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# Rous County Council minutes 20 October 2021

*Responsible Officer: General Manager (Phillip Rudd)*

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## 1. OPENING OF THE MEETING

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Meeting commenced at 1.03pm

The Chair extended a welcome to attendees.

### **Preamble**

*In accordance with clause 5.21 of the Local Government Act 1993, attendees at the Council meeting were advised by the Chair that the meeting was being live streamed. The following points were noted by the Chair:*

- *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.*

### **In attendance**

Councillors (at Molesworth Street, Administration Office, Lismore, NSW):

Keith Williams (Chair), Sharon Cadwallader (Deputy Chair), Basil Cameron, Darlene Cook, Cate Coorey (arrived at 1.11pm), Vanessa Ekins, Sandra Humphrys, Robert Mustow.

Staff (at Molesworth Street, Administration Office, Lismore, NSW):

Phillip Rudd (General Manager), Guy Bezrouchko (Group Manager Corporate and Commercial), Helen McNeil (Group Manager People and Performance), Andrew Logan (Group Manager Planning and Delivery), Adam Nesbitt (Group Manager Operations), Natalie Woodhead-Tiernan (Finance Manager), Jonathan Patino (Finance Business Partner), Emma Hunter (Future Water Program Manager), Michael McKenzie (Future Water Project Manager), Noeline Smith (minute taker) and Luka Taylor (IT Support Officer).

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## 2. ACKNOWLEDGEMENT OF COUNTRY

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

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## 3. APOLOGIES AND LEAVE OF ABSENCE

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Nil.

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#### **4. CONFIRMATION OF MINUTES**

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##### **i). Ordinary Council meeting 16 June 2021**

**RESOLVED [40/21]** (Cadwallader/Mustow) that the minutes of the Ordinary Meeting held 16 June 2021 be confirmed as presented.

##### **ii). Extraordinary Council meeting 21 July 2021**

**RESOLVED [41/21]** (Cadwallader/Mustow) that the minutes of the Extraordinary Meeting held 21 July 2021 be confirmed as presented subject to change of 'Voting against' to be updated to 'Voting for' (as noted prior to resolution 39/21).

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#### **5. DISCLOSURE OF INTERESTS**

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Nil.

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#### **6. PRESENTATIONS**

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- Geoff Dwyer (Thomas Noble Russell) to present the Annual Financial Reports and Audit Report for year ending 30 June 2021 (*refer pp. 13-102*).

*The Chair thanked Geoff Dwyer for his presentation, and on behalf of Council.*

- Brian Wilkinson, Chairperson (Audit, Risk and Improvement Committee) will be in attendance to present on his report: 'Audit, Risk and Improvement Committee Performance Review: period 2020-2021' (*refer pp. 239-242*).

*The Chair thanked Brian Wilkinson for his attendance and informative update on the review of the ARIC Committee.*

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#### **7. GENERAL MANAGER REPORTS**

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##### **i). Council meeting schedule 2022**

**RESOLVED [42/21]** (Cadwallader/Cook) that Council determine its meeting schedule for 2022 with meetings to be held on the third Wednesdays commencing 10.00am at the Rous County Council Administration Office on: 16 February; 20 April; 15 June; 17 August; 19 October and 14 December.

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#### **8. GROUP MANAGER CORPORATE AND COMMERCIAL REPORTS**

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##### **i). Annual Financial Reports and Audit Report for year ending 30 June 2021**

**RESOLVED [43/21]** (Cook/Coorey) that Council:

1. In accordance with section 413 (2c) of the *Local Government Act 1993* and clause 215 of the *Local Government (General) Regulation 2005*, adopt the 2020/21 Audited Financial Reports and "Statement by Councillors and Management" for both the General-Purpose Financial Reports and the Special Purpose Financial Reports, with the Chairperson and Deputy Chairperson delegated to sign on behalf of Council.
2. Note that public notice for the presentation of the draft 2020/21 Financial Reports was issued on Wednesday, 13 October 2021 and invited both inspection and submissions.

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3. Forward a copy of the 2020/21 Audited Financial Reports to the Office of Local Government.
  4. Present the 2020/21 Audited Financial Reports to the public at Council's 20 October 2021 meeting.

**ii). Quarterly Budget Review Statement for the quarter ending 30 September 2021**

**RESOLVED [44/21]** (Mustow/Coorey) that Council note the results presented in the Quarterly Budget Review Statement as of 30 September 2021 and authorise the variations to the amounts from those previously estimated.

Voting against Crs Cook and Ekins

**iii). Retail water customer account assistance**

**RESOLVED [45/21]** (Cadwallader/Coorey) that Council in accordance with section 356 (1) of the Local Government Act 1993 and its 'Retail Water Customer Account Assistance' policy, approve financial assistance as listed in Table 1 of the report.

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**9. GROUP MANAGER PLANNING AND DELIVERY REPORT**

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**i). Award of contract for the construction of an urban water supply bore – Clarence Moreton Basin Aquifer**

**RESOLVED [46/21]** (Cook/Cameron) that Council:

1. Accept the tender submitted by 'The Impax Group Pty Ltd' in the amount of \$419,243 (incl GST) for the Construction of an Urban Water Supply Bore into the Clarence-Moreton Basin Aquifer at Wollongbar.
2. Approve an additional amount of \$42,000 (incl GST) as a contingency amount.

