

### 1. **General Manager's report: Notices of Motion to 2022 NSW Local Government Conference**

Council agreed to three Notices of Motion being submitted to the upcoming conference:

#### **Motion 1**

That Local Government NSW lobby the NSW Government to activate s399 of the *Local Government Act 1993* which provides for the creation of a Regulation making provision for:

- (i) the purposes for which contributions may be made
- (ii) the circumstances in which contributions may be required
- (iii) the assessment of contributions
- (iv) the payment of contributions
- (v) the recovery of contributions.

#### **Motion 2**

That Local Government NSW:

- (i) Acknowledges the devastating impact of floods throughout NSW in 2022.
- (ii) Urges the NSW Government to increase its financial assistance provided to local government through its Floodplain Management Program to maintain existing flood mitigation infrastructure to account for Consumer Price Index (CPI) increases.
- (iii) Calls on the NSW Government to provide a long-term strategy for the State's flood mitigation infrastructure, previously constructed by the NSW Public Works Department that local councils have since inherited. The strategy must clearly define the purpose of the infrastructure, long term solutions for ongoing maintenance, including funding, and how the challenges of climate change and the infrastructure's environmental impact will be addressed.

#### **Motion 3**

That Local Government NSW:

- (i) Acknowledges the complexity involved with seeking approval from the NSW Government to maintain publicly funded flood mitigation infrastructure on coastal floodplains.
- (ii) Requests that the NSW Government amends the State Environmental Planning Policy for (Infrastructure) 2007 so that flood mitigation authorities do not have to seek regulatory approval from NSW Crown Lands or NSW Department of Primary Industries to undertake routine maintenance of its infrastructure. This acknowledges that any environmental impact can be addressed through the authority's responsibilities under the Environmental Planning and Assessment Act 1979.
- (iii) Lobbies the NSW Government to amend its Protection of the Environment Operations (Waste) Regulation 2014 Waste Management Guidelines so that public authorities can treat acid sulfate soils off-site and that treated acid sulfate soils can be reused both on and off site. This acknowledges that any environmental impact can be addressed through the authority's responsibilities under the Environmental Planning and Assessment Act 1979.

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## 2. Preliminary 2021/22 End of Year Financial Summary and Budget Carry Forward

The report provided a preliminary overview of the 2021/22 financial performance of the organisation, detailing the cash transfers to and from reserve and identifying the works to be carried forward to the 2022/23 financial year.

Council received and noted the Preliminary 2021/22 End of Year Financial Summary Report, acknowledging that it is a preliminary summary prior to end of year adjustments and audit.

## 3. Retail water bad debt write-off

Council approved the write-off of one (1) water filling customer due to bankruptcy and approved the write-off of three (3) retail water billing customers due to Cyble unit issues not accurately recording water usage.

## 4. Retail water customer account assistance

In accordance with section 356 (1) of the *Local Government Act 1993* and its 'Retail Water Customer Account Assistance' policy, Council approved financial assistance in the amount of \$4,641.29.

## 5. Rous Regional Demand Management Plan 2023-2026

The draft Regional Demand Management Plan (RDMP) describes the water supply demand management initiatives to be implemented by Rous over the next four years (2023-2026). The RDMP builds on the initiatives and successes of demand management actions implemented by Rous since 1995 and aims to continue to deliver comprehensive and effective water conservation programs throughout the Rous supply footprint.

The draft RDMP was prepared alongside a separate background document, '*RDMP review and Update - Background Information and Recommended Plan Components*'. The draft Plan includes the proposed demand management actions and budgets for the next four-year term and the background information document provides context to the inclusions and exclusions of the Plan.

Council endorsed the RDMP for public exhibition for the period 22 August to 12 September 2022. A copy of the exhibition documents is available here: <https://rous.nsw.gov.au/on-exhibition>

Constituent councils will be notified in writing advising the Plan is on exhibition.

## 6. Supply of backflow prevention devices

Council resolved in October 2021 to adopt a revised 'Backflow Prevention' policy which required the implementation of testable backflow prevention devices (TBPD) on all medium and high hazard retail water customers on the Rous water supply network.

Tenders were called for the supply of 1,615 backflow prevention devices to be installed on all medium and high hazard water service connections on the Rous water supply network.

Five tenders were received. Council agreed to accept the tender submitted by Australian Valve Group Pty Ltd for a contract lump sum price of \$261,293.41 (incl GST) for the supply of backflow prevention devices. An additional \$25,000 (incl GST) was approved as a contingency funding amount.

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## 7. Code of Meeting Practice

Public submissions on the revised Code of Meeting Practice (CoMP) were invited between 16 June 2022 and 28 July 2022. Notice of the public exhibition was provided via Council's website and Facebook account. One submission was received. The submission was considered however no amendment to the CoMP was recommended.

Having undertaken the requisite public consultation of the revised CoMP and following consideration of the single public submission received, Council adopted the revised CoMP without amendment, as publicly exhibited.

## 8. Delegation – General Manager

A review of the Council issued delegation to the General Manager was completed with amendments proposed to the threshold for accepting tenders and debt write-off.

Tenders: Under the current delegation, the General Manager may accept tenders valued up to \$250,000 (incl GST) and tenders in excess of this value are currently accepted by resolution of Council.

Council agreed to the proposed revised delegation increasing this tender and contract acceptance threshold to \$1,000,000 (incl GST) subject to the legislative tendering requirements being fulfilled and an approved budget being present.

Debt write-off: Under Council's existing 'Debt Management and Financial Hardship' and 'Revenue' policies the General Manager is authorised to write-off debts up to the value of \$1,000, including the power to sub-delegate this authority to certain Council staff.

Council agreed to this threshold being increased to \$5,000.

## 9. Rous Cultural, Environmental and Information Centre

The RCEIC was opened to the public on 1 December 2021. Following the flood events of 2022, the Centre was inundated and suffered significant damage. The majority of Rous' fit out was destroyed.

Council agreed that operation of the RCEIC not resume and consequently that staff progress steps to terminate the lease of 207 Molesworth Street, Lismore. Council's opportunity to test and improve its reach and effectiveness in delivering cultural, environmental and related technical information is still an objective which provides a valuable and innovative outcome to be progressed under the auspices of the Reconciliation Action Plan.

## 10. Policies

Council adopted the following policies:

- Debt Management and Financial Hardship
- Retail Water Customer Account Assistance
- Public Interest Disclosures
- Asset Management
- Asset Capitalisation
- Privacy
- Related Party Disclosure.

The 'Payment of fees, expenses and provision of facilities for chