information, assets, reputation or relationships. Public visibility of impacts through service degradation or public disclosure of information/systems breaches, with economic impacts.

Cyber Crisis – major disruption to services and operations, with genuine risks to critical infrastructure and services, with risks to the safety of citizens and businesses. Intense media interest, large demands on resources and critical services.

ICT - Information and Communications Technology, includes software, hardware, network, infrastructure, devices and systems that enable the digital use and management of information and the interaction between people in a digital environment.

Security Procedures - Council's internal cyber security procedures including both functional and assurance requirements within a product, system, process or technology environment.

CONTACT OFFICER

ICT Manager.

RELATED DOCUMENTS

Policies

Code of Conduct
Privacy Management
Risk Management

Procedures

[D24/17946 - IT Acceptable Use Standard](#)
[D23/29642 – Data Breach Plan](#)

D23/7704 – Information and ICT Systems – Access and Use

A number of procedures will be developed and will be approved by the General Manager and Leadership Team post adoption of this policy

Legislation

Privacy and Personal Information Protection Act 1998 (NSW)

Health Records and Information Privacy Act 2002 (NSW)

Government Information (Public Access) Act 2009 (NSW)

State Records Act 1998 (NSW)

Other

Australian Cyber Security Centre (ACSC) Essential 8:

<https://www.cyber.gov.au/publications/essential-eight-explained>

NSW Government Digital – ‘Mandatory 25’ Requirements for Cyber Security:

<https://www.digital.nsw.gov.au/policy/cyber-security-policy/mandatory-requirements>

<i>Office use only</i>	CM: D20/2822	Next review date: Annual 42 years
Version		Resolution no.
0.1	Initial draft 14/09/2020	
0.2	Draft reviewed 27/01/2021	
0.3	Final review 30/08/2021	
0.4 <u>1.0</u>	Adopted Council meeting 20/10/2021	54/21
<u>1.1</u>	<u>Policy reviewed and review frequency updated</u>	
<u>2.0</u>	<u>Revised policy adopted by Council</u>	

Information reports

Responsible Officer: General Manager and Group Managers

Recommendation

That the following information reports be received and noted:

1. Investments – December 2024
2. Investments – January 2025
3. Integrated Planning and Reporting Framework: Delivery program | Operational plan progress update 1 July 2024 to 31 December 2024
4. Tenders awarded by the General Manager under Delegation
5. Audit Risk and Improvement Committee – meeting updates
6. Retail Customer Account assistance with debt write-off report
7. Gallans Road update – February 2025
8. Reports/Actions pending

Background

Copies of the abovementioned reports are attached for information.

Consultation

The reports have been prepared in consultation with the General Manager, relevant Group Managers and staff.

Attachments

1. Information reports 1- 8

Investments - December 2024

Responsible Officer: Group Manager Organisational Services (Helen McNeil)

Recommendation

That Council receive and note the Investments for December 2024.

Background

Clause 212 of the *Local Government (General) Regulation 2021* ('Regulation') and Council's 'Investments' policy require that a report detailing Council's investments be provided. This report has been prepared as at 31 December 2024.

Finance Report

BANK ACCOUNT SUMMARY	TOTAL
Cheque Account Balance	\$592,192
Weel Account Balance – Cuscal Ltd (Pre-paid Corporate Cards)	\$43,538
TOTAL	\$635,730

INVESTMENT SUMMARY	TOTAL
Business Online Saver Account Balance	\$4,703,443
Term Deposits with Institutions not supporting the Fossil Fuel Industry <i>The assessment of Ethical Financial Institutions is undertaken using www.marketforces.org.au which is an affiliate project of the Friends of the Earth Australia (Refer: Graph C4 - Attachment C).</i>	\$1,500,000 6.38% of current holdings
Other Term Deposits	\$22,000,000
Total Funds Invested <i>Excluding Cheque Account and Weel Balance</i>	\$28,203,443

OTHER INVESTMENT INFORMATION	TOTAL
<p>Interest Earned</p> <p><i>Interest earned compared to the original budget is \$265,062 above the pro-rata budget. (Refer: Attachment A).</i></p>	\$120,057
<p>Weighted Average Return</p> <p><i>This represents an increase of 37 basis points compared from the November 2024 result (4.35%) and is 7 basis point below Council's benchmark (the average 90-day BBSW rate of 4.44%) (Refer: Graph C2 - Attachment C).</i></p>	4.72%
<p>RBA Cash Rate</p>	4.35%
<p>The 90-day average bank bill swap rate (BBSW)</p>	4.44%

At the RBA's 5 November 2024 meeting (last meeting held for 2024) the board decided to leave the cash rate unchanged at 4.35%.

Governance

- **Finance**

Council has an existing term deposit of \$1.5M with Judo Bank which has a credit rating of BBB. Council's investment policy has a maximum limit for investments with individual entities (institutions) according to the credit rating. Investments rated BBB have a maximum single entity exposure of 5% of the total portfolio. At present the investment with Judo Bank accounts for 5.32% of the portfolio due to a reduction in the overall portfolio balance (\$28.2M at 31 December 2024 compared to \$31.1M at 31 October 2024). When the investment was made in October 2024, it represented 4.81% of the total portfolio at the time.

Council's investment policy (see below) foreshadows that occasional non-conformances with investment limits and thresholds will occur. The purpose of highlighting this to Council is for transparency.

While the policy includes an objective to realign the portfolio within three months, given the investment is due to mature in April 2025, it is proposed that Finance staff will redeem the term deposit upon maturity and realign the portfolio at that time.

13. Threshold breaches

- 13.1 This policy imposes limits and thresholds in relation to the acquisition and holding of investments. However, due to changes in the amount of Council's investment portfolio over time, situations may occur where these limitations or thresholds are breached.
- 13.2 Where limitations or thresholds are breached due to a change in the overall size of the total investment portfolio, or a possible change in ratings of the financial institutions, the following process will apply:
- i). Immediate forced sale of the investments in breach of the limits or thresholds will not be required unless, in the General Manager's opinion, such sale is necessary to protect the value of the overall investment portfolio.
 - ii). Immediate freeze on acquisitions of new investments in the relevant category, until the portfolio can be effectively managed back to align with the requirements of this policy.
 - iii). The objective will be to manage the portfolio back in accordance with the policy limits, within three months from the date the portfolio first exceeds the limit or threshold.

• **Legal**

In accordance with section 212(1)(b) of the Regulation, the Responsible Accounting Officer (currently the Finance Manager) certifies the investments identified in this report have been made in accordance with section 625 of the *Local Government Act 1993*, section 212 of the Regulation, and the provisions of Council's 'Investments' policy.

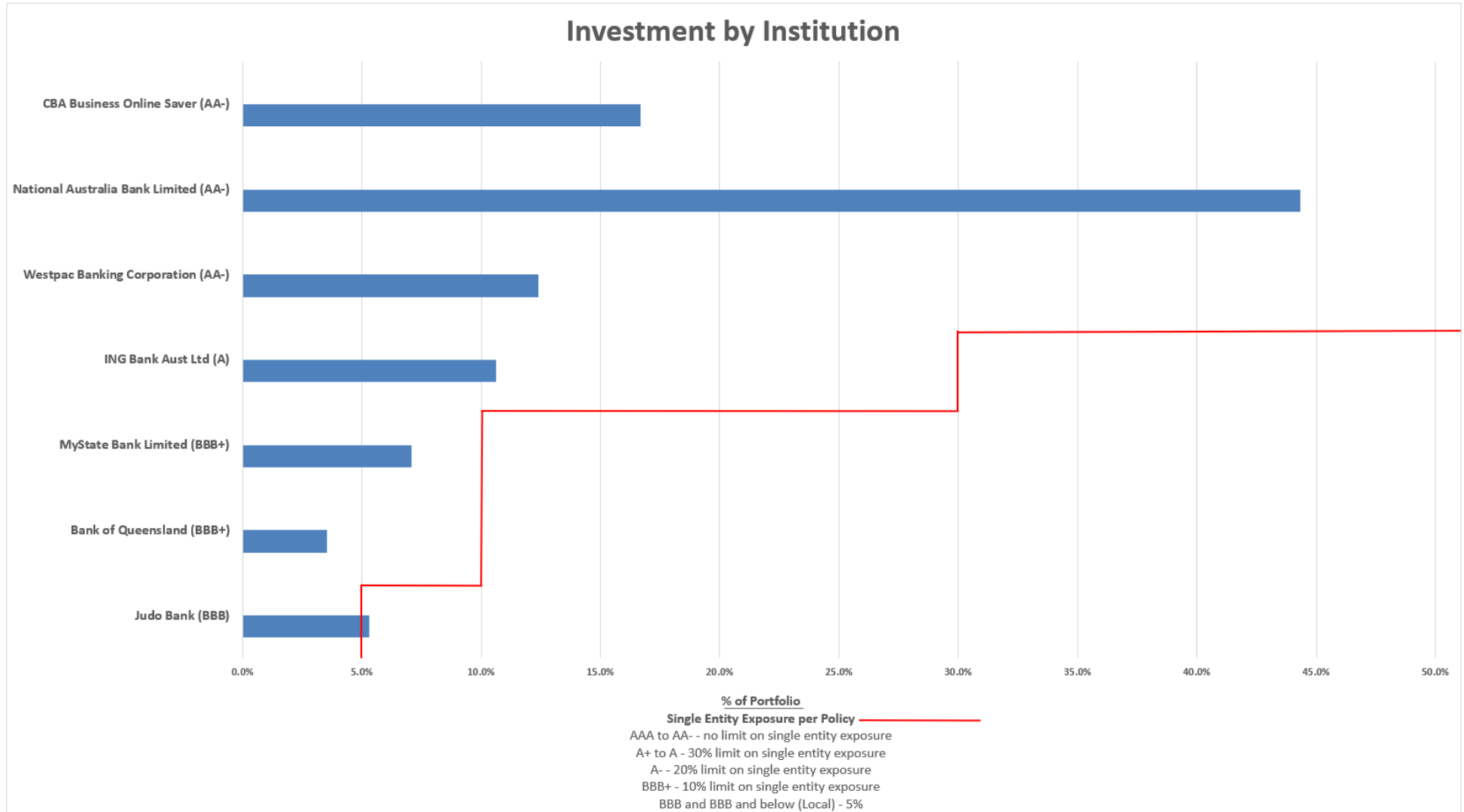
Conclusion

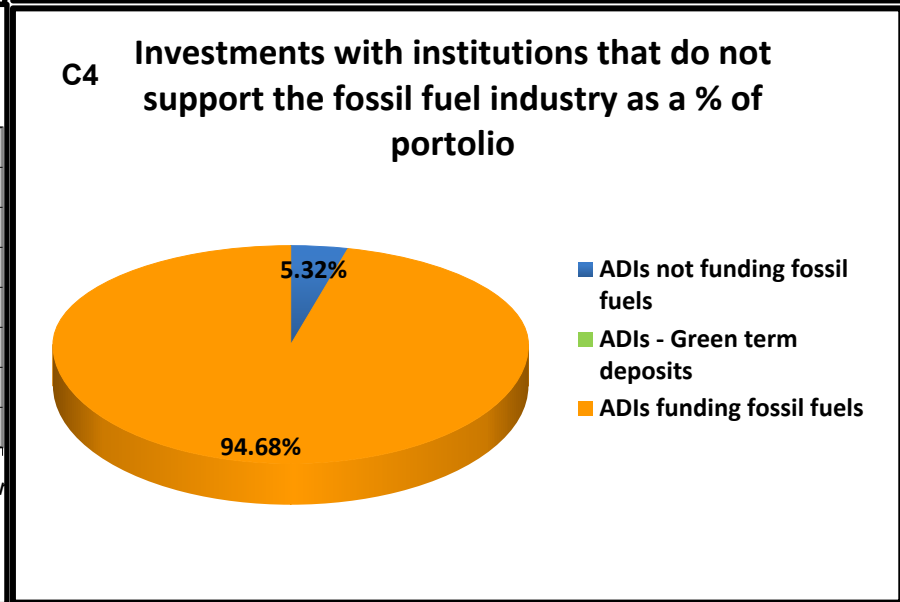
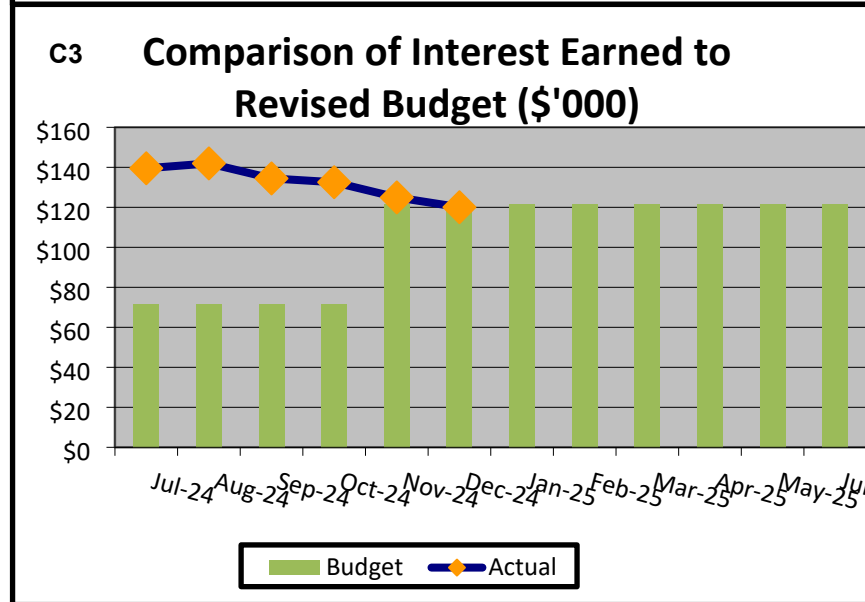
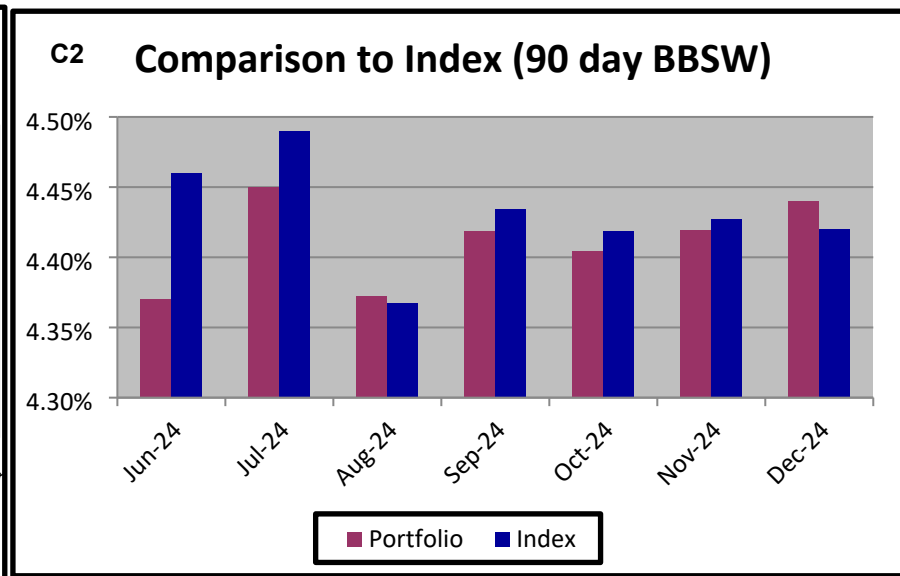
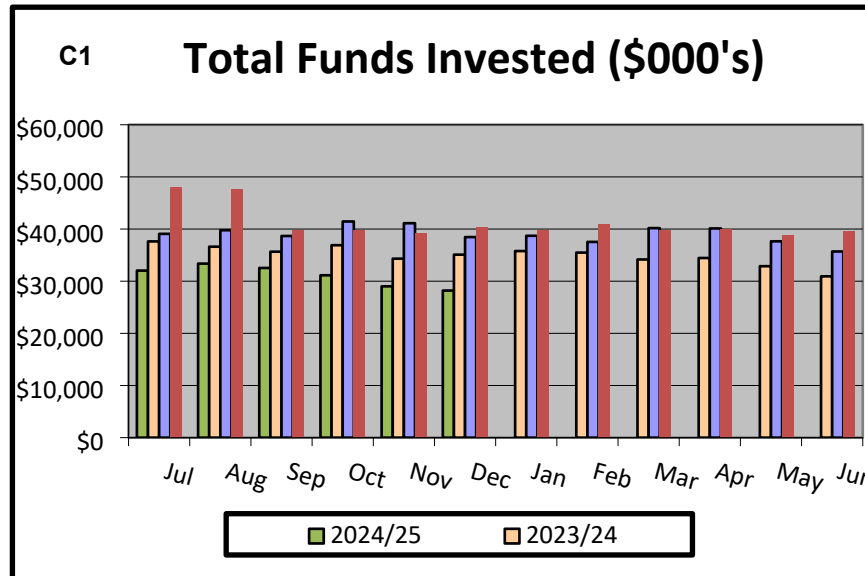
A report on investments is required to be submitted to Council. As at 31 December 2024, investments total \$28,203,443 and the average rate of return is estimated at 4.72%.

