

Rous County Council

MINUTES OF THE ORDINARY COUNCIL MEETING

16 June 2021

1. OPENING OF THE MEETING

Meeting commenced at 1.03pm

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 (from 1.10pm), Vanessa Ekins, Sandra Humphrys and 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 - until 3.10pm), Noeline Smith (minute taker) and Luka Taylor (IT Support Officer).

2. ACKNOWLEDGEMENT OF COUNTRY

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.

3. APOLOGIES AND LEAVE OF ABSENCE

Nil.

4. CONFIRMATION OF MINUTES

i). Ordinary Council meeting 21 April 2021

RESOLVED [26/21] (Cadwallader/Mustow) that the minutes of the ordinary meeting held 21 April 2021 be confirmed as presented.

5. DISCLOSURE OF INTEREST

Cr Cadwallader and Cr Humphrys declared a non-pecuniary, non-significant interest in relation to Item 6. *Final draft Delivery program | Operational plan and 2021/22 Budget* (page 62 of meeting agenda – *wedding ceremony fees*).

SUSPENSION OF STANDING ORDERS

RESOLVED [27/21] (Humphrys/Cadwallader) that Council suspend Standing Orders to bring forward and deal with Item 7.i) *Rous Cultural, Environmental and Information Centre*.

6. GROUP MANAGER CORPORATE AND COMMERCIAL REPORTS

i). Rous Cultural, Environmental and Information Centre

RESOLVED [28/21] (Cadwallader/Mustow) that Council:

1. Receive and note the report.
2. Endorse the approach to lease the Lismore Visitor Information Centre site, establish and operate a cultural, environmental and information facility as per the Legal Framework set out in the report.
3. Approve an additional budget allocation of \$175,000 from bulk water reserves.
4. Receive a progress report biannually (every six months).
5. Further negotiations take place with Lismore City Council (LCC) regarding LCC providing tourism services fulltime including Monday-Friday.
6. Incorporate a history of the community and service club involvement in the development of the Lismore Visitor Information Centre, within the cultural and community displays.

Cr Coorey arrived at 1.10pm.

RESUMPTION OF STANDING ORDERS

RESOLVED [29/21] (Cadwallader/Mustow) that Standing Orders be resumed.

7. GENERAL MANAGER REPORTS

i). Final draft Delivery program | Operational plan and 2021/22 Budget

RESOLVED [30/21] (Cadwallader/Cameron) that Council:

1. Receive and note that no public submissions were lodged during the consultation process outlined in the report.
2. Receive and note the staff submissions lodged during the consultation process outlined in the report.
3. Adopt the final draft Delivery program/Operational plan (incorporating the 2021/22 Budget estimates, 'Revenue' policy and 'Fees and Charges'), including changes arising from staff-initiated submissions.

8. GROUP MANAGER CORPORATE AND COMMERCIAL REPORTS

ii). Retail water customer account assistance

RESOLVED [31/21] (Cook/Cadwallader) 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.

9. INFORMATION REPORTS

RESOLVED [32/21] (Mustow/Cadwallader) that Council receive and note the following information reports:

1. Investments May 2021.
2. Audit, Risk and Improvement Committee – meeting update.
3. Reports/actions pending.

10. CONFIDENTIAL REPORTS

Preamble

Chair: We are at the point in our meeting where we have confidential items to consider. In accordance with Section 10A(4) of the Local Government Act, 1993 are there any members of the public who would like to make representations, before any part of the meeting is closed to the public, as to whether the meeting should be closed to consider the items. We have three items to consider. They are:

1. *Deferral of Rocky Creek Dam Master Plan project*
2. *Proposed sale: 56-60 Carrington Street and 31-33 Conway Street, Lismore*
3. *Consolidation of workplace locations*

If there are no objections, I call for a mover and seconder to move into Confidential Session.

In accordance with our Code of Meeting Practice, the recording and live streaming of the meeting will be stopped for the Confidential Session. We will resume the Open Session of the meeting after the confidential items are considered, when we will report the recommendations to the Open meeting.

MOVE INTO CLOSED COUNCIL

RESOLVED [33/21] (Cadwallader/Humphrys) that Council move into Closed Council to consider the following matters and the meeting be closed to members of the public and press based on the grounds detailed below:

1. Report	Deferral of Rocky Creek Dam Master Plan project
Grounds for closure	Section 10A(2)(d) commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
2. Report	Proposed sale: 56-60 Carrington Street and 31-33 Conway Street, Lismore
Grounds for closure	Section 10A(2)(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

3. Report	Consolidation of workplace locations
Grounds for closure	<p>Section 10A(2)(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; and</p> <p>Section 10A(2)(d)(ii) commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council.</p>

RESUME TO OPEN COUNCIL

RESOLVED [34/21] (Mustow/Cook) that Council move to Open Council.

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

i). Deferral of Rocky Creek Dam Master Plan project

RESOLVED [35/21] (Cadwallader/Coorey) that Council:

1. Note the update on the Rocky Creek Dam Master Plan project progress, including the results of the Value of Tourism and Recreational Services provided by Rocky Creek Dam study by Southern Cross University.
2. Approve the deferral of the Rocky Creek Dam Master Plan project until the proposed trial (up to 3 years) of the Lismore Visitor Information Centre is concluded and evaluated, and the future site of a combined Council Administration Centre and Depot is resolved.
3. Approve the return of \$65,000 of non-committed funds from the project budget to Bulk reserves.

ii). Proposed sale: 56-60 Carrington Street and 31-33 Conway Street, Lismore

Crs Williams, Ekins and Cook, General Manager and Group Manager Corporate and Commercial, declared a non-pecuniary, non-significant interest in this report.

RESOLVED [36/21] (Mustow) that Council:

1. Note the information provided in the report and the attached Valuation Report prepared by Acumentis® as at 30 June 2020.
2. Authorise the Group Manager People and Performance to:
 - (a) enter into direct negotiations for the sale of 56-60 Carrington Street and 31-33 Conway Street, Lismore, NSW (being the whole of the land contained within folios 3/129521 and 7/17438) (the 'property'); and
 - (b) accept a price for the property no less than the minimum selling price set out in the report or subsequent valuation, whichever is the higher, having regard to no agent involvement.
3. Authorise the General Manager and Chair to sign the contract for sale and purchase, and any other necessary documentation under seal to effect the sale and transfer of the property.

iii). Consolidation of workplace locations

RESOLVED [37/21] (Cadwallader/Humphrys) that Council:

1. Receive and note the report.
2. Authorise the General Manager to negotiate the purchase of the property as described in the body of the report, subject to favourable reports being obtained as identified in the risk mitigation section of the report.
3. Approve the budget allocation identified in the finance section of the report.
4. Authorise the Chair and General Manager to sign the contract for sale and purchase, and any other necessary documentation under seal to effect the purchase and transfer of the property to Council.

11. MATTERS OF URGENCY

Nil.

12. QUESTIONS ON NOTICE

Nil.

13. CLOSE OF BUSINESS

There being no further business the meeting closed at 3.57pm.