

**MINUTES OF THE ORDINARY MEETING OF ROUS COUNTY COUNCIL HELD
WEDNESDAY, 15 JUNE 2022 AT COUNCIL'S ADMINISTRATION CENTRE, 218-232
MOLESWORTH STREET, LISMORE**

1. OPENING OF THE MEETING

The Chair opened the meeting at 10.02am.

In attendance:

Councillors:

- Cr Robert Mustow, Richmond Valley Council (Chair)
- Cr Sharon Cadwallader, Ballina Shire Council (Deputy Chair)
- Cr Rod Bruem, Ballina Shire Council
- Cr Andrew Gordon, Lismore City Council
- Cr Big Rob, Lismore City Council
- Cr Sandra Humphrys, Richmond Valley Council

Officers:

- Phillip Rudd, General Manager
- Guy Bezrouchko, Group Manager Corporate and Commercial
- Andrew Logan, Group Manager Planning and Delivery
- Helen McNeil, Group Manager People and Performance
- Adam Nesbitt, Group Manager Operations
- Noeline Smith, Executive Assistant
- Luka Taylor, IT Support

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

RESOLVED [22/22] (Cadwallader/Gordon) that an apology be received and accepted on behalf of Crs Ndiaye and Lyon.

4 CONFIRMATION OF EXTRAORDINARY MINUTES 11 MAY 2022

4.1 Extraordinary Meeting Minutes 11 May 2022

RESOLVED [23/22] (Gordon/Cadwallader) that the Minutes of the Extraordinary Meeting held 11 May 2022 be accepted as presented.

Extraordinary Meeting Minutes 11 May 2022 (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Robert Mustow and Cr Big Rob	6
Against	None	0
Conflict of Interests	None	0
Abstain	None	0
Carried		

5 DISCLOSURE OF INTEREST

General Manager declared a pecuniary interest in Confidential Item 11.1 *Annual Performance Review: General Manager*.

6 GENERAL MANAGER REPORTS

Nil.

7 GROUP MANAGER CORPORATE AND COMMERCIAL REPORTS

7.1 Payment of Superannuation for Councillors

RESOLVED [24/22] (Cadwallader/Humphrys) that Council determines its position on the payment of a superannuation contribution payment in accordance with section 254B of the *Local Government Act 1993* to be: a) Yes, effective date 1 July 2022.

Payment of superannuation for councillors (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Sandra Humphrys and Cr Robert Mustow	4
Against	Cr Andrew Gordon and Cr Big Rob	2
Conflict of Interests	None	0
Abstain	None	0
Carried		

7.2 Retail Water Customer Account Assistance

RESOLVED [25/22] (Gordon/Rob) 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.

Retail water customer account assistance (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Robert Mustow and Cr Big Rob	6
Against	None	0
Conflict of Interests	None	0
Abstain	None	0
Carried		

7.3 Tabled Report: Final draft Integrated Planning and Reporting Framework (incorporating the 2022/23 Budget and 'Revenue' policy)

RESOLVED [26/22] (Gordon/Cadwallader) that Council:

- i). Receive and note the two public submissions lodged during the public exhibition period outlined in the report.
- ii). Adopt the Integrated Planning and Reporting Framework (incorporating the 2022/23 Budget and 'Revenue' policy), as presented at Council's Extraordinary Meeting held 11 May 2022.

Final draft Integrated Planning and Reporting Framework (incorporating the 2022/23 Budget and 'Revenue' policy (Resolution))

For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Robert Mustow and Cr Big Rob	6
Against	None	0
Conflict of Interests	None	0
Abstain	None	0
Carried		

8 GROUP MANAGER PEOPLE AND PERFORMANCE REPORTS

8.1 Code of Conduct, Code of Conduct Procedures and Code of Meeting Practice

MOVED (Bruem/Gordon) that Council:

1. Revoke the following:
 - (a) Code of Conduct dated 17 April 2019; and
 - (b) Code of Conduct Procedures dated 17 April 2019.
2. Adopt the following as attached:
 - (a) Revised Code of Conduct; and
 - (b) Revised Code of Conduct Procedures.
3. Publicly exhibit the revised Code of Meeting Practice as attached for a period of 28 days and invite submissions on the same for a period of 42 days, concurrently, and:
 - (a) Should no submissions be received, the existing Code of Meeting Practice is revoked, and the revised Code of Meeting Practice is adopted; or
 - (b) Should any submission be received, those submissions be considered by Council at its next meeting prior to revoking the existing Code of Meeting Practice and adopting the revised Code of Meeting Practice.

FORESHADOWED MOTION (Bruem) subject to the value of the 'Gifts and benefits of token value' prescribed in the Code of Conduct remaining at \$50.

For: Cr Bruem

Against: Crs Rob, Gordon, Cadwallader, Mustow, Humphrys

FORESHADOWED MOTION (Rob/Gordon) that the report recommendation be adopted subject to the value of the 'Gifts and benefits of token value' being increased from \$50 to \$100.

On being put to the meeting the FORESHADWOED MOTION became the Motion.

RESOLVED [27/22] (Bruem/Gordon) that Council:

1. Revoke the following:
 - (a) Code of Conduct dated 17 April 2019; and
 - (b) Code of Conduct Procedures dated 17 April 2019.

2. Adopt the following as attached:
 - (a) Revised Code of Conduct; and
 - (b) Revised Code of Conduct Procedures; and

That the report recommendation be adopted subject to the value of the 'Gifts and benefits of token value' being increased from \$50 to \$100.