Attachments

- A. Investment analysis
- B. Investment by Institution
- C. Total funds invested - comparisons
- D. Summary of indebtedness

Investment Analysis										
Funds Invested With	S & P Local Long Term Rating	Product Name	Not Fossil Fuel ADI	Lodgement Date	Maturity Date	% of Portfolio	31 Dec Balance	Rate of Return	Monthly Interest	Year-to-Date Interest
CBA Business Online Saver	AA-	CBA-BOS	No	At call		16.68	4,703,442.57	1.95	22,126.98	148,349.57
Bank of Queensland	BBB+	TD	No	18/6/2024	21/1/2025	3.55	1,000,000.00	5.20	4,416.44	26,213.70
National Australia Bank Limited	AA-	TD	No	25/6/2024	7/1/2025	3.55	1,000,000.00	5.12	4,348.49	25,810.41
ING Bank Aust Ltd	A	TD	No	25/6/2024	1/7/2025	3.55	1,000,000.00	5.25	4,458.90	26,465.75
National Australia Bank Limited	AA-	TD	No	2/7/2024	14/1/2025	5.32	1,500,000.00	5.32	6,777.53	40,009.32
ING Bank Aust Ltd	A	TD	No	2/7/2024	8/7/2025	7.09	2,000,000.00	5.43	9,223.56	54,448.77
National Australia Bank Limited	AA-	TD	No	17/9/2024	1/4/2025	5.32	1,500,000.00	4.97	6,331.64	21,650.14
National Australia Bank Limited	AA-	TD	No	17/9/2024	23/9/2025	3.55	1,000,000.00	4.87	4,136.16	14,143.01
National Australia Bank Limited	AA-	TD	No	24/9/2024	15/4/2025	5.32	1,500,000.00	4.97	6,331.64	20,220.41
Judo Bank	BBB	TD	No	15/10/2024	22/4/2025	5.32	1,500,000.00	5.05	6,433.56	16,187.67
National Australia Bank Limited	AA-	TD	No	22/10/2024	29/4/2025	3.55	1,000,000.00	5.02	4,263.56	9,764.93
National Australia Bank Limited	AA-	TD	No	29/10/2024	6/3/2025	5.32	1,500,000.00	4.97	6,331.64	13,071.78
National Australia Bank Limited	AA-	TD	No	5/11/2024	13/5/2025	7.09	2,000,000.00	5.02	8,527.12	15,678.90
Westpac Banking Corporation	AA-	TD	No	20/11/2024	18/2/2025	7.09	2,000,000.00	4.93	8,374.25	11,345.75
Westpac Banking Corporation	AA-	TD	Yes	3/12/2024	11/3/2025	5.32	1,500,000.00	4.95	5,899.32	5,899.32
MyState Bank Limited	BBB+	TD	No	17/12/2024	17/6/2025	7.09	2,000,000.00	5.12	4,208.22	4,208.22
National Australia Bank Limited	AA-	TD	No	18/12/2024	25/3/2025	5.32	1,500,000.00	5.02	2,888.22	2,888.22
MATURED TDs									4,979.73	337,956.16
						100.00	28,203,442.57	4.72	120,056.98	794,312.04
Total Investment Holdings						100.00	28,203,442.57		120,056.98	794,312.04
									Total YTD Interest	794,312.04
Deposits with Australian Deposit-taking institutions (ADI) are Government.								Budget Interest @ 31 December 2024		529,250.01
Guaranteed for balances totalling up to \$250,000 per customer, per institution.								Budget variance		265,062.03





Summary of indebtedness

Information	Loan #2	Loan #3	Loan #4	Loan #5	Loan #6	Loan #7	Loan #8	Total
Institution	CBA	CBA	Dexia	NAB	NAB	Tcorp	Westpac	
Total Loan Funding	\$ 3,000,000	\$ 10,000,000	\$ 10,000,000	\$ 10,000,000	\$ 10,000,000	\$ 13,500,000	\$ 30,000,000	\$ 56,550,000
Loan Facility Drawdown	N/A	N/A	N/A	N/A	N/A	N/A	\$ 50,000	\$ 50,000
Date Obtained	31-May-05	31-May-06	21-Feb-07	31-May-07	25-Sep-07	7-Jun-21	18-Oct-24	
Term (Years)	20	20	20	20	20	20	20*	
Interest Rate	6.25%	6.37%	6.40%	6.74%	6.85%	2.68%	5.39%	
Line Fee Interest Rate	N/A	N/A	N/A	N/A	N/A	N/A	0.40%	
Date Due	31-May-25	31-May-26	21-Feb-27	31-May-27	25-Sep-27	7-Jun-41	TBD*	
Annual Commitment	\$ 264,921	\$ 891,595	\$ 893,507	\$ 917,390	\$ 925,933	\$ 876,390	TBD*	\$ 4,769,735
Principal Repaid LTD	\$ 2,871,543	\$ 8,743,274	\$ 7,965,426	\$ 7,903,083	\$ 7,517,163	\$ 1,875,107	\$ -	\$ 36,875,596
Interest Incurred LTD	\$ 2,294,410	\$ 7,751,237	\$ 7,673,589	\$ 8,151,235	\$ 8,223,692	\$ 1,192,258	\$ -	\$ 35,286,421
Principal Outstanding	\$ 128,457	\$ 1,256,727	\$ 2,034,574	\$ 2,096,917	\$ 2,482,838	\$ 11,624,893	\$ 50,000	\$ 19,674,405
Interest Outstanding	\$ 4,003	\$ 80,666	\$ 199,571	\$ 217,255	\$ 306,850	\$ 2,835,546	TBD*	\$ 3,643,892
<p><i>* Loan 8 is due to be repaid over a 20 year period once fully drawdown. The interest rate above applies to the principal amount drawdown, while the line fee applies to the approved loan funding of \$30M. Interest is repaid on a quarterly basis. Due to the the structure of this loan facility, the annual committment and total interest outstanding are not known at this time.</i></p>								

Investments - January 2025

Responsible Officer: Group Manager Organisational Services (Helen McNeil)

Recommendation

That Council receive and note the Investments for January 2025.

Background

Clause 212 of the *Local Government (General) Regulation 2021* ('Regulation') and Council's 'Investments' policy require that a report detailing Council's investments be provided. This report has been prepared as at 31 January 2025.

Finance Report

BANK ACCOUNT SUMMARY	TOTAL
Cheque Account Balance	\$215,090
Weel Account Balance – Cuscal Ltd (Pre-paid Corporate Cards)	\$41,844
TOTAL	\$256,934

INVESTMENT SUMMARY	TOTAL
Business Online Saver Account Balance	\$4,705,570
Term Deposits with Institutions not supporting the Fossil Fuel Industry <i>The assessment of Ethical Financial Institutions is undertaken using www.marketforces.org.au which is an affiliate project of the Friends of the Earth Australia (Refer: Graph C4 - Attachment C).</i>	\$1,500,000 5.51% of current holdings
Other Term Deposits	\$21,000,000
Total Funds Invested <i>Excluding Cheque Account and Weel Balance</i>	\$27,205,570

OTHER INVESTMENT INFORMATION	TOTAL
<p>Interest Earned</p> <p><i>Interest earned compared to the original budget is \$265,062 above the pro-rata budget. (Refer: Attachment A).</i></p>	\$117,222
<p>Weighted Average Return</p> <p><i>This represents a decrease of 22 basis points compared from the December 2024 result (4.72%) and is 24 basis points above Council's benchmark (the average 90-day BBSW rate of 4.26%) (Refer: Graph C2 - Attachment C).</i></p>	4.50%
<p>RBA Cash Rate</p>	4.35%
<p>The 90-day average bank bill swap rate (BBSW)</p>	4.26%

At the RBA's 10 December 2024 meeting the board decided to leave the cash rate unchanged at 4.35%.

Governance

- **Finance**

Council has an existing term deposit of \$1.5M with Judo Bank which has a credit rating of BBB. Council's investment policy has a maximum limit for investments with individual entities (institutions) according to the credit rating. Investments rated BBB have a maximum single entity exposure of 5% of the total portfolio. At present the investment with Judo Bank accounts for 5.51% of the portfolio due to a reduction in the overall portfolio balance (\$27.2M at 31 January 2025 compared to \$31.1M at 31 October 2024). When the investment was made in October 2024, it represented 4.81% of the total portfolio at the time.

Council's investment policy (see below) foreshadows that occasional non-conformances with investment limits and thresholds will occur. The purpose of highlighting this to Council is for transparency.

While the policy includes an objective to realign the portfolio within three months, given the investment is due to mature in April 2025, it is proposed that Finance staff will redeem the term deposit upon maturity and realign the portfolio at that time.

13. Threshold breaches

- 13.1 This policy imposes limits and thresholds in relation to the acquisition and holding of investments. However, due to changes in the amount of Council's investment portfolio over time, situations may occur where these limitations or thresholds are breached.
- 13.2 Where limitations or thresholds are breached due to a change in the overall size of the total investment portfolio, or a possible change in ratings of the financial institutions, the following process will apply:
- i). Immediate forced sale of the investments in breach of the limits or thresholds will not be required unless, in the General Manager's opinion, such sale is necessary to protect the value of the overall investment portfolio.
 - ii). Immediate freeze on acquisitions of new investments in the relevant category, until the portfolio can be effectively managed back to align with the requirements of this policy.
 - iii). The objective will be to manage the portfolio back in accordance with the policy limits, within three months from the date the portfolio first exceeds the limit or threshold.

• **Legal**

In accordance with section 212(1)(b) of the Regulation, the Responsible Accounting Officer (currently the Finance Manager) certifies the investments identified in this report have been made in accordance with section 625 of the *Local Government Act 1993*, section 212 of the Regulation, and the provisions of Council's 'Investments' policy.

