

**MINUTES OF THE ORDINARY MEETING OF ROUS COUNTY COUNCIL HELD
WEDNESDAY, 21 JUNE 2023 AT THE ADMINISTRATION OFFICE, 218-232
MOLESWORTH STREET, LISMORE**

The Chair opened the meeting at 10.05 am.

In attendance:

Councillors:

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

Council Staff:

- Phillip Rudd, General Manager
- Andrew Logan, Group Manager Planning and Delivery
- Helen McNeil, Group Manager People and Performance
- Geoff Ward, Group Manager Corporate and Commercial
- Jonathan Patino, Finance Manager
- Lauren Edwards, Governance and Risk Manager
- Noeline Smith, Minute Taker
- Robyn Waldron, Executive Assistant
- Luka Taylor, ICT Support Officer

Apologies

- Cr Sarah Ndiaye, Byron Shire Council
- Adam Nesbitt, Group Manager Operations

1 ACKNOWLEDGEMENT OF COUNTRY

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

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RESOLVED (21/23) (Cadwallader/Gordon) that the minutes of the meeting held 19 April 2023 be confirmed as presented.

Confirmation of previous minutes (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Michael Lyon, Cr Robert Mustow and Cr Big Rob	7
Against	None	0
Conflict of Interests	None	0
Abstain	None	0
Carried		

3 DISCLOSURE OF INTEREST

General Manager declared a pecuniary interest in *Agenda Item 14.1 Chair's Minute: Annual Performance Review*.

4 MATTERS OF URGENCY

Nil.

5 NOTICES OF MOTION / QUESTIONS WITH NOTICE

5.1 Notice of Motion: Acquisition of low-lying, high-risk rural floodplain areas

MOVED (Rob/Humphrys) that Council investigate a policy position on the acquisition of low-lying, high-risk rural floodplain areas noting:

- Artificial drainage of the lowest lying land has the worst environmental impact.
- Council has responsibility for drains, canals and floodgates that drain these areas.
- These areas were badly impacted in the recent floods, and residents in these areas are at high risk.
- Current voluntary programs that facilitate acquisition, land use change and the removal of artificial drainage.
- Council's role in broad strategic planning on the floodplain.
- The need to utilise external funding (grant or otherwise) is required.

On being put to the meeting the Motion was Carried.

RESOLVED (22/23) (Rob/Humphrys) that Council investigates a policy position on the acquisition of low-lying, high-risk rural floodplain areas noting:

- Artificial drainage of the lowest lying land has the worst environmental impact.
- Council has responsibility for drains, canals and floodgates that drain these areas.
- These areas were badly impacted in the recent floods, and residents in these areas are at high risk.
- Current voluntary programs that facilitate acquisition, land use change and the removal of artificial drainage.
- Council's role in broad strategic planning on the floodplain.
- The need to utilise external funding (grant or otherwise) is required.

Notice of Motion: Acquisition of low-lying, high-risk rural floodplain areas (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Michael Lyon, Cr Robert Mustow and Cr Big Rob	7
Against	None	0
Conflict of Interests	None	0
Abstain	None	0
Carried		

6 GENERAL MANAGER REPORTS

Nil.

7 GROUP MANAGER CORPORATE AND COMMERCIAL REPORTS

7.1 Retail Water Customer Account Assistance

RESOLVED (23/23) (Cadwallader/Rob) that Council:

1. Note the applications for assistance presented in the Retail water customer account assistance report.
2. Authorise an increase of \$25,000 to the existing budget from available budget savings within the Finance department.

Retail water customer account assistance (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Michael Lyon, Cr Robert Mustow and Cr Big Rob	7
Against	None	0
Conflict of Interests	None	0
Abstain	None	0
Carried		

8 GROUP MANAGER PEOPLE AND PERFORMANCE REPORTS

8.1 Appointment of Chair and Independent External Member – Audit, Risk and Improvement Committee

RESOLVED (24/23) (Rob/Lyon) that Council:

1. Express its thanks to the Chair, Mr Brian Wilkinson, for his contributions and commitment to the Committee over the last 10 years.
2. Appoint Laurie Lefcourt as Chair of the Audit, Risk and Improvement Committee for a four (4) year term commencing at the conclusion of the hand over period; and
3. Appoint Raymond Wong as Independent Member of the Audit, Risk and Improvement Committee for a four (4) year term.