3. Publicly exhibit the revised Code of Meeting Practice as attached for a period of 28 days and invite submissions on the same for a period of 42 days, concurrently, and:
 - (a) Should no submissions be received, the existing Code of Meeting Practice is revoked, and the revised Code of Meeting Practice is adopted; or
 - (b) Should any submission be received, those submissions be considered by Council at its next meeting prior to revoking the existing Code of Meeting Practice and adopting the revised Code of Meeting Practice.

Code of Conduct, Code of Conduct Procedures and Code of Meeting Practice (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Robert Mustow and Cr Big Rob	6
Against	None	0
Conflict of Interests	None	0
Abstain	None	0
Carried		

8.2 Audit Risk and Improvement Committee - meeting update

RESOLVED [28/22] (Rob/Humphrys) that Council:

1. Receive and note the attached minutes from the Audit, Risk and Improvement Committee meeting of 26 April 2022; and
2. Approve the attached Internal Audit Plan 2022-25.

Audit Risk and Improvement Committee - meeting update (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Robert Mustow and Cr Big Rob	6
Against	None	0
Conflict of Interests	None	0
Abstain	None	0
Carried		

9 POLICIES

9.1 Investments (Reviewed)

RESOLVED [29/22] (Cadwallader/Gordon) that Council note the report and re-adopt the existing Investments policy without amendment

Investments (reviewed) (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Robert Mustow and Cr Big Rob	6
Against	None	0
Conflict of Interests	None	0
Abstain	None	0
Carried		

10 INFORMATION REPORTS

RESOLVED [30/22] (Rob/Cadwallader) that the following information reports be received and noted:

1. Investments - May 2022
2. Water consumption and usage - May 2022
3. Delivery program progress update 1 July 2021 to 31 December 2021
4. Contract for the provision of electricity for Rous County Council operations
5. Reports/actions pending

Notice of Motion: Browns Creek Pump Station on the Lismore Levee (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Robert Mustow and Cr Big Rob	6
Against	None	0
Conflict of Interests	None	0
Abstain	None	0
Carried		

ALTERING ORDER OF BUSINESS

RESOLVED [31/22] (Gordon/Cadwallader) that the order of business be altered to debate Item 13. Notice of Motion: Browns Creek Pump Station on the Lismore Levee.

13 NOTICE OF MOTION / QUESTIONS ON NOTICE

Item 13.1 Notice of Motion: Browns Creek Pump Station on the Lismore Levee

MOVED (Rob/Gordon) that Council provide the following information to Lismore City Council in relation to the Browns Creek Pump Station on the Lismore Levee:

1. Additional works able to be undertaken to ensure that pumps are not damaged or blocked during operation.
2. Options, including estimated costs, available to Lismore City Council to increase pump capacity, improve pump reliability during and after a flood when electricity supply is often unavailable, and improve pump availability for regular service, particularly following flood events.
3. Recommendations to assist Lismore City Council to increase the capacity, reliability and resilience of the Browns Creek Pump Station.

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4. Opportunities to jointly seek immediate grant funding through State and Federal channels to increase the capacity, reliability and resilience of the Browns Creek Pump Station.

On being put to the meeting the Motion was Carried.

RESOLVED [32/22] (Rob/Gordon) that Council provide the following information to Lismore City Council in relation to the Browns Creek Pump Station on the Lismore Levee:

1. Additional works able to be undertaken to ensure that pumps are not damaged or blocked during operation.
2. Options, including estimated costs, available to Lismore City Council to increase pump capacity, improve pump reliability during and after a flood when electricity supply is often unavailable, and improve pump availability for regular service, particularly following flood events.
3. Recommendations to assist Lismore City Council to increase the capacity, reliability and resilience of the Browns Creek Pump Station.
4. Opportunities to jointly seek immediate grant funding through State and Federal channels to increase the capacity, reliability and resilience of the Browns Creek Pump Station.

Notice of Motion: Browns Creek Pump Station on the Lismore Levee (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Robert Mustow and Cr Big Rob	6
Against	None	0
Conflict of Interests	None	0
Abstain	None	0
Carried		

RESUMPTION TO ORDER OF BUSINESS

RESOLVED [33/22] (Cadwallader/Gordon) that order of business be resumed.

11 CONFIDENTIAL MATTERS

MOVE TO CLOSED COUNCIL

RESOLVED [34/22] (Bruem/Gordon) that Council move into Closed Council with the press and public excluded from the meeting based on the grounds detailed below:

Report	Annual performance review: General Manager
Grounds for closure	Section 10A(2)(a) personal matters concerning particular individuals (other than councillors).
Public interest	Public discussion would not be in the public interest due to disclosure of personal information.

The meeting moved to Closed Council at 11.18am

RESUME TO OPEN COUNCIL

RESOLVED [35/22] (Cadwallader/Rob) that the meeting resume to Open Council.

The meeting moved to Open Council at 11.45am.

The Chair read to the meeting the following resolution of Council:

11.1 Annual Performance Review: General Manager

RESOLVED [36/22] (Gordon/Rob) that Council:

1. Accept the recommendation of the Chair and Councillors that assessed the General Manager's annual review on 11 May 2022 as 'More than Satisfactory'.
2. Agree to the recommended change to the General Manager's total remuneration package (TRP) as specified in the report.
3. Council acknowledges the professionalism and excellent leadership of the Council during difficult times.

Annual Performance Review: General Manager (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Robert Mustow and Cr Big Rob	6
Against	None	0
Conflict of Interests	None	0
Abstain	None	0
Carried		

12 MATTERS OF URGENCY

Nil.

13 NOTICES OF MOTION / QUESTIONS ON NOTICE

Item 13. Notice of Motion dealt with earlier in the meeting.

14 CLOSE OF BUSINESS

There being no further business the meeting closed at 11.48am.