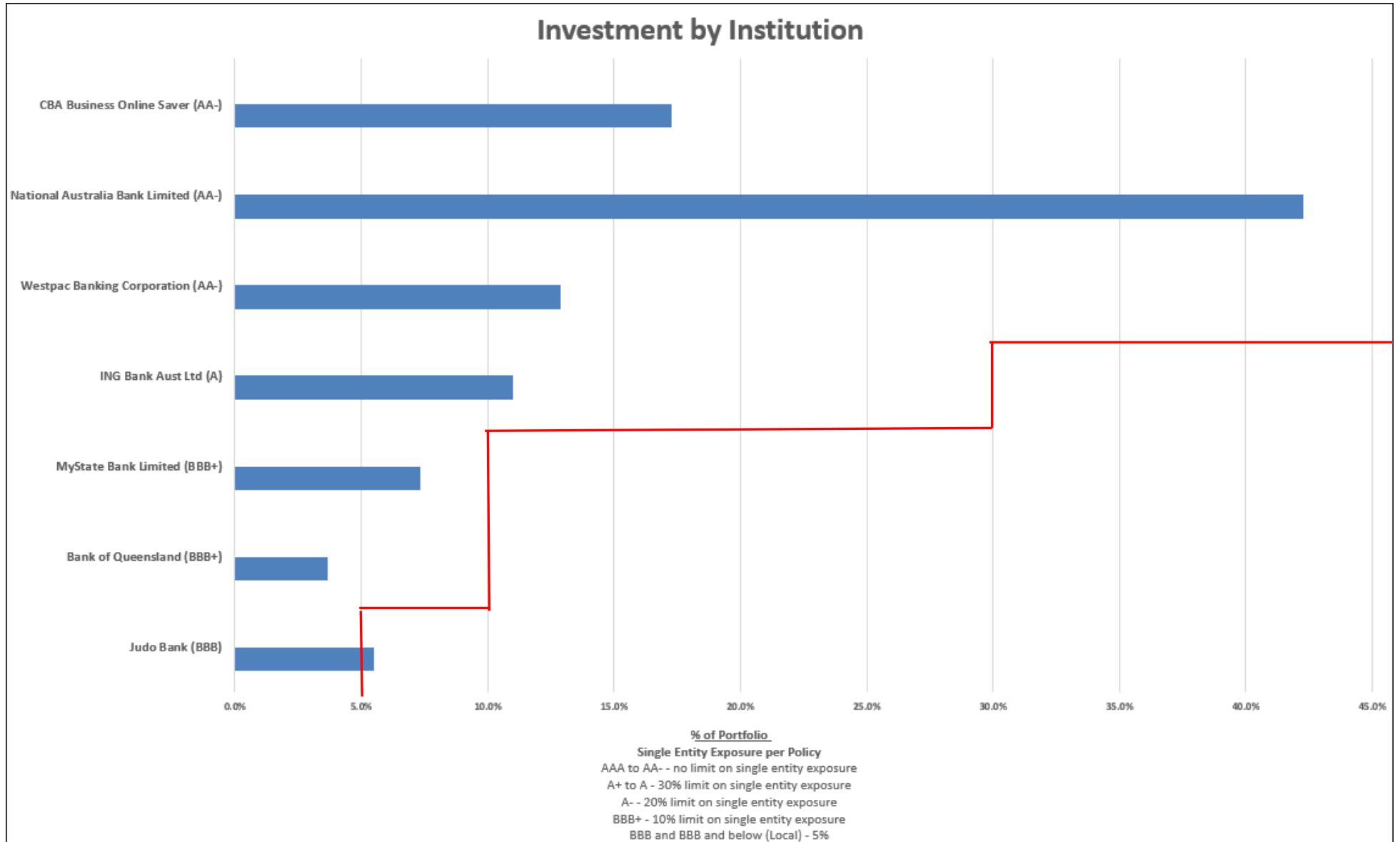
Conclusion

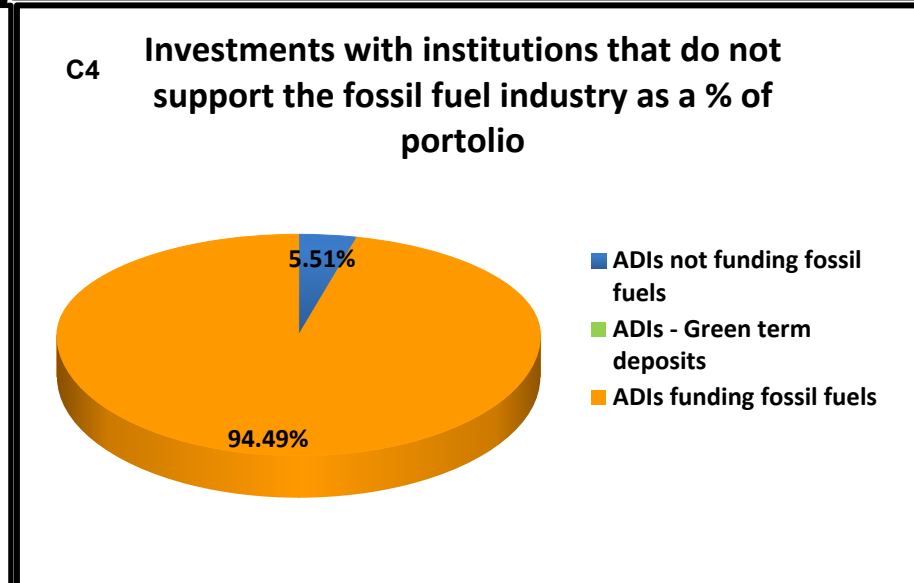
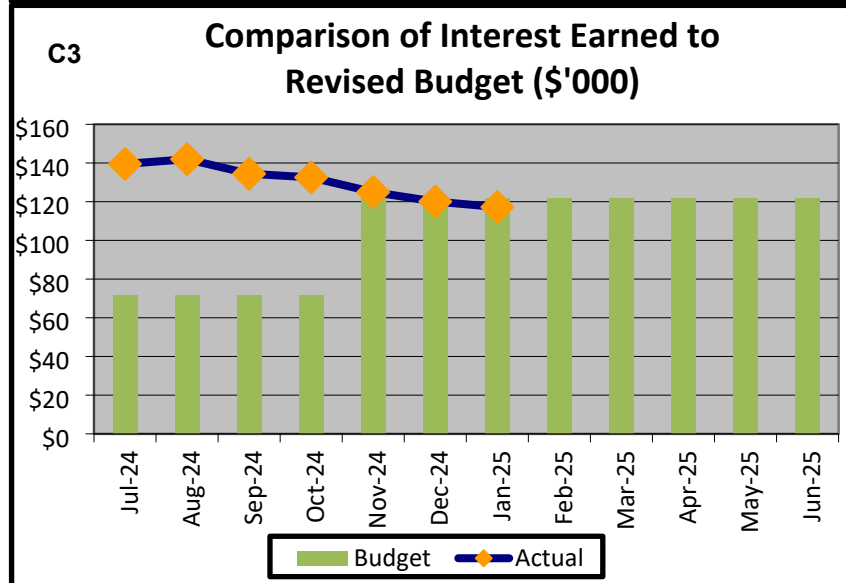
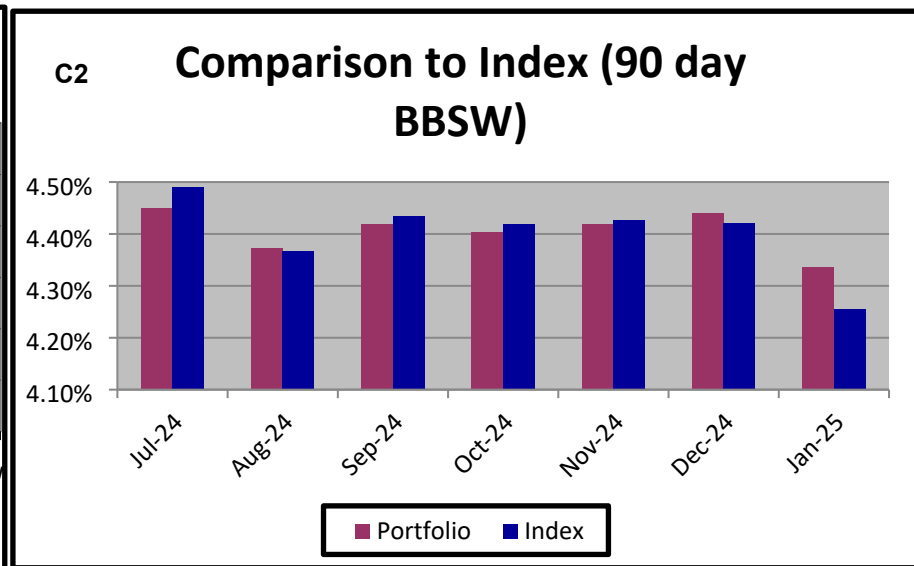
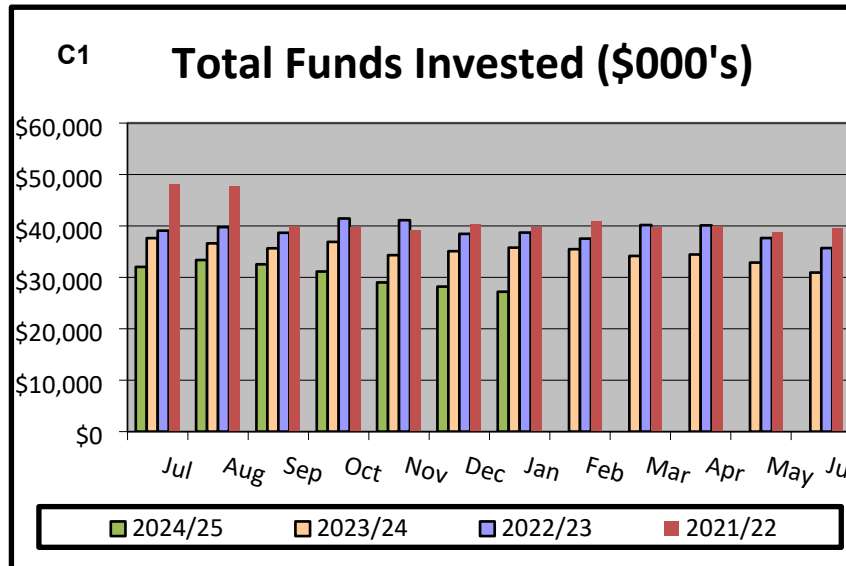
A report on investments is required to be submitted to Council. As at 31 January 2025, investments total \$27,205,570 and the average rate of return is estimated at 4.50%.

Attachments

- A. Investment analysis
- B. Investment by Institution
- C. Total funds invested - comparisons
- D. Summary of indebtedness

Investment Analysis										
Funds Invested With	S & P Local Long Term Rating	Product Name	Not Fossil Fuel ADIs	Lodgement Date	Maturity Date	% of Portfolio	31 Jan Balance	Rate of Return	Monthly Interest	Year-to-Date Interest
CBA Business Online Saver	AA-	CBA-BOS	No	At call		17.30	4,705,569.55	1.95	19,762.23	148,349.57
ING Bank Aust Ltd	A	TD	No	25/6/2024	1/7/2025	3.68	1,000,000.00	5.25	4,458.90	30,924.66
ING Bank Aust Ltd	A	TD	No	2/7/2024	8/7/2025	7.35	2,000,000.00	5.43	9,223.56	63,672.33
National Australia Bank Limited	AA-	TD	No	17/9/2024	1/4/2025	5.51	1,500,000.00	4.97	6,331.64	27,981.78
National Australia Bank Limited	AA-	TD	No	17/9/2024	23/9/2025	3.68	1,000,000.00	4.87	4,136.16	18,279.18
National Australia Bank Limited	AA-	TD	No	24/9/2024	15/4/2025	5.51	1,500,000.00	4.97	6,331.64	26,552.05
Judo Bank	BBB	TD	No	15/10/2024	22/4/2025	5.51	1,500,000.00	5.05	6,433.56	22,621.23
National Australia Bank Limited	AA-	TD	No	22/10/2024	29/4/2025	3.68	1,000,000.00	5.02	4,263.56	14,028.49
National Australia Bank Limited	AA-	TD	No	29/10/2024	6/3/2025	5.51	1,500,000.00	4.97	6,331.64	19,403.42
National Australia Bank Limited	AA-	TD	No	5/11/2024	13/5/2025	7.35	2,000,000.00	5.02	8,527.12	24,206.03
Westpac Banking Corporation	AA-	TD	No	20/11/2024	18/2/2025	7.35	2,000,000.00	4.93	8,374.25	19,720.00
Westpac Banking Corporation	AA-	TD	Yes	3/12/2024	11/3/2025	5.51	1,500,000.00	4.95	6,306.16	12,205.48
MyState Bank Limited	BBB+	TD	No	17/12/2024	17/6/2025	7.35	2,000,000.00	5.12	8,696.99	12,905.21
National Australia Bank Limited	AA-	TD	No	18/12/2024	25/3/2025	5.51	1,500,000.00	5.02	6,395.34	9,283.56
National Australia Bank Limited	AA-	TD	No	14/1/2025	20/5/2025	5.51	1,500,000.00	4.92	3,639.45	3,639.45
Bank of Queensland	BBB+	TD	No	21/1/2025	24/6/2025	3.68	1,000,000.00	4.90	1,476.71	1,476.71
MATURED TDs									6,533.15	436,522.74
						100.00	27,205,569.55	4.50	117,222.09	891,771.90
Total Investment Holdings						100.00	27,205,569.55		117,222.09	891,771.90
									Total YTD Interest	891,771.90
Deposits with Australian Deposit-taking institutions (ADI) are Government.									Budget Interest @ 31 January 2025	650,791.68
Guaranteed for balances totalling up to \$250,000 per customer, per institution.									Budget variance	240,980.22





Attachment D

Summary of indebtedness

Information	Loan #2	Loan #3	Loan #4	Loan #5	Loan #6	Loan #7	Loan #8	Total
Institution	CBA	CBA	Dexia	NAB	NAB	Tcorp	Westpac	
Total Loan Funding	\$ 3,000,000	\$ 10,000,000	\$ 10,000,000	\$ 10,000,000	\$ 10,000,000	\$ 13,500,000	\$ 30,000,000	\$ 56,550,000
Loan Facility Drawdown	N/A	N/A	N/A	N/A	N/A	N/A	\$ 50,000	\$ 50,000
Date Obtained	31-May-05	31-May-06	21-Feb-07	31-May-07	25-Sep-07	7-Jun-21	18-Oct-24	
Term (Years)	20	20	20	20	20	20	20*	
Interest Rate	6.25%	6.37%	6.40%	6.74%	6.85%	2.68%	5.39%	
Line Fee Interest Rate	N/A	N/A	N/A	N/A	N/A	N/A	0.40%	
Date Due	31-May-25	31-May-26	21-Feb-27	31-May-27	25-Sep-27	7-Jun-41	TBD*	
Annual Commitment	\$ 264,921	\$ 891,595	\$ 893,507	\$ 917,390	\$ 925,933	\$ 876,390	TBD*	\$ 4,769,735
Principal Repaid LTD	\$ 2,871,543	\$ 8,743,274	\$ 8,346,604	\$ 7,903,083	\$ 7,517,163	\$ 1,875,107	\$ -	\$ 37,256,774
Interest Incurred LTD	\$ 2,294,410	\$ 7,751,237	\$ 7,739,240	\$ 8,151,235	\$ 8,223,692	\$ 1,192,258	\$ 30,035	\$ 35,382,107
Principal Outstanding	\$ 128,457	\$ 1,256,727	\$ 1,653,396	\$ 2,096,917	\$ 2,482,838	\$ 11,624,893	\$ 50,000	\$ 19,293,227
Interest Outstanding	\$ 4,003	\$ 80,666	\$ 133,920	\$ 217,255	\$ 306,850	\$ 2,835,546	TBD*	\$ 3,578,241
<p><i>* Loan 8 is due to be repaid over a 20 year period once fully drawdown. The interest rate above applies to the principal amount drawdown, while the line fee applies to the approved loan funding of \$30M. Interest is repaid on a quarterly basis. Due to the the structure of this loan facility, the annual committment and total interest outstanding are not known at this time.</i></p>								

Integrated Planning and Reporting Framework: Delivery program | Operational plan progress update

1 July 2024 to 31 December 2024

Responsible Officer: General Manager (Phillip Rudd)

Recommendation

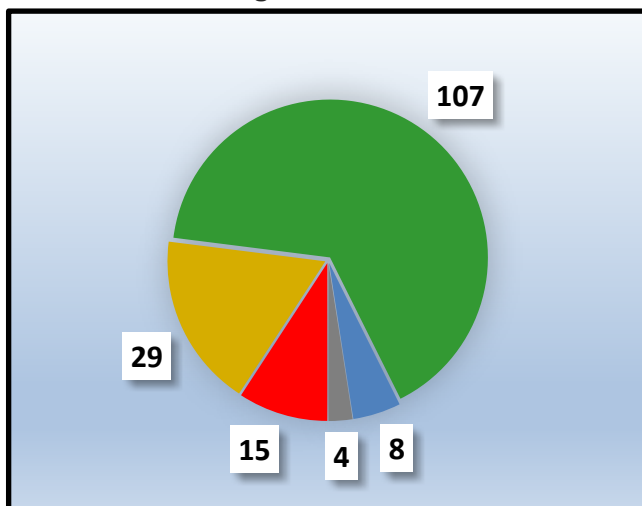
That Council receive and note this report and performance for the period 1 July to 31 December 2024 under the Integrated and Reporting and Planning Delivery program | Operational plan.

Background

The *Local Government Act 1993* requires that Council receive a report on implementation progress of the Delivery program at least every 6 months. This report satisfies that requirement.

A report on performance for the period ending 30 June 2025 is due to be furnished to Council's August 2025 meeting.

Performance at a glance – for the 6 months to 31 December 2024



Blue: COMPLETE.

Green: ACCEPTABLE. On track according to schedule or not yet due to have started.

Amber: MONITOR. In progress but behind schedule.

Red: REVIEW. Corrective action required.

Grey: NO LONGER REQ.

Governance

Council adopted its current Integrated Planning and Reporting Framework on 15 June 2022. The Framework is applicable for the period 1 July 2022 – 30 June 2025. The term was reduced to 3 years instead of 4 years across the sector due to the impact of the deferral of the scheduled September 2020 local government election. This occurred in response to the COVID19 pandemic. The cycle at the time was extended from 4 years to 5 years which then required the following cycle to be shorter to resynch with the timing of the 2024 local government election.

- **Finance**

Refer to the report contained in this business paper titled 'Quarterly Budget Review Statement for the quarter ending 31 December 2024'.

Consultation

This report has been compiled in consultation with management and staff.

Attachment

1. Implementation status for the period 1 July 2024 to 31 December 2024

Legend:
 Blue: COMPLETE. Comment mandatory.
 Green: ACCEPTABLE. On track according to schedule or not yet due to have started. No comment required.
 Amber: MONITOR. In progress but behind schedule. Comment mandatory.
 Red: REVIEW. Corrective action required. Comment mandatory.
 Grey: NO LONGER REQ. Comment mandatory.