Appointment of Chair and Independent External Member – Audit, Risk and Improvement Committee (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Michael Lyon, Cr Robert Mustow and Cr Big Rob	7
Against	None	0
Conflict of Interests	None	0
Abstain	None	0
Carried		

9 GROUP MANAGER PLANNING AND DELIVERY

9.1 Draft Statement of Commitment

RESOLVED (25/23) (Cadwallader/Lyon) that Council:

1. Receive and note the intentions of Rous to establish a Statement of Commitment .
2. Endorse the draft Statement of Commitment as presented.

Draft Statement of Commitment (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Michael Lyon, Cr Robert Mustow and Cr Big Rob	7
Against	None	0
Conflict of Interests	None	0
Abstain	None	0
Carried		

9.2 Revised Terms of Reference – Reconciliation Action Plan Advisory Group

RESOLVED (26/23) (Rob/Humphrys) that Council endorse the draft 2022/24 Terms of Reference for the Reconciliation Action Plan Advisory Group.

Revised Terms of Reference – Reconciliation Action Plan Advisory Group (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Michael Lyon, Cr Robert Mustow and Cr Big Rob	7
Against	None	0
Conflict of Interests	None	0
Abstain	None	0
Carried		

10 POLICIES

10.1 Procurement policy

RESOLVED (27/23) (Cadwallader/Lyon) that Council:

1. Revoke the Procurement policy dated 17 December 2014 (Attachment 2) and any other policies revived as a result of the revocation; and
2. Adopt the revised Procurement policy attached to the report (Attachment 1).

Procurement policy (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Michael Lyon, Cr Robert Mustow and Cr Big Rob	7
Against	None	0
Conflict of Interests	None	0
Abstain	None	0
Carried		

11 INFORMATION REPORTS

RESOLVED (28/23) (Cadwallader/Lyon) that the following information reports be received and noted:

1. Investments – May 2023
2. Water production and consumption – May 2023
3. Audit Risk and Improvement Committee – meeting update
4. Reports/Actions pending

Information reports (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Michael Lyon, Cr Robert Mustow and Cr Big Rob	7
Against	None	0
Conflict of Interests	None	0
Abstain	None	0
Carried		

12 CONFIDENTIAL MATTERS

MOVED TO CLOSED COUNCIL

RESOLVED (29/23) (Cadwallader/Gordon) that Council move into Closed Council with the press and public excluded from the meeting based on the grounds detailed below:

Report	Chair's Minute: Annual Performance Review - General Manager
Grounds for closure	Section 10A(2)(a) personnel matters concerning particular individuals (other than councillors).

Confidential matters (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Michael Lyon, Cr Robert Mustow and Cr Big Rob	7
Against	None	0
Conflict of Interests	None	0
Abstain	None	0
Carried		

The meeting moved to Closed Council at 10.36am

RESUME TO OPEN COUNCIL

RESOLVED (30/23) (Cadwallader/Rob) that the meeting resume to Open Council.

The meeting moved to Open Council at 10.47am.

12.1 Chair's Minute: Annual Performance Review - General Manager

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

RESOLVED (31/23) (Mustow/Cadwallader) that Council:

1. Accept the recommendation of the Chair and Councillors that assessed the General Manager's annual review on 17 May 2023 as 'More than Satisfactory'.
2. Agree to the recommended change to the General Manager's total remuneration package (TRP) as specified in the report.

Chair's Minute: Annual Performance Review - General Manager (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Michael Lyon, Cr Robert Mustow and Cr Big Rob	7
Against	None	0
Conflict of Interests	None	0
Abstain	None	0
Carried		

13 CLOSE OF BUSINESS

There being no further business the meeting closed at 10.48 am.