Voting against: Cr Cadwallader

**ii). Award of contract for St Helena 600/525 Elevated Main Corrosion Repairs**

**RESOLVED [47/21]** (Mustow/Cadwallader) that Council:

1. Accept the tender submitted by Advanced Concrete Engineering Pty Ltd in the amount of \$620,011 (incl GST) for the St Helena 600/525 - Elevated Main Corrosion Repairs.
2. Approve an additional amount of \$144,100 (incl GST) as a contingency amount.

**iii). Review of developer servicing charges for secondary dwellings**

**RESOLVED [48/21]** (Humphrys/Ekins) that:

1. Council notes the update on the assessment and review of secondary dwelling water consumption and the financial impact to Council.
2. The Development Servicing Plan for Bulk Water Supply 2016 methodology apply for all development applications lodged with constituent councils on or after 1 November 2021 for secondary dwelling bulk water developer contributions including granny flats.
3. Council notes that its decision of 19 August 2015 ([72/15]) will continue to have effect for relevant development applications lodged with constituent councils but not yet determined as at 31 October 2021 inclusive.

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**iv). Expansion of water fill station network update**

**RESOLVED [49/21]** (Humphrys/Cameron) that Council:

1. Receive and note the update report.
2. Approve the two public access fill stations as a permanent water supply for the community.

**v). Deferral of developer contributions – SHIFT project**

**RESOLVED [50/21]** (Coorey/Cameron) that Council, under clause 2.5 of Council's Development Servicing Plan for Bulk Water Supply 2016, approve the deferral of the Rous County Council developer contributions, payable by The S.H.I.F.T Project Byron Incorporated in relation to DA10.2021.399.1.

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**10. GROUP MANAGER PLANNING AND DELIVERY REPORTS**

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**i). Gallans Road reclassification**

**RESOLVED [51/21]** (Cadwallader/Mustow) that Council note the advertisement for a period of 28-days ('Notice Period') regarding the proposed classification of the land known as and located at 57 Gallans Road, Ballina being Lot 57 in DP 1045745 (the 'land') as Operational Land, and:

- a) if no material submissions are received during the Notice Period, the land is classified as Operational Land for the purposes of section 31(2) of the *Local Government Act 1993* without a further report being made to the governing body; or
- b) if material submissions are received during the Notice Period, Council will consider those submissions at its February 2022 meeting.

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**11. POLICIES**

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**i). Backflow prevention (revised)**

**RESOLVED [52/21]** (Cameron/Coorey) that Council:

1. Revoke the current Backflow Prevention and Cross Connection Control policy dated 20 March 2013 and any policy revived as a result of that revocation.
2. Adopt the Backflow Prevention policy as attached to this report.
3. Approve a budget of \$1,250,000 funded by a loan from the 'Bulk Fund' to the 'Retail Fund', for the implementation of the Backflow Program.

**ii). Work, Health and Safety (revised)**

**RESOLVED [53/21]** (Cameron/Coorey) that Council:

1. Revoke the Work Health and Safety policy dated 20 February 2019 and any policies revived as a result of that revocation; and
2. Adopt the revised Work Health and Safety policy attached to the report.
3. WHS policy and procedures be incorporated within Councillors' Induction.

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### iii. Cyber Security (new)

**RESOLVED [54/21]** (Cadwallader/Cameron) that Council:

1. Revoke the Records Management policy dated 18 June 2014, and any policy revised as a result of that revocation; and
2. Adopt the draft Cyber Security policy attached to the report.

*Cr Cameron left the meeting at 3.55pm and returned at 4.00pm.*

*Cr Cameron absent during voting.*

### iv. Human Resources – employment conditions (new)

**RESOLVED [55/21]** (Cadwallader/Mustow) that:

1. Revoke the existing 'Human Resources - Employment Conditions' policy dated 21 August 2019 and any policies revived as a result of that revocation.
2. Adopt the attached revised 'Human Resources - Employment Conditions' policy.

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## 12. INFORMATION REPORTS

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**RESOLVED [56/21]** (Ekins/Cook) that the following information reports be received and noted:

1. Audit, Risk and Improvement Committee - meeting update
2. Annual 'Model Code of Conduct Complaints Statistics'
3. Debt write-off information summary
4. Delivery program progress update 1 January to 30 June 2021
5. Demand management status report and scorecard 2020/2021
6. Disclosure of Interest Returns
7. Fluoride plant dosing performance report: April to June 2021
8. Investments September 2021
9. Local government election and term of chairperson and deputy chairperson
10. Reports/actions pending

**FURTHER RESOLVED [57/21]** (Ekins/Cook) that the former Water Production and Usage reports be included as part of future agenda 'Information reports'.

*Councillors extended a special thank you to Cr Cook for her contribution to the ARIC Committee.*

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## 13. MATTERS OF URGENCY

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Nil.

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## 14. QUESTIONS ON NOTICE

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Cr Ekins requested an update in relation to the Carrington Street sale.

*General Manager advised response will be provided off-line (confidential matter).*

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## 15. CLOSE OF BUSINESS

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There being no further business the meeting closed at 4.25pm.