Rous County Council | Integrated Planning and Reporting | Operational Plan 1 July 2024 - 30 June 2025

01 July 2024 to 31 December 2024

Sustainable delivery	External relationships	Our people	Leadership and innovation	Delivery objectives	Activities to get there	Actions	What is being measured	Target	Lead	Performance tracking		Comment UPDATE	STATUS	Progress
										Operational Plan term 2024-2025	Progress			
				1.1.1 Environmentally responsible procurement.		1.1.1.1 [2023/24] Review local supplier relationships and resourcing of specialist procurement arrangements.	At least one in-house preferred supplier panel established.	By June 2024- By 31 October 2024.	HSEL		Red	The review of local supplier relationships and resourcing of specialist procurement arrangements is approximately 60% complete. It is planned to be completed by early February 2025.		Red
				1.1.2 Sustainable river system health through natural resource management.	Deliver the activities in the <u>Catchment Management and Coastal Zone Management plans</u> .	1.1.2.1 Undertake scheduled 2024-25 actions in the <u>Catchment Management Plan</u> .	% of scheduled Rous activities completed.	At least 90%.	CCAM		Green			Green
						A1: Catchment landholder education and awareness.					Green			Green
						A2: On-site sewerage management system planning and policy review.					Green			Green
						A3: Development planning and policy review.					Green			Green
						A4: Spills and contamination emergency response and notification protocol.					Green			Green
						A5: Rous catchment water quality monitoring program.					Green			Green
						A6: Rous catchment surveillance program.					Green			Green
						A7: Intensive pesticide sampling program.					Green			Green
						A8: Investigate potentially harmful contaminants.					Green			Green
						A9: Performance monitoring and review of actions.					Green			Green
						RC10: Rocky Creek Dam on-going catchment controls.					Green			Green
						RC12: Rocky Creek buffer zone maintenance.					Green			Green
						RC13: On-going collaboration with National Parks and Wildlife Service.					Green			Green
						WR14: Wilsons River Source on-going catchment controls.					Green			Green
						WR16: River Reach Plan extension.					Green			Green
						WR17: Wilsons River Source buffer zone maintenance.					Green			Green
						EC18: Emigrant Creek Dam on-going catchment controls.					Green			Green
						EC20: River Reach Plan extension.					Green			Green
						EC21: Emigrant Creek Dam buffer zone maintenance.					Green			Green
						EC22: Trial farm-based erosion management plan.					Green			Green
						EC23: Pesticide notification.					Green			Green
						DD24: Potential Dunoon Dam buffer zone maintenance.					Green			Green
						1.1.2.2 Undertake scheduled activities in Stages 2-4 of the Richmond River Coastal Management Program (on behalf of Rous, Ballina, Lismore, Richmond Valley and Kyogle councils). Stage 2: Determine risks, vulnerabilities and opportunities. Stage 3: Identify and evaluate options. Stage 4: Prepare, exhibit, finalise, certify and adopt the Coastal Management Program.	% of scheduled activities in Stages 2-4 completed.	At least 90%.	CCAM		Green			Green
					Deliver the activities in the <u>Northern Rivers Watershed Initiative</u>	1.1.2.3 Undertake Year 1 actions (planning phase).	Project plans and agreements in place for all program areas.	100%	CCAM		Green			Green
				1.1.3 Enhance the region's biosecurity through combatting the spread of targeted weeds.	Deliver the activities of the <u>Weed Action Plan and program</u> .	1.1.3.1 Deliver scheduled 2024-25 actions in the <u>Weed Action Plan</u> .	% of scheduled WAP actions completed.	At least 95%.	WBBRM		Green			Green
						1.1.3.2 Deliver weed biosecurity services in accordance commercial fee-for-service arrangements (Kyogle Shire Council, Tweed Shire Council).	% of service level agreement requirements delivered.	100%.	WBBRM		Green			Green
				1.2.1 Achieve carbon neutrality.	Develop and commence delivery of our <u>Renewable Energy and Emissions Reduction Plan</u> .	1.2.1.1 Deliver scheduled 2024-25 actions in the <u>Renewable Energy and Emissions Reduction Plan</u> .	% of listed actions completed.	At least 90%.	IPM		Green			Green
						Nightcap Water Treatment Plant - solar photovoltaic and battery energy storage system.	Installation completed.	By 30 June 2025.	IPM		Green			Green
						Review opportunities for demand scheduling optimisation on existing assets.	Internally produced report completed.	By 30 June 2025.	SPE DEM		Blue	COMPLETE Q1. Report complete (D24/15352) and work commenced on identifying optimisation opportunities for Knockrow Reservoir PV system.		Blue
						Investigate the types and number of electric vehicle (EV) chargers to be installed at Gallans Road administration building and other potential priority sites.	Internally produced report completed.	By 30 June 2025.	SPE		Green			Green
						Implement trial program of electric vehicle (EVs) within motor vehicle fleet.	Number of EVs in fleet.	At least 1.	HSELM		Grey	Deferred subject to future available capital funding. In the meantime, a hybrid motor vehicle is available in Council's pool fleet.		Grey
						Plant trees to contribute to offsetting Rous's carbon emissions.	# of trees planted (for future sequestration on Council land). # of trees planted (on non-Council land).	4000 2500	WBBRM CCAM WBBRM		Green			Green
						Implement measures to support the resilience of vegetation against fire.	% of scheduled actions in the <u>Buffer Zone Management Plan</u> completed.	At least 90%.	WBBRM		Green			Green
				1.2.2 We are prepared and able to respond to climate change impacts.	Deliver strategic review of <u>Flood Mitigation function, incorporating data arising from 2022 flood events, and confirm Rous's role in the region</u> .	1.2.2.1 Strategic review of Flood Mitigation function complete.	Review reported to Council and Rous's role confirmed.	By June 2025.	GMPD		Green			Green
						1.2.2.2 Progress the transfer the Lismore Levee Scheme to Lismore City Council as per Council resolution [37/23].	Position agreed between Rous and Lismore City Council.	By June 2025.	GMPD		Red	Communication with Lismore City Council continues but is experiencing ongoing delays. Report provided to Dec 24 Rous Council meeting with an update and proposed actions.		Red
				1.3.1 Short-term (to 2040) water supply demands are able to be met.	Deliver the <u>Future Water Project</u> .	1.3.1.1 Deliver scheduled 2024-25 actions in the <u>Future Water Project 2060</u> .	% of scheduled actions completed.	At least 90%.	FWPM		Amber			Amber
						Stage 1 Continue the implementation of the Alstonville groundwater scheme.					Amber			Amber
						Continue the implementation of the Woodburn groundwater scheme.					Amber	Sustained pumping test of Clarence Morton Basin bore at Conveys Lane progressing well. Investigation into Alstonville Plateau Water Treatment Plant feasibility underway.		Amber
						Stage 2 Continue the planning and investigations for a groundwater scheme at Tyagarah (Stage 2 of the Future Water Project).					Amber	Some delays due to Groundwater Dependent Ecosystem considerations. Test bore licence for bore 6 approved. Test pumping due to commence in February 2025. Flood recovery work progressing well.		Amber
						General Review <u>Integrated Water Cycle Management Strategy</u> .					Amber	Preparatory works being finalised with test pumping commencing in January 2025.		Amber
											Amber	On track to be undertaken in the first half of 2025 calendar year.		Amber
				1.3.2 Source options to meet long-term water supply demands are better understood.	Undertake further investigations of <u>Stage 3 sources</u> .	1.3.2.1 Investigate potential to source groundwater from the Richmond Area Coastal Floodplain Alluvial Groundwater Source.	Initial results available.	By 30 June 2025.	FWPM		Green			Green
						1.3.2.2 Investigate options to optimise the Wilsons Rivers source licence.	Report on options and feasibility completed.	By 30 June 2025.	FWPM		Green			Green
						1.3.2.3 Undertake Cultural Heritage and Biodiversity Assessments for the potential Dunoon Dam.	Reports completed.	By 30 June 2025.	FWPM		Red	Protracted stakeholder negotiations mean that this will not be completed in the first half of the calendar year. Work is continuing with the aim of completing this in 2025/26.		Red
				1.3.3 Our water supply is valued and used responsibly. 2.3.2 Water consuming businesses and industry are engaged to promote sustainable water consumption.	Deliver the <u>Regional Demand Management Plan</u> .	1.3.3.1 Undertake scheduled 2024-25 actions in the <u>Regional Demand Management Plan</u> .	% of scheduled actions completed.	At least 90%.	WSO		Green			Green
						RES1: Implement behaviour change pilot to understand community attitudes to responsible water use.	Pilot program designed, approved and implemented.	By 30 June 2025.	WSO		Amber	Focus groups completed, report being prepared for implementation		Amber

Legend:
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 No comment required.
 Amber: MONITOR. In progress but behind schedule. Comment mandatory.
 Red: REVIEW. Corrective action required. Comment mandatory.
 Grey: NO LONGER REQ. Comment mandatory.

Sustainable delivery		External relationships		Our people		Leadership and Innovation		Delivery objectives	Activities to get there	Actions	What is being measured	Target	Lead	Operational Plan term 2024-2025	Progress	Comment UPDATE	STATUS	Progress	
										RES2: Implement residential rebate/incentive program.	Number of rainwater tank rebates approved.	Within approved budget.	WSO		Green			Green	
										Number of instances of promotional opportunities.	Where participants heard about the program.	WSO			Green			Green	
										NRES2: Implement sustainable water partner program; NRES3: Implement audit of Council facilities and operations.	Number of water audits completed for target non-residential users.	Upward trend on previous year.	WSO		Green			Green	
										Number of non-residential users that have completed works and accessed a rebate.	Upward trend on previous year.	WSO		Amber	4 assessments conducted, need to finish efficiency reports before clients can access rebates			Amber	
										Number of instances of promotional opportunities (program and users).	Upward trend on previous year.	WSO		Green				Green	
										DMR3: Reporting of customer data and consumption.	Water loss indicators and targets developed and reporting commenced.	By 30 June 2025.	WSO		Amber	Developing methodology water loss indicators and targets developed and reporting.			Red
										EDU1: Implement education and engagement tools.	Number of education and engagement tools prepared and channels disseminated (where and how many).	Trend compared to previous year.	WSO		Green				Green
										Number of education and engage opportunities delivered.	Trend compared to previous year.	WSO		Green					Green
										Feedback received and level of stakeholder satisfaction as indicated through survey.	Trend compared to previous year.	WSO		Green					Green
										1.3.3.7 [2023/24] Provide an interim update to the Drought Management Plan while investigations continue into future water sources.	Interim Drought Management Plan adopted by Council.	By December 2024.	WSO		Blue	COMPLETE Q1. December 2023.			Blue
										1.4.1.1 Undertake scheduled 2024-25 actions in Asset Management Plans as per LTFP and QBRs adjustments.	% of scheduled actions in Capital Works program completed on time and within original budget.	At least 70%.	IPM		Green				Green
										% of Fleet replacement program completed.	100%.	HSELM		Red	The 10-year forecast for the 2024-25 actions in the Asset Management Plans (as per the LTFP and QBRs adjustments) have been completed. However, the completion of the targeted percentage of the Fleet replacement program has been delayed. The revised completion date is now set for 30 January 2025.			Red	
										Flood mitigation									
										Drains and canals.			FMM		Green				Green
										Floodgate outlets.			FMM		Green				Green
										Floodgate replacement program (high/medium risk).			FMM		Green				Green
										Lifting gear replacement program.			FMM		Green				Green
										Levee inspection and heavy maintenance.			FMM		Green				Green
										Retail water									
										Bulk water filling stations - power supply upgrade.			DTEM		Green				Green
										Bulk water - trunk									
										Broadwater 150 upgrade (at reservoir).			DE		Green	Contract awarded to KBS Mackay. Site establishment planned 10/02/2025. Work to be completed early May.			Green
										Byron 200 - mains renewal - 375.			DE		Green	Detailed underground service detection and mapping planned for February 2025. Quotes obtained for detection/mapping and traffic control. This work will take approximately 1 week to collect data and 2 weeks for mapping.			Green
										Valve replacement program.			DE		Green				Green
										St Helena 300 upgrade - 375.			APE		Red	Subject to funding from nearby land developer, which is not forthcoming at present.			Red
										Wilson's River elevated crossing Bexhill.			DE		Green	Options study completed. Next phases-constructability review, reprocessing and testing of core samples, develop concept design, SID, develop 3d underground model, develop scope of works, develop detailed design.			Green
										Source - Emigrant Creek Dam									
										Outflow monitoring / causeway safety access - construction of retaining wall and causeway.			APE		Amber	Progressing towards an alternative solution.			Amber
										Water - treatment plant - Nightcap									
										Nightcap WTP: Main Switchboard and DAFF saturator upgrade.			EPE		Green				Green
										Nightcap WTP: Biological activated carbon turbidity meters and ozone sidestream dosing.			PE		Amber	In progress - new Process Engineer commenced December 2024			Amber
										Nightcap WTP: Biological activated carbon renewals.			DTEM		Amber	In progress - new Process Engineer commenced December 2024			Amber
										Nightcap WTP: Wastewater renewals.			DTEM		Amber	In progress - new Process Engineer commenced December 2024			Amber
										Bulk chemical storage.			APE		Green	Survey and Review of Environmental Factors to commence in early 2025.			Green
										Water - treatment plant - Emigrant Creek									
										Emigrant Creek WTP: Floation.			PE		Amber	In progress - new Process Engineer commenced December 2024			Amber
										Emigrant Creek WTP: HCl dosing.			PE		Amber	In progress - new Process Engineer commenced December 2024			Amber
										Emigrant Creek WTP: Lime pH correction.			PE		Amber	In progress - new Process Engineer commenced December 2024			Amber
										Water - general									
										Bulk meter renewal program.			PO		Green				Green
										Water loss implementation (Rous network).			DEM		Green				Green
										1.4.1.2 Define optimum delivery model for strategic procurement (including regional leverage through the Northern Rivers Joint Organisation).	Model developed and trial implemented.	By 30 June 2025.	GM		Green	Scheduled for 2025.			Green
										1.4.1.3 Stores, inventory and fleet business operation review and process re-engineering.	Delivery of process efficiency improvements and improved risk management.	Reduction in time, cost, and/or risk.	HSELM		Amber	The project remains on track, with progress made in identifying solutions and implementing initial improvements, and is expected to deliver tangible benefits to overall business operations upon completion, Stores report to be delivered to LT by 30-05-2025.			Amber
										1.4.1.4 Create and embed organisation KPIs / targets and incorporate into performance processes	Key KPI metrics defined and baseline obtained.	By June 2025.	GMTS FM		Amber	To be completed in the 2nd half of 2025. Delayed until implementation of NOVUS project for Finance functions.			Amber
										1.4.1.5 Better education and consistency instilled into IP&R process, so staff know where their work fits in terms of broader strategic direction of the business.	Review and enhance internal education and awareness.	By November 2024.	GMOS		Green	Workshop with Leadership Team and Group held in November 2024 as part of informing the new IP&R Framework. Overhaul of the quarterly Operational Plan scorecard complete incl. distribution of guidance materials. Operational Plan performance is a recurrent agenda item for Leadership Team meetings (quarterly) and Group Managers responsible for engaging with functional areas to boost awareness. Particular focus will be on developing simple and userfriendly materials as part of the new IP&R Framework to enhance workforce education and awareness. Business-as-usual activity.			Green
										1.4.1.6 Progress steps to finalise Perradenya development as per Council resolution [42/23].	Application lodged.	By December 2024.	PMRP		Red	Extended consultation with Rural Fire Service and Friends of the Koala; now complete. All consultants to finalise reports by end of January 2025. DA to be submitted by February 2025.			Red
										Action plan informed by application outcome.	By June 2025.	PMRP		Green					Green
										1.4.1.7 Secure long-term debt financing.	Debt financing facility in place.	By December 2024.	GMTS FM		Blue	COMPLETE Q1. Loan facility in place.			Blue
										1.4.1.8 Review effectiveness and clarity of Rous's constituting proclamation and identify opportunities for improvement.	Review completed and position paper prepared.	By December 2024.	GMOS		Blue	COMPLETE Q1. Internal position paper completed and reported to the General Manager on 12-08-2024 (D24/14563).			Blue
										1.4.1.9 Review Fleet operation and update governance documents incl. development of a Fleet Asset Management Plan.	Review completed, revised business processes implemented and Fleet Asset Management Plan approved.	By 30 September 2024.	HSELM		Red	Action delayed due to competing priorities. Steps will be taken to reengage with the draft documents in January 2025.			Red

Legend:
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 No comment required.
 Amber: MONITOR. In progress but behind schedule. Comment mandatory.
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 Grey: NO LONGER REQ. Comment mandatory.

Sustainable delivery		External relationships		Our people		Leadership and Innovation		Delivery objectives	Activities to get there	Actions	What is being measured	Target	Lead	Operational Plan term 2024-2025	Progress	Comment UPDATE	STATUS	Progress							
Sustainable delivery	External relationships	Our people	Leadership and Innovation	1.4.3 A positive risk management culture is embedded and sustained.	Implement Enterprise Risk Management Framework.	1.4.3.1 Enterprise Risk Management Framework in place.	% of the activity plan completed.	100% of phase one. 50% of phase two.	RAS RAS		Green Amber					Phase one rollout delayed due to competing organisational priorities around change and digital transformation. Phase two expected to start once Phase is embedded in February.		Green Amber							
						1.4.3.1 [2023/24] Test emergency response plans and update business continuity plans.	Plans tested and updated.	At least once by June 2024. By 30 June 2025.	RAS	Grey	Will be incorporated into Phase 2 of the Enterprise Risk Management project.	Grey													
						1.4.3.2 [2022/23] Update Council's Risk Management Plan and review the Risk Register to respond to outcomes of recent major flood events.	Plan and Register closed.	By June 2024. By 31 October 2024.	RAS	Grey	Will be incorporated into Phase 2 of the Enterprise Risk Management project.	Grey													
						1.4.4 Ongoing service reviews, audits and business improvements achieve enhanced organisational outcomes.	Implement internal and external audit.	1.4.4.1 Complete prioritised service reviews based on recommended focus areas identified by Audit, Risk and Improvement Committee.	# of service reviews completed. % of review recommendations implemented.	At least 1. At least 80% within 12 months of date of recommendation.	GRM GRM	Green Green													
				1.4.4 Ongoing service reviews, audits and business improvements achieve enhanced organisational outcomes.	Implement internal and external audit.	1.4.4.2 Revise and update internal audit arrangements.	% of scheduled audits completed as per Internal Audit program.	100%.	GRM	Green															
							1.4.4.3 Review and update of Dam Safety Management System documents and plans.	Annual completion of surveillance inspections, undertake studies and updating of dam safety documents and plans as required in the Dam Safety Management System document.	By December 2024.	GMO SPE DTEM	Amber	Annual Surveillance inspections completed, Dam Safety Reports and Comprehensive Risk Assessments delayed and in progress. Dam Safety Management System Document updated as additional information becomes available.	Amber												
						2.1.1 Effective collaboration and communication with our constituent councils.	Review and refresh Service Level Agreements (or similar) with constituent councils.	2.1.1.1 Partner with constituent councils in a service review to determine the value and effectiveness of the Service Level Agreement incl. alternative options.	Number of arrangements reviewed and refreshed.	100% by June 2025.	GMO GRM	Green													
								2.1.1.2 [2023/24] Evaluate pricing model methodology.	Successfully complete a parallel run.	By October 2023. By 31 December 2025.	FM	Green	Consumption data is being collected to calculate the charges under the proposed methodology at both a Constituent Council and overall level. The comparison of charges will be important to inform any future decision on changing the methodology or remaining with the existing one.	Green											
				2.1.1.2 Perform a parallel run of alternative pricing methodology.	Completed and a report to Council on results.			By March 2025.	FM	Green	As per above. The deadline should be March 2026 as the parallel run will continue until the end of the 2025 calendar year.	Green													
				2.2.1 Communities across our region are kept informed of Rous's work and have opportunities to engage with us. 2.3.4 Local community groups are positively engaged to support the achievement of shared objectives.	Deliver the Communications and Engagement Strategy.	2.2.1.1 Provide opportunities for engagement through face-to-face activities, social media, website and customer service offerings.	Induction program updated.	By August 2024.	GMOS	Blue	COMPLETE Q2. Induction program and business processes reviewed and updated.	Blue													
							Increase in social media followers.	At least 3000 in total across all social media platforms.	CCM	Green	Social media following currently sitting at 2437 across Facebook, Instagram and LinkedIn social media platforms.	Green													
						2.2.1.2 Monitor Rous website to ensure content complies with WCAG level AA standards.	# of telephone call-backs received. Website visitation. Use of available online tools, i.e., e-forms. SMS alert registrations, 'report a weed' form, views of Issue documents.	At least 25% upward trend on previous year.	CCM	Green															
								2.2.1.3 Provide timely and accurate information using appropriate media.	Number of media releases. Number of social media posts. Number of website news articles.	≥ 8 per year. ≥ 100 per year. ≥ 20 per year.	CCM CCM CCM	Green Green Green	4 media releases during the quarter 68 social media posts during the quarter 18 website news articles	Green Green Green											
						2.2.1.4 Support Rous projects and activities through the development and implementation of communication and marketing campaigns.	Website delivered according to scope, on time and on budget.	By June 2025.	CCM	Green	On track for launch at the end of January 2025	Green													
								2.3.4.1 Implement the Branding and Marketing Strategy.	Increase in brand awareness.	Upward trend on baseline survey results.	CCM	Green													
						2.3.4.2 Scope the purpose and design of an engagement space at Ballina Campus site (Gallans Road).	Purpose and design approved, subject to Building B progressing at the same time as Building A.	By September 2024.	CCM	Blue	COMPLETE Q1. Design and function requirements confirmed based on available information.	Blue													
								2.3.1 Provide end to end support for the Northern Rivers Joint Organisation.	Statutory compliance.	100%.	GM	Green	Financial audit completed.	Green											
						2.3.3 Local Aboriginal history and culture is respected, and we positively engage with our First Nations communities. 4.1.1 Embed reconciliation in Rous's culture through its people and partners.	Deliver the Reconciliation Action Plan.	2.3.3.1 Implement Rous's 2024/25 Reconciliation Action Plan.	Complete scheduled actions.	By assigned due date.	CCAM	Green													
								2.3.3.2 Prepare the Rous 'Innovate' Reconciliation Action Plan 2025/29.	Draft submitted to Council and Reconciliation Australia.	By 30 June 2025.	CCAM	Green													
						2.3.5 Regional collaboration informs policy and innovative approaches to priority issues.	Participate in regional forums with key stakeholders to inform local policy.	2.3.5.1 Actively contribute to the Weeds and Pest Advisory Committees as part of our flood and water policy contribution.	# of meetings participated in. Nature of outcomes achieved.	At least 90%. Report by occurrence.	GM GM	Green Green													
								2.3.5.2 Collaborate with State and other agencies including NSW Health, NSW Local Land Services, NSW Department of Primary Industries, NSW Department of Climate Change, Energy, the Environment and Water, and Water Services Association of Australia.	Nature of collaboration outcomes.	Report by occurrence.	WBBRM DTEM DEM	Green													
				3.1.1 We know our workforce and skills requirements to achieve our Delivery Program commitments. 3.2.1 Specialist and hard-to-recruit skills are available to Rous when needed.	Refresh and implement the Workforce Management Strategy and action plan taking into account: (a) the human resources required by the Delivery Program (b) specialist and hard-to-recruit skills.	3.1.1.1 Conduct organisational benchmarking review and provide recommendations to ensure right-sizing of Future Rous (e.g., people structure).	Benchmarking recommendations endorsed.	By December 2024.	PCTL	Amber	Benchmarking exercise will commence in Q3 2024 with recommendations expected by Q4.	Amber													
						3.1.1.2 Conduct salary system review, develop framework, KPIs and implement recommendations, including the adjustment of salaries and benefits where required.	Achieved.	By June 2025.	PCTL	Red	Likely to push out until FY26. Dependent on outcomes of benchmarking and structural review.	Red													
						3.1.1.3 Design the 'future-state' Rous organisational structure based on the right roles skills, capabilities and needs for the future (including rollout and implementation plan).	Structure designed and endorsed by the Leadership Team.	By June 2025.	PCTL	Green															
3.1.1.4 Review, update and expand the visibility of the Employee Value Proposition.	Employee Value Proposition endorsed and visible (internal and external stakeholders).	By October 2024.	PCM			Grey	Deferred to financial year 2025/26 due to competing priorities.	Grey																	
3.2.1 Identify and create an organisation-wide succession plan for business-critical roles.	Succession plan identified and in flight for all business-critical roles.	By August 2024.	PCM			Red	Delayed due to competing priorities associated with relocation activities.	Red																	
3.2.1.2 Design, develop and implement alternative employment strategies and pathways (e.g., First Nations employment, scholarships, cadetships, graduate or trainee programs.)	Individual measures per alternative employment strategy.	By December 2024.	PCM			Green																			
3.2.1.3 Conduct capability and competency review, develop framework to support future-state Rous roles, skills and capabilities.	New framework endorsed.	By June 2025.	PCTL			Amber	Targeting to be done in parallel with future-state org design, although it may need to be subsequent.	Amber																	
3.3.1 Our leaders and emerging leaders are provided with development opportunities.	(c) leadership development.	3.3.1.1 Design and implement Leadership Program (Leadership Team and Leadership Group) to bridge gaps and create cohesion (incl. KPIs).	Program in place. Positive shift in employee satisfaction of leadership.			By December 2024. Upward trend.	PCTL PCM	Red Green	Pushed out in budget for next Financial Year due to other pre-requisites.	Red Green															
		3.3.1.2 Review and design a 'fit for purpose' learning and development offering to support the future-state Rous culture, skills and capability requirements.	System improvements made, processes mapped and implemented.			By June 2025.	PCTL PCM	Red	The Learning and Development space is constantly being reviewed for present needs. A 'future state' approach will be developed from February 2025 that will involve high level collaboration with leadership and tied into a skills gap analysis.	Red															
3.4.1 Our staff are proud to work for Rous.	(d) workplace culture and employee satisfaction.	3.4.1.1 Design and implement a program to drive desired values, behaviours and increase employee engagement.	Sentiment rating assessed via pulse surveys.			Upward trend.	PCM	Green																	
		3.4.1.2 Identify and implement a suite of People and Culture KPIs to measure, drive desired behaviours and organisational effectiveness.	KPIs endorsed and implemented.	By June 2025.	PCM	Amber	Development of KPI's to measure success and value-add, in progress.	Amber																	

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Sustainable delivery	External relationships	Our people	Leadership and Innovation	Delivery objectives	Activities to get there	Actions	What is being measured	Target	Lead	Operational Plan term 2024-2025	Progress	Comment UPDATE	STATUS	Progress		
				3.4.2 Our workplace is accessible, inclusive and safe.	Refresh and implement relevant plans incl. > Disability Inclusion Action Plan > Work Health Safety and Environment protocols.	3.4.1.3 Design and implement an employee engagement strategy to provide a holistic view and purpose of engagement activities and initiatives across Rous.	Sentiment rating assessed via pulse surveys.	Upward trend.	PCM		Green			Green		
								3.4.1.4 Design and rollout a Rous Change Management Framework (incl. tools and templates) to support change initiatives.	75% of employees are aware of the Change Management Framework and where to access relevant resources	By 30 June 2025.	PCTL		Green	Change management framework is being utilised for Novus, staff will be exposed to this in more detail in second half of 25.		Green
								3.4.2.1 Design and implement a Diversity Equity and Inclusion Strategy.	75% of employees are aware of the Strategy.	By December 2024.	PCM		Red	Review of current organisational breadth of strategy and endorsement and delivery to follow in 2025.		Red
								3.4.2.2 Investigate and implement a sustainable waste management solution for handling contaminated waste that arises from Rous operations.	100% compliance with applicable waste management regional and national environmental regulations.	By 30 June 2025.	HSELM		Green	A number of solutions have been implemented, including removal of contaminated waste from NCWTP, as the Gallans Rd project progresses further options will be explored to minimise waste at the new precinct.		Green
								3.4.2.3 Implement Council's Health Safety and Environment policy and systems.	Integrate LTI tracking into BAU procedures.	0 lost time injuries.	HSELM		Amber	Council policies are regularly updated to align with evolving safety standards and incorporate lessons learned from incidents. The Lost Time Injury Frequency Rate (LTIFR) is continually reviewed, alongside the implementation of enhanced work practices and safety initiatives, to ensure best-practice measures are in place. This proactive approach reflects our commitment to minimizing risk and ultimately achieving a zero rate of LTIs.		Amber
								Annual targets set for increased event reporting.	Upward reporting trend year on year.		HSELM		Green			Green
								3.4.2.4 Review and update internal business processes and procedure to promote awareness and consideration of environmental and cultural heritage factors.	Review existing business processes to identify potential environmental impacts (e.g., resource consumption, waste generation, pollution). Assess potential interactions with cultural heritage (e.g., historical sites, indigenous practices, traditional knowledge).	By 30 July 2025.	HSELM		Green			Green
								3.4.2.5 Implement Health and Wellbeing program.	Employee engagement in program activities. Absence / sick days data.	Upward trend year on year. Downward trend by comparison to previous year.	PCM PCM		Green Green			Green Green
								3.4.2.6 Identify and implement technology solutions or business process improvement to enhance worker safety.	Instances of technology solutions or business process improvement reducing or eliminating risk to worker health and safety.	By occurrence.	HSELM		Green	Rous is exploring drone technology and remote-controlled equipment to help reduce or eliminate risks to worker health and safety. By using these tools for tasks like site inspections, sampling, or operating machinery, personnel spend less time in potentially hazardous environments, thereby minimizing the likelihood of accidents and injuries. As part of this initial work, Rous is evaluating various solutions to identify which best enhance safety, efficiency, and overall operational effectiveness.		Green
						4.1.2 Demonstrate effective leadership through the delivery of our commitments and reporting on our progress and results.	Deliver the commitments of the Delivery Program and report annually to our regional community and key stakeholders on our progress and results.	4.1.2.1 Periodic updates to keep our regional community and stakeholders informed about our ongoing efforts.	Annual report completed.	By 30 November 2024.	CCM		Green			Green
								4.1.2.2 Report on Service Level Agreement implementation and performance.	Periodic updates delivered. Reports provided to constituent councils. % of Service Level Agreement obligations met.	Quarterly. 6-monthly. 100%.	CCM GMO GMO		Green Green Green		Green Green Green	
				4.1.3 Business efficiencies are achieved through service delivery on behalf of and in partnership with our constituent councils.	Deliver feasibility study and recommendations related to end-to-end water supply and sewerage authority role for Rous.	4.1.3.1 Feasibility scope and timing informed by completion of initial work with relevant constituent councils.	Workshop with Rous governing body on work underway or planned.	By 31 July 2024.	GM		Green	Scheduled for 2025.		Green		
				4.2.1 Our business systems and data support us to achieve organisational results.	Review data and transform business systems.	4.2.1.1 Implementation of digital transformation - Release 1 and 2.	Release 1 - Payroll implemented. Release 2 - Enterprise Resource Planning system design and build complete.	By September 2024. By June 2025.	GMTS GMTS		Blue Green	COMPLETE Q2. New payroll system live		Blue Green		
								4.2.1.2 Accurately map and inspect all water supply network assets.	% of water supply network assets mapped and inspected.	100% by June 2025.	DEM		Amber	Design complete. Build and test to complete Q3 with go-live soon after. Progress has been slower than expected due to other staff commitments and weather. Approximately 50-75% of assets are expected to be more accurately mapped by 30 June 2025 with the remainder in the following financial year.		Amber
								4.2.1.3 Implement QA and QC processes for development servicing plans (Bulk Water and Retail Water).	Liability developments are accurately assessed and incur applicable fees. Partner with constituent council in review of development application process.	100%. 1 x Constituent council.	IPM FM IPM FM		Amber Amber	This work has begun with 1 x Constituent Council although there have been issues with collecting the required data. This work will be completed following the assessment process above.		Amber Amber
								4.2.1.4 Refresh and update People and Culture policies and procedures to ensure 'fit for purpose' for Future Rous.	100% current.	By June 2025.	PCTL		Green	Policy and procedure review largely complete; will be finalised in February 2025.		Green
								4.2.1.5 Streamline and update People and Culture processes to ensure 'fit for purpose' for Future Rous.	Core People and Culture processes document and mapped, e.g., recruitment, onboarding, offboarding, etc.	By June 2025.	PCTL		Amber	Underway. There is a baseline of process documentation, however completion of review of all processes will likely push into FY25 due to resourcing constraints.		Amber
						4.3.1 Successful consolidation of Rous administration and depots to achieve business improvements and optimisation.	Consolidate premises.	4.3.1.1 Workplace consolidation.	Complete relocation to Gallans Road project on time and on budget.	Achieved.	PMRP		Red	The current project completion date is projected for December 2025/January 2026. The project is subject to various Council (Ballina Shire) approvals for both construction activities and occupation and operation. The build time is estimated to take 12 - 14 months in total. Demolition has commenced and will be finalised by the end of January 2025. The project is within budget at this time.		Red
								Implement workplace consolidation options for impacted properties. Recurrent probity reporting.	Achieved. Quarterly.		PMRP		Green Red	Report planned for February 2025 Council meeting.		Green Red
				4.3.2 Continuous improvement in our delivery of a bulk water supply.	Review and update operational maintenance plans for bulk water assets.	4.3.2.1 Maintenance plans current for all water supply network assets.	Plans updated and implemented.	100% by December 2024.	DEM		Blue	COMPLETE Q2. Maintenance plan implemented for distribution assets. Currently being collated for transfer to new enterprise resource management system.		Blue		
								4.3.2.2 Finalise commissioning of smart metering across retail water connections.	% of retail water connections with a smart meter installed.	95%.	GMPD		Green			Green
								4.3.2.3 Implement ongoing backflow inspection and maintenance program for retail water connections.	% of retail water connections with a backflow device installed receive a site visit and test.	100% by 30 June 2025.	GMO		Green			Green
				4.3.3 Proactive contribution as part of a regional response to flood mitigation.	Actively participate in ongoing flood response initiatives.	4.3.3.1 Renewal of Rous flood mitigation urban levee assets under NSW Public Works Levee Assessment and Improvement Program.	Subject to funding, renewal works commenced on levees: Bungwalbin, Tuckombil Canal, South Lismore \ Lismore CBD.	By 30 June 2025.	FMM IPM		Green	Public Works funding renewal of both Tuckombil Levee and South Lismore Levee under Flood Levee Repair Program (FLRP).		Green		

Tenders awarded by the General Manager under Delegation

Responsible Officer: General Manager (Phillip Rudd)

Recommendation

That Council receive and note the information provided in this report on tenders accepted and contracts awarded by the General Manager under delegation during the period 1 October 2024 to 30 December 2024.

Background

In August 2022, Council resolved [48/22] to increase its delegation to the General Manager for the acceptance and award of tenders and contracts valued up to \$1,000,000.00 and to receive ongoing information reports summarising details of these tenders/contracts awarded.

Tenders/Contracts awarded under delegation by the General Manager for the period:

Tender/Contract	Start Date	Initial Value (Incl GST)	Contractors Name	Category
Tygarah Groundwater Investigation	11/10/2024	\$ 282,836.00	Slade Pty Ltd	Construction
Broadwater DN250 Watermain Upgrade – Inlet Works	16/10/2024	\$ 350,717.40	KSB Mackay	Construction

¹ Delayed record entry into Contracts Register.

Governance

In accordance with clause 2(ii) of the Council issued delegation dated 17 August 2022:

(a) all expenditure or tenders/contracts approved by the General Manager must have a Council approved budget allocation available.

(b) only those tenders/contracts that comply with the applicable legislative tendering requirements may be approved by the General Manager.

Comment

Where there has not been a tender accepted and contract awarded by the General Manager under delegation, no report will be furnished to Council.

Conclusion

As required by resolution [48/22] this report is a summary of the tenders accepted and contracts awarded by the General Manager under delegation during the relevant reporting period.

Audit, Risk and Improvement Committee - meeting updates

Responsible Officer: Group Manager Organisational Services (Helen McNeil)

Recommendation

That Council receive and note the attached minutes from the Audit, Risk and Improvement Committee meetings of 14 October and 25 November 2024.

Background

The Audit, Risk and Improvement Committee ('Committee') met on 14 October and 25 November 2024. Copies of the minutes of the meetings are attached (Attachment 1 and 2).

Key Messages

1. Finance

An update on and copies of the reports in relation to the following matters were provided to the Committee:

1.1. Annual financial reports 2023/24

- The audited Annual Financial Statements for the year ending 30 June 2024;
- The Engagement Closing Report for the year ending 30 June 2024 prepared by the NSW Audit Office (NSWAO); and
- NSWAO Management Letter on the final phase of the audit for the year ending 30 June 2024.

1.2. Standard financial management reports

- The final Annual Financial Statements for the year ending 30 June 2024, following a period of public exhibition;
- The Quarterly Budget Review Statement report provided to Council's September 2024 meeting applicable for the month ending 30 September 2024; and
- The Investment report provided to Council's October 2024 meeting applicable for the month ending 30 September 2024.

2. Compliance/Internal Controls

2.1. Update on the development of the Lone, Isolated, and Remote Work Procedure

The Committee was advised that the Health, Safety, and Environment (HSE) Team had developed a procedure to enhance the safety and well-being of employees in lone, isolated and remote work settings and address recommendations made in previous internal audits.

The development process involved stakeholder engagement through interviews, surveys, and workshops to ensure the procedure was practical and aligned with industry best practice and regulatory requirements.

The implementation plan includes education, tailored training, and support systems like communication tools and emergency protocols for workers.

2.2. HSE Performance Report July-September 2023 v July-September 2024

A report analysing workplace safety trends within Council based on data from July to September 2024 and comparing it with the same period in 2023 was provided to the Committee.

The analysis found that event reporting increased from 57 in 2023 to 73 in 2024, reflecting an improved safety reporting culture and greater employee engagement. This positive change was also reflected in a rise in completed inspections, from 977 in 2023 to 1,388 in 2024.

While injuries remain low overall, there was an increase in cuts, abrasions, lacerations, and tick bites, highlighting the need for targeted safety protocols and education, especially regarding tick prevention. This increase is another example of a positive change in workplace reporting culture.

3. Risk Management

There was no movement in the rating of the General Manager's top enterprise risks since they were last reported to the Committee in July 2024.

An update on the revised Enterprise Risk Management Framework and efforts to align it with a new digital technology solution, including data cleanup and migration from the current risk registers into the new system, was provided to the Committee.

4. Fraud and Corruption Control Framework

The Committee received an update on the anticipated timing of anti-fraud and corruption activities to be undertaken in 2025, such as a review of policy, procedures, and reporting protocols.

5. Governance

5.1. Policies, Procedures and Delegations

A summary of the currency of Council's policies and procedures was provided to the Committee and an overview of the policies reviewed and approved/re-approved by Council over the preceding year, which included the:

1. Equal employment opportunity policy
2. Financial reserves policy
3. Human resources policy
4. Investment policy
5. Media and Social Media policy
6. Related Party Disclosure
7. Retail water customers' account assistance policy
8. Risk management policy
9. Workplace surveillance policy

An overview of the currency and review program for Council and General Manager issued delegations, designations, and authorisations was also provided to the Committee.

5.2. Information Communication Technology

The Committee was advised of the results of a recent Australian Signals Directorate Essential 8 Maturity Assessment undertaken and associated improvement recommendations being implemented by the ICT team.

An overview of Cyber Security related requests received by the ICT team since the last update to the Committee in July 2024 was also provided including that, in the last quarter 127 Cyber Security requests were logged, with nine requiring further investigation. Four were phishing attempts, two targeting the General Manager and Accounts Payable, but were blocked successfully due to preventative processes in place. Five incidents involved blocking risky files, with four being false positives and one related to easily removed 'bloatware' (software or applications that come pre-installed on devices or systems, that take up excessive storage and can slow down devices and reduce their performance). The remainder were alerts from software updates and new installations.

5.3. Section 355 Committee – Active Floodgate Management program

The Committee was advised of a series of annual recommitment and safety reviews that have occurred as part of Council's landowner volunteer floodgate operator program. The program is a long running initiative that allows select landowners to voluntarily operate modified Council floodgates to improve the environmental condition of drainage systems.

6. Audit

The Committee received an update on the progress of implementing actions arising from internal, external and in-house audits. Between March 2024 – November 2024, seven (7) audit recommendations were implemented and twenty-six (26) remained in progress, with the majority relating to records management which was audited in March/April 2024.

7. Other matters

7.1. Strategic performance – Delivery Program | Operational Plan

An update on and a copy of the report relating to the Delivery Program/Operational Plan was provided to the Committee. This report was previously provided to Council at their 21 August 2024 meeting.

7.2. Committee meeting schedule and workplan for 2025

The Committee approved its meeting schedule and workplan/reporting schedule for 2025. Committee meetings will take place on the following dates in 2025 via audio-visual link and in-person at Invercauld House in Lismore: 24 March, 19 May, 21 July and 13 October and 24 November.

The Committee continues to work with management to identify and close the gaps between current practices and those required under the new compliance legislation for all ARICs, which came into effect on 1 July 2024 for the 24/25 Financial Year reporting period.

8. Update on Project Novus

The Committee received an update on Project Novus (Digital Transformation). There are three releases or projects within the transformation program:

1. Release 1 (Payroll) – the new Payroll platform 'iChris' went live in September 2024.
2. Release 2 (Enterprise Resource Planning and Enterprise Asset Management and Customer Relationship Management) – a Systems Integrator has been selected to implement several new software platforms for Council. The release build stage commenced in October 2024.
3. Release 3 (currently in planning) - Release 3 initially includes the Enterprise Risk Management solution. The scope of this release will be expanded and delivered in 2025.

Consultation

This report was prepared in consultation with the Audit, Risk and Improvement Committee Chairperson.

Conclusion

This report provides a summary of the key messages from the 14 October and 25 November 2024 Committee meetings.

Attachments

1. Audit, Risk and Improvement Committee meeting minutes 14 October 2024
2. Audit, Risk and Improvement Committee meeting minutes 25 November 2024

MINUTES OF ROUS COUNTY COUNCIL AUDIT RISK AND IMPROVEMENT COMMITTEE HELD MONDAY, 14 OCTOBER 2024 AT ADMINISTRATION OFFICE, 218-232 MOLESWORTH STREET, LISMORE

1 MEETING OPENING

The Chair opened the meeting at 09:59am

In attendance:

Voting Committee:

- Laurie Lefcourt, Audit Risk and Improvement Committee Chair (via 'Teams')
- Andrew MacLeod, Independent member
- Raymond Wong, Audit Risk and Improvement Committee (via 'Teams')

Non-voting Committee:

- Nil

Rous County Council:

- Phillip Rudd, General Manager
- Helen McNeil, Group Manager Organisational Services
- Geoff Ward, Group Manager Transformation and Strategy Group
- Jonathan Patino, Finance Manager
- Lauren Edwards, Governance and Risk Manager
- Joseph Yeadon, ICT Manager (via 'Teams')
- Vicky Scott, Financial Accountant
- Alison O'Toole, Management Accountant
- Robyn Waldron, Secretary

Other attendees:

- Richard Watkinson, Thomas Noble & Russell
- Ben Rogers, Thomas Noble & Russell
- Quentin Wong, Audit Office of NSW

2 ACKNOWLEDGEMENT OF COUNTRY

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

3 APOLOGIES / LEAVE OF ABSENCE

Nil.

4 DISCLOSURE OF INTEREST

Nil.

5 IN-CAMERA SESSION BETWEEN THE COMMITTEE AND AUDITOR

Richard Wilkinson, Ben Rogers (TNR) and Quentin Wong (Audit Office) joined the meeting at 9.27am

Rous staff left the meeting at 10:30am for the Committee and Auditors to have an in-camera session.

Rous staff rejoined the meeting at 10:40am

Richard Wilkinson presented the audit findings to the committee and thanked Rous for their continued collaboration throughout the process.

Richard Wilkinson, Ben Rogers and Quentin Wong left the meeting at 10:58am

6 MINUTES OF PREVIOUS MEETING

Minutes of the meeting held 22 July 2024 provided for information.

7 AUDIT

7.1 Audited Financial Reports for the year ended 30 June 2024

RESOLVED (MacLeod/Wong) That the Committee:

1. Receive and endorse the attached draft 'Annual Financial Statements for the year ended 30 June 2024' and the NSW Audit Office draft 'Engagement Closing Report for the year ended 30 June 2024' to Rous County Council for adoption.
2. Receive and note the NSW Audit Office Management Letter for the year ended 30 June 2024'.

Audited Financial Reports for the year ended 30 June 2024 (Resolution)		
For	Laurie Lefcourt, Andrew MacLeod and Raymond Wong	3
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	None	0
Carried		

8 NON-STANDARD REPORTS

Nil.

9 CONFIRMATION OF MINUTES

Audit, Risk and Improvement Committee meeting minutes 14 October 2024

RESOLVED (MacLeod/Wong) that the Minutes of the meeting held 14 October 2024 be confirmed as presented.

Confirmation of Minutes 14 October 2024 (Resolution)		
For	Laurie Lefcourt, Andrew MacLeod and Raymond Wong	3
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	None	0
Carried		

10 OTHER BUSINESS ARISING

Nil.

11 NEXT MEETING

25 November 2024

12 CLOSE OF BUSINESS

There being no further business the meeting closed at 11:05am

**MINUTES OF ROUS COUNTY COUNCIL AUDIT RISK AND IMPROVEMENT COMMITTEE
HELD MONDAY, 25 NOVEMBER 2024 AT ADMINISTRATION OFFICE, 218-232
MOLESWORTH STREET, LISMORE**

1 Meeting opening

The Chair opened the meeting at 10.42am.

In attendance:

Voting Committee

- Laurie Lefcourt, Audit Risk and Improvement Committee (Chair)
- Andrew MacLeod, Independent member
- Raymond Wong, Independent member

Rous County Council

- Phillip Rudd, General Manager
- Helen McNeil, Group Manager Organisational Services
- Geoff Ward, Group Manager Transformation and Strategy
- Jonathan Patino, Finance Manager
- John Nasser, Health Safety Environment and Logistics Manager
- Vicky Scott, Financial Accountant
- Robyn Waldron, Secretary
- Simona Pacleanu, Secretary

Other attendees

- Quentin Wong, Audit Office of NSW

Apologies

- Lauren Edwards, Governance and Risk Manager
- Cr Elia Hauge – Non-voting Councillor member
- Joseph Yeadon, ICT Manager
- Robyn Saurine, Project Manager Digital Transformation
- Richard Watkinson, Thomas Noble & Russell
- Ben Rogers, Thomas Noble & Russell
- Mitchell Morley, InConsult
- Dane Parsons, InConsult

2 Acknowledgement of Country

Committee showed its respect and acknowledged the Traditional Custodians of the Land, of Elders past and present, on which this meeting took place.

3 Minutes of previous meeting

Minutes of the meeting held 14 October 2024 were noted as presented.

4 Disclosure of Interest

Nil.

5 Audit

RESOLVED (MacLeod/Wong) That the Audit, Risk, and Improvement Committee receive and note the information presented in this report on progress against actions arising from:

1. Internal audits.
2. External audits.
3. In-house audits.

Audit (Resolution)		
For	Laurie Lefcourt, Andrew MacLeod and Raymond Wong	3
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	None	0
Carried		

6 Risk

RESOLVED (MacLeod/Wong) That:

1. The Audit, Risk and Improvement Committee receive and note the information contained in this report on:

- (a) Health, Safety, and Environment matters,
- (b) Risk Management,
- (c) Fraud and Corruption Control,
- (d) Governance matters, including:
 - (i) Policies, procedures, and delegations,
 - (ii) ICT Framework,
 - (iii) Section 355 Committees, and
- (e) Financial Management.

2. A gap analysis against the Risk Management Guidelines including internal audit policies and procedures be completed and results reported back to the Committee.

Risk (Resolution)		
For	Laurie Lefcourt, Andrew MacLeod and Raymond Wong	3
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	None	0
Carried		

Quentin Wong, Audit Office of NSW joined the meeting at 11:23am

John Nasser, Health Safety Environment and Logistics Manager left the meeting at 11:24am

Quentin Wong, Audit Office of NSW left the meeting at 11:27am

7 Improvement

RESOLVED (Wong/MacLeod) That the Audit, Risk and Improvement Committee:

1. Receive and note:
 - a) Rous' performance against delivery of the actions in the Delivery program | Operational Plan for the year ending 30 June 2024; and
 - b) The status of actions pending from previous meetings.
2. Confirm its 2025 meeting dates as 24 March, 19 May, 21 July, 13 October and 24 November with meetings to commence from 11.00am.

Improvement (Resolution)		
For	Laurie Lefcourt, Andrew MacLeod and Raymond Wong	3
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	None	0
Carried		

Note: Andrew MacLeod will be on a leave of absence from the Rous ARIC meeting scheduled for 19 May 2025.

8 General Business / Other reports

RESOLVED (MacLeod/Wong) That the Audit, Risk and Improvement Committee receive and note this report as presented.

Update on Project Novus (Resolution)		
For	Laurie Lefcourt, Andrew MacLeod and Raymond Wong	3
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	None	0
Carried		

9 Confirmation of Minutes

Audit Risk and Improvement Committee meeting minutes 25 November 2024

RESOLVED (MacLeod/Wong) that the minutes of the Audit Risk and Improvement Committee of 25 November 2024 be accepted as presented.

Confirmation of minutes 25 November 2024 (Resolution)		
For	Laurie Lefcourt, Andrew MacLeod and Raymond Wong	3
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	None	0
Carried		

10 Next meeting: 24 March 2025

Location to be confirmed.

11 Close of business

There being no further business the meeting closed at 12.25pm.

Retail Water Customer Account Assistance & Debt Write-off Information Report

Responsible Officer: Group Manager Organisational Services (Helen McNeil)

Recommendation

That Council receive and note the following two information summaries approved in the six-month period July to December 2024:-

1. Retail Water Customer Account Assistance in the sum of \$7,704.12 listed in Table 1
2. Debt write-off in the sum of \$4,195.64 listed in Table 2.

Background

1. Retail Water Customer Account Assistance

Seven applications for financial assistance, in accordance with section 356 (1) and 582 (1) *Local Government Act 1993* (LG Act) and Council's '*Retail Water Customer Account Assistance*' policy, were received in the six-month period July to December 2024. Details of the applications are set out below:

Table 1

Section 356 (Non pensioner)

Account	Date application received	Nature of leak	Original water charges due	S356 financial assistance to be approved	Adjusted water charges due after approval
11007-10000-8	8-Jul-24	The customer identified an underground leak caused by a split pipe located among bamboo in their paddock.	\$2,236.36	\$499.32	\$1,737.04
12048-10000-7	24-Aug-24	The customer discovered an underground leak resulting from a burst pipe at a joint near a creek bed.	\$3,700.80	\$1,596.00	\$2,104.80
12122-10000-6	11-Sep-24	The customer found a concealed leak underground, attributed to a split at the connection to the garden hose.	\$2,673.92	\$839.04	\$1,834.88
10544-11000-9	12-Sep-24	The customer experienced a leak underground at the poly pipe joint connecting the meter to the house.	\$4,650.38	\$2,307.36	\$2,343.02

11577-10000-8	18-Sep-24	The customer identified a leak due to an underground pipe burst, potentially caused by tree root growth or ground/rock movement.	\$2,441.69	\$652.08	\$1,789.61
12268-10000-1	14-Oct-24	The customer located a leak near the meter underground. A stopper has been installed at the point where the water was leaking.	\$3,673.99	\$1,575.48	\$2,098.51
10060-11000-3	1-Oct-24	The customer found a leak in the backyard, caused by a burst in the underground 25mm polyline.	\$1,865.57	\$234.84	\$1,630.73
Total approved			\$21,242.71	\$7,704.12	\$13,538.59

2. Debt Write-Off

Council's 'Debt Management and Financial Hardship' policy provides that an information summary report be submitted to Council on a bi-annual basis.

As per Council Resolution [50/22]:

- All debts above \$5,000.00 (ex-GST) may be written off only by resolution of Council.
- Council has delegated to the General Manager the power to write-off debts equal to or below the \$5,000.00 threshold.

The General Manager has delegated authority for the write-off of debts equal to or below:

- \$ 1,000.00 to the Group Manager Organisational Services and the Finance Manager.
- Debts written off equal to or below \$ 5,000

Debts approved for write-off by Council staff were done so under delegation and in accordance with clauses 131 or 213 of the Local Government (General) Regulation 2021.

Debts approved for write-off during the period 1 July 2024 to 31 December 2024 are tabled below:

Table 2

Customer type	Ref. number	Write-off amount	Background	Reason	Approved by
Retail water account	12090	\$74.02	A leak was detected following the installation of the smart meter due to a faulty connection between the poly and copper pipe. The rupture caused a water leak. For the billing period from 06/04/24 to 30/04/24, the usage was estimated based on average daily consumption from the same quarter the previous year, with a recommendation to write off the difference in the estimated and billed amount.	Debt not lawfully recoverable	FM
Retail water account	10619	\$212.80	The customer identified a leak and a water operator found the path tap to be faulty. Historical usage data indicated minimal water usage, with the customer mostly using water to fill a 1kL IBC tank. The faulty path tap is considered an infrastructure issue, and staff recommended to write off \$212.80 for the 70kL of water usage.	Debt not lawfully recoverable	FM
Retail water account	10563	\$647.52	A leak was identified at the connection between the service line and the poly pipe after the smart meter installation due to an insufficiently tightened fitting. Usage for the period of 03/05/2024 to 20/06/2024 was estimated based on average daily usage prior to installation, with a recommendation to write off the difference in the estimated and billed amount.	Debt not lawfully recoverable	FM
Retail water account	11480	\$6.08	A small leak was detected due to an old poly fitting, amounting to 2kL over 27 days. The leak was repaired, and the customer was recommended to receive a credit adjustment for 2 kL.	Debt not lawfully recoverable	FM
Retail water account	11990	\$246.24	A leak was detected due to a malfunctioning gate valve, which the customer was unable to fully close. Historical data shows that the customer uses minimal water, with only 8kL used for the entire previous year. This gate valve failure was considered an infrastructure issue, and a write-off of \$246.24 for the 81kL of water usage was recommended.	Debt not lawfully recoverable	FM

Retail water account	11827	\$176.32	The customer found a leak at the meter after installation, which was due to the tap being left on. The old tap's non-standard ball valve made it difficult to determine whether it was fully closed. The leak resulted in a water loss of 58kL, and the contractor did not turn off the tap as per standard procedure. A credit adjustment was recommended for 58 kL (\$176.32).	Debt not lawfully recoverable	FM
Retail water account	10165	\$296.26	A system error led to a miscalculation of the customer's water usage and facility charge. Instead of billing for the correct period (15/06/24 - 22/06/24), the system erroneously calculated charges for 05/03/24 - 22/06/24, resulting in double billing. The overcharge was recommended to be credited.	Error in assessment	FM
Retail water account	10806	\$91.20	During the last meter reading cycle, the read showed a lower reading than the previous quarter, leading to an overcharge of 30kL (\$91.20). This error was due to the incorrect recording on the meter reading sheet.	Error in assessment	FM
Retail water account	11301	\$3.04	During the last meter reading cycle, the final meter read showed a lower reading than the previous quarter. The error resulted in overcharging of 1kL (\$3.04). Credit adjustment of \$3.04 was recommended for the discrepancy.	Error in assessment	FM
Retail water account	11184	\$3.04	When this meter was replaced with a smart meter, the final read photo showed that the reading (2323) which was less than last quarter's reading (2324). The error was found on the meter reading sheet recording for the May 24 reading cycle. Staff recommended to credit the overcharge of 1 kL (\$3.04).	Error in assessment	FM
Retail water account	11162	\$24.32	A pipe burst occurred, and the customer could not turn off the water as no handle was installed on the tap. The water operator replaced the tap immediately. Average daily usage prior to the smart meter installation was recommended to estimate usage for this period, with a recommendation to write off the difference in the estimated and billed amount.	Debt not lawfully recoverable	FM

Retail water account	10865	\$3.04	When the meter was replaced with a smart meter, the final reading photo indicated a reading of 651, which was lower than the previous quarter's reading of 652. There was an error on the meter reading sheet for the February 2024 cycle, where the reading was incorrectly recorded as 652. Staff recommended to credit the overcharge of 1 kL (\$3.04).	Error in assessment	FM
Retail water account	11367	\$200.64	During the replacement of the meter with a smart meter, the final reading photo showed a reading of 820, which was lower than the previous quarter's reading of 896. It was identified that the reading for the May 2024 cycle was inaccurate. The customer was overcharged by 66 kL (\$200.64). Staff recommended to credit the overcharge	Error in assessment	FM
Retail water account	11159	\$18.24	A leak was identified at the meter frame after the installation of the smart meter. Usage data confirmed the customer was away from 04/07/24 to 22/07/24, with the leak stopping after repairs on 12/07/24. Staff recommended to write off 6kL of usage during this period.	Debt not lawfully recoverable	FM
Retail water account	12105	\$279.68	A small leak was found following the installation of the smart meter. Rous had repaired the leaks on both sides of the meter. The usage for the period of 09/05/2024 to 19/08/2024 was estimated based on average daily consumption from the same quarter the previous year, with a recommendation to write off the difference in the estimated and billed amount.	Debt not lawfully recoverable	FM
Retail water account	10283	\$6.08	This customer has been charged incorrectly due to an error in our billing system. Their usage was only 1 kL but they were charged for 3 kL. Staff recommended to write off the 2 kL (\$6.08).	Error in assessment	FM
Retail water account	10282	\$6.08	The customer was incorrectly billed due to a system error. Although their usage was only 1 kL, they were charged for 3 kL. Staff recommended writing off the additional charge of 2kL (\$6.08).	Error in assessment	FM

Retail water account	11593	\$109.44	A leak occurred following the installation of the smart meter on 12/07/2024 and was subsequently repaired by Rous staff on 04/09/2024. To estimate the actual usage for the period from 12/07/2024 to 03/09/2024, staff used the average daily usage of the previous period and recommended writing off the difference between the estimated usage and the billed usage.	Debt not lawfully recoverable	FM
Retail water account	10256	\$97.28	A leak was found at the fitting joining the customer's pipe to the meter following the smart meter installation. The leak was repaired on 19/07/24. Usage prior to the installation was used to estimate charges, and a write-off was recommended for the difference between the estimated and billed amount.	Debt not lawfully recoverable	FM
Retail water account	10633	\$3.04	A small leak was found at the T-pee fitting after the installation of the smart meter. The leak was minor, and Rous staff repaired it. This was on customer's side, and technically a customer issue, but Rous repaired it as a gesture of goodwill. The leak was deemed minor, and 1kL was considered sufficient to cover the leak.	Attempt to recover debt not cost effective	FM
Retail water account	10816	\$72.96	The customer has located a leak from the time that the smart meter was installed on 07/06/2024. The leak was located at the connection fitting. The usage for the period of 07/06/2024 to 03/09/2024 was estimated based on the average daily usage prior to installation, with a recommendation to write off the difference between the estimated and billed amount.	Debt not lawfully recoverable	FM
Retail water account	11223	\$145.92	A leak resulting from the installation of the smart meter on 07/09/2024 was found. The Temetra usage indicated that there was constant usage since the installation of smart meter since 12/07/2024. Usage for the period of 12/07/2024 to 03/09/2024 was estimated based on the average daily usage prior to installation, with a recommendation to write off the difference in the estimated and billed amount.	Debt not lawfully recoverable	FM

Retail water account	10746	\$85.12	The customer reported a leak due to a failure associated with the smart meter installation on 11/07/2024. The leak was repaired on 26/07/2024. The usage was estimated using their average daily usage prior to the smart meter installation, with a recommendation to write off the difference between the estimated and billed amount.	Debt not lawfully recoverable	FM
Retail water account	12149	\$88.00	The customer was charged for the manual read fee; however, as they were not opposed to the smart meter, just the backflow device Rous' Staff recommended reversing this charge.	Debt not lawfully recoverable	FM
Retail water account	12097	\$27.36	This customer had a leak due to the smart meter installation in May 2024 and their meter was turned off since that date. 9 kL had been recorded from 16/07/2024 to 05/08/2024. A water operator has been on site and checked that the tap has been turned off on both Rous' side and the customer's side. The read has not changed since the last read on 03/09/2024. Taking into consideration that the customer already had a smart meter installation issue prior, and this was 9 kL (\$27.36), it was not cost effective to continue to resolve this matter and pursue this charge. Staff recommended writing off the charge of \$ 27.36	Attempt to recover debt not cost effective	FM
Retail water account	11105	\$88.24	This customer had a leak due to a failure associated with the installation of the smart meter twice. Rous staff attended the site and replaced the b press elbow on 21/10/2024. Staff recommended using the average daily usage before the smart meter installation to estimate their bill for this period 22/05/2024 to 21/10/2024 and write off the difference between the estimated and billed amount.	Debt not lawfully recoverable	FM

Retail water account	11809	\$9.12	The customer reported a 3 kL water usage that cannot be explained. Historically, the customer has no usage. The data in Temetra was reviewed and found no anomalies. Despite multiple attempts to contact the customer for further information, no additional useful details were obtained. Given the amount of 3kL was so small (\$9.12), it was determined that further investigation would not be cost-effective. The Smart Meter Project Manager has advised the customer to lock the meter on their side to prevent theft. Staff recommended writing off the 3kL (\$9.12).	Attempt to recover debt not cost effective	FM
Retail water account	11391	\$164.00	A leak was discovered after the installation of the smart meter, originating from both the customer's and Rous' side at the meter fitting. Rous repaired both leaks on 2/12/2024. Staff recommended using the customer's average daily usage from the previous supply period to estimate the bill for the affected period, with the difference between the estimated and billed amount to be written off.	Debt not lawfully recoverable	FM
Retail water account	11743	\$273.60	For the supply period from 03/09/2024 to 13/09/2024, the customer was billed at a rate of \$3.28 per kL. However, the correct rate should have been \$3.04, as the usage of 1,140 kL should have been billed on 05/09/2024, which falls under the previous year's pricing of \$3.04 per kL. This discrepancy arose due to a data connectivity issue during the Q1 billing period, which prevented usage from being recorded. Staff recommended the pricing difference to be written off.	Debt raised in error	FM
Retail water account	12139	\$436.00	In May 2024, a poly fitting at the meter was damaged and caused a leak when the smart meter was installed. Temetra usage data indicated continuous usage during night time hours, when minimal consumption was typically expected. Staff recommended using the average daily usage prior to the installation of the smart meter to estimate the bill for the two billing periods from 20/05/2024 to 28/11/2024 and writing off the	Debt not lawfully recoverable	FM

			difference between the estimated and billed amount.		
Retail water account	10832	\$300.96	The customer was charged for 99 kL of usage during the period of 08/05/2024 to 21/08/2024. However, the cyble unit did not transmit usage data correctly due to a low battery, and no usage was recorded for the last 11 months. During the last meter reading cycle, the meter reader manually recorded the meter reading, which resulted in the customer being charged for the usage of 99 kL. On 02/12/2024, the water operator attempted to verify the meter reading; however, the reading was difficult to confirm due to the condensation on the display, and the screen wiper was broken. The customer has historically shown minimal water usage over the past three years. Staff recommended this charge to be written off.	Attempt to recover debt not cost effective	FM
	TOTAL	\$4,195.64			

Table 3

Explanation of write-off reasons

Reason for write-off	Explanation
Error in assessment	Occurs when a system error results in an incorrect amount being charged.
Debt not lawfully recoverable	Situations where the debt is not lawfully recoverable including instances where a proven failure of Rous' infrastructure has resulted in the excess water usage.
Court decision	Based on a decision from a court ruling.
Not cost effective	Occurs when the debt is assessed as not being commercially cost effective to recover.

Governance

- Finance

Retail Water Customer Account Assistance

The 2024/25 financial year budget allocation for applications made in accordance with the ‘Retail Water Customer Account Assistance’ policy is \$25,000.

Budget Table S356/S582

2024/25 financial year budget	\$25,000.00	No. of applications
S356 assistance reported in the July to December 2024 period (Table 1)	\$7,704.12	7
Budget remaining 2024/25 financial year	\$17,295.88	

Debt Write-Off

Charges written off during the period 1 July 2024 to 31 December 2024 total \$4,195.64 and this amount will be included in Council’s Annual Report.

- Legal

Retail Water Customer Account Assistance

Section 356 of the LG Act allows Council to ‘contribute money or otherwise grant financial assistance’.

Section 377(1A) of the LG Act allows Council to delegate to the General Manager authority to grant financial assistance provided it is (a) part of a specified program (b) included in the Operational Plan (c) the program budget does not exceed 5% of Council’s income for that year, and (d) the program applies to all persons uniformly.

Debt Write-Off

Clause 131(6) of the *Local Government (General) Regulation 2021* requires the General Manager to inform Council of any amounts written off under delegated authority.

Conclusion

During the period July to December 2024, the total value of financial assistance granted by the General Manager under delegated authority, and in accordance with Council’s ‘Retail Water Customer Account Assistance’ policy equated to \$7,704.12.

Charges totalling \$4,195.64 were written-off under Council resolution and delegated authority pursuant to clauses 131 or 213 of the *Local Government (General) Regulation 2021*. The next Retail Water Customer Account assistance and debt write-off information summary report will be included in the August 2025 business paper.

Gallans Road – Project Update – February 2025

Responsible Officer: General Manager (Phillip Rudd)

Report Author: Project Manager – Relocation and Properties (Guy Bezrouchko)

Recommendation

That Council receive and note the report.

Background

Council resolved to acquire the Gallans Road Property to consolidate workplaces as set out in the confidential report presented on 16 June 2021.

Since that original decision, Council has considered two further reports which have specifically addressed matters of procurement and budget allocation.

The first report (19 April 2023) identified the impact on the project of the 2022 floods and the town planning principles relevant to the project and, specifically, the required pathway to regulatory approval for the site. To receive the necessary regulatory approval, a full “change of use” DA for the entire site must be lodged and approved.

This type of DA required a coordinated approach based on the anticipated “whole of site use” and included multiple technical reports to support and evidence the impact assessment on the surrounding environment (natural, built and people) of the proposed new use. For example: land use conflict assessments, environmental/ecological assessments, traffic engineering, acoustic engineering, civil engineering, mechanical engineering, mosquito control assessment, bushfire, contamination and hazardous materials plans.

The report provided for the appointment of architects, *dwp*, to undertake carriage for the site architectural design to 80% and coordination of the required technical reports for the change of use development application.

The second report (18 October 2023) provided an update on the procurement process undertaken in the selection of the principal contractor and authorised the General Manager to negotiate and execute the project construction contract.

Additionally, the resolution included that Council receive quarterly project updates as per the project probity plan and Section 23A Capital Expenditure guidelines.

The Probity Plan – August 2023

Rous engaged O’Connor Marsden (OCM) to develop a Probity Plan and Risk Management Framework that would guide the procurement for the Head Contractor for Gallans Road Relocation Project.

The plan set out the principles by which probity was to be maintained for activities undertaken by Rous County Council (Council) in relation to the procurement of a Head Contractor for the Gallans Road Relocation Project., such as

- Act in accordance with the conduct guidelines, Probity Plan, Evaluation Plans and other Council processes.
- Avoid conflicts of interest where possible, noting the regional location of the project. Where a conflict cannot be avoided, it will be declared and managed in accordance with the legislation and Council’s policies.

- Maintain the confidentiality and security of confidential information.
- Act at all times in a professional manner.
- Avoid the acceptance of gifts, hospitality and other benefits that may be perceived to affect the integrity of the procurement of the Head Contractor for Gallans Road Relocation Project.
- Maintain appropriate records of decision making.

The Probity Plan adopted the key principles of the governance framework required for local government Capital Expenditure Projects and will meet the requirements of the Capital Expenditure Guidelines issued pursuant to section 23A of the Local Government Act 1993.

The extended period of negotiations, clarifications, and the detailed assessment of the Development Application (DA) by Ballina Shire Council has resulted in a delay in formal reporting in accordance with the requirements of the Probity Plan. This delay was necessary to ensure that all relevant information was available and adequately addressed before proceeding with the formal reporting process.

Project Update - January 2025

i. Construction Contract

In accordance with the Council resolution [54/23] and the Probity Plan, in January 2024 Rous proceeded with a select tender to award the construction contract.

Conforming tender responses were received from three contractors. These were reviewed and assessed by the tender assessment panel. The panel included staff and external construction consultants with all submissions reviewed by a quantity surveyor as a measure of quality assurance.

Additionally, Alder Construction Pty Limited (Alder) provided a valid alternative offer, which was evaluated as the preferred outcome and therefore became the basis for formal discussions and clarifications.

The alternative offer introduced a mezzanine entry foyer to building A which addressed some safety and site-flow concerns and enabled an improved connection between buildings A & B onsite.

Rous engaged specialist contract lawyers Bartier Perry to prepare a tailored AS4902 Design, Development and Construct contract for the entire project.

The focus of the contract was agreeing to fair and reasonable terms that provided clarity on project milestones, deliverables, timelines, and payment schedules. During this phase, risk management strategies were agreed, including penalties for delays, performance guarantees, and dispute resolution procedures.

Contract execution was delayed pending approval from Ballina Shire Council of the Development Application for Change of Use.

This delay was negotiated by Rous and Alder, focused on continued progress on the project and the commercial realities of both parties. This extended negotiation period added significantly to the project time frame.

In order to progress, Rous and Alder agreed via a Letter of Intent (LOI), in lieu of an executed contract, to continue with design documentation. The LOI expired on 31 March 2024.

Further negotiations took place to preserve the validity of the Alder offer whilst the DA remained under consideration by the Ballina Shire Council. These negotiations recognized the cost impact of actual delays incurred by Alder.

The outcome of these negotiations was finalised in July 2024 by Rous and Alder agreeing to three key elements: -

- New Letter of Intent was agreed to complete the design documentation to 100% and to undertake refurbishment works at Rous' Kyogle Street depot. (Note: the Kyogle Street works were completed under a separate budget allocation related to Rous' insurance claim following the Feb/March 2022 floods.)

By completing the design documentation Rous could, if needed, go back to the market for a construction contract.

- Rous agreed to pay delay costs.
- Executed AS4902 contract for the amount of \$21,072,584 (inclusive of delay costs).

The contract was split into two separable portions: -

- Separable portion 1
Building A (administration, stores and workshop), Area C (fleet storage and hardstand area) and Carpark
- Separable portion 2
Building B (Chambers and public engagement)
- The cost estimate included in the tender response contained various provisional amounts totaling \$1,120,000. Through the contract preparation and negotiation stage Alder were required to formalise these provisional amounts as such improving cost estimates. The provisional amount was reduced to \$130,000 at contract execution.

ii. Development Application – Change of Use – Approved 22 August 2024

Ballina Shire Council considered and approved Rous' Development Application (DA2023/343) Change of Use from rural industry to Public Administration Building and Depot with associated demolition, building and civil works and earthworks and retaining walls, fences, car parking and vegetation management works at its public meeting on Thursday 22 August 2024.

DA2023/343 contains 95 conditions which govern demolition works, building work before issue of a construction certificate, building work after issue of a construction certificate, before issue of an occupation certificate and occupation and ongoing use.

iii. Reporting Requirements – Capital Expenditure Guidelines

The Probity Plan identifies Rous’ reporting requirements for the project and are identified in the Office of Local Government Capital Expenditure Guidelines, Section 12.

These reporting requirements are:

a) *Quarterly reporting to the council on the progress of the project.*

Rous, Alder and project consultants have continued to progress the project consistent with the DA approval, the construction contract and regulatory certification.

Key achievements are: -

- Design documentation to 90% has been completed and is now in the final stages of “Issued for Construction”.
- Demolition work has been completed.
- Section 4.55 Modification for Condition 26 - lodged and approved by Ballina Shire Council

All focus now is on meeting the relevant ‘building work before issue of a construction certificate’ DA conditions to receive a Construction Certificate. Once the construction certificate is received a revised construction program will be established and construction will proceed to practical completion.

At this stage construction is expected to be completed within the calendar year.

b) *Quarterly reporting to the council on the costs and budget variances regarding the project.*

Refer to the finance section of this report.

Approved variations to the contract amount

Variation	Description	Amount \$
# 2	Include toilet Area C shed	15,814
# 3	Building A – Fire System	2,310
# 4	Additional asphalt – Area C – DA condition	51,700
# 5	Time lapse cameras	19,899
		89,723

c) *Any issue that may have an adverse impact on the project (this may include monetary and non-monetary inputs and outcomes).*

There are no major issues at this time which will unduly affect the project.

d) *Reporting capital works projects in council’s annual report.*

To be complied with.

As required under the Capital Expenditure Guidelines, reporting will be provided as part of the Quarterly Budget Reporting Statement (QBRs) each quarter, starting in April 2025.

Governance

- Finance**

October-23 Council approved a total budget of \$24,886,300 to complete Gallans Road total project.

This budget allocation accounts for all costs from 1 July 2023 onwards

		Approved budget (adjusted)	Actual expenditure 1/7/23..30/6/24	Actual expenditure 1/7/24..31/12/24	Budget remaining 1 January 2025
Alder	Building A & B, Area Cand Carparking	20,374,200	199,338	1,798,901	18,376,000
Alder	Furniture, Fixtures and fittings	788,100	10,434	0	777,700
	BSC- Fees and contributions	500,000	34,468	140,356	325,100
	Electricity Upgrade	750,000	0	0	750,000
	Project Management - internal costs	300,000	107,687	53,645	138,700
	Project superintendent	357,400	243,728	113,688	0
	Private certifier, QS, Town Planner, Architect, Legal, Electrical advice, PMO, Terania, OCM	1,012,400	715,436	123,985	173,000
	Contingency- Other, Vacate Gallans Road	804,200	107,892	0	696,300
		24,886,300	1,418,983	2,230,575	21,236,800

Project expenditure is within the allocated budget.

Conclusion

Rous has been successful in managing two separate but related processes in tandem to secure regulatory approval and to engage the head contractor for the Gallans Road workplace consolidation process.

Reports / Actions Pending

Responsible Officer: General Manager (Phillip Rudd)

Recommendation

That Council receive and note the report as presented.

Background

Following is a list of pending resolutions with individual comments provided on current position and expected completion date.

COUNCIL MEETING 13-12-2023	
Report	Proposed Dunoon Dam - acquisition of properties
	<i>Responsible Officer: Group Manager Planning and Delivery (Andrew Logan)</i>
Resolution	<p>(Breum/Cadwallader) that Council:</p> <ol style="list-style-type: none"> a. To reconfirm its prior position in relation to acquisition of land in the Proposed Dunoon Dam area as shown in the Attachment 1 and land of strategic interest to the Future Water Strategy 2060. b. The terms of such acquisition are to be in accordance with Council's current 'Land Management' policy, Item 4 (Attachment 2), namely: c. Acquisition to be upon offer of sale by existing landowner. d. Meets the proposed operational need or strategic objective of the future water strategy 2060. e. Such acquisition costs to be calculated with due consideration to market and strategic value.
ACTION	June 2024 - An update to Council regarding strategic land purchases for the Future Water Strategy 2060 will be provided at the July 2025 Council workshop meeting.
Report	Update on interim arrangements for Lismore Levee Scheme
	<i>Responsible Officer: Group Manager Planning and Delivery (Andrew Logan)</i>
Resolution	<p>(Rob/Cadwallader) that Council in addition to previous resolutions on the matter:</p> <ol style="list-style-type: none"> 1. Receive and note this update. 2. Authorise the General Manager to approve access to the Lismore Levee Scheme assets by Lismore City Council (LCC) for the purposes of progressing new asset construction and renewal and upgrade work under the Northern Rivers Recovery and Resilience Program(NRRRP), subject to LCC's written confirmation that they will assume ownership of the new, upgraded and renewed assets.
ACTION	December 2024: an update was presented at December 2024 meeting with a further update before end of July 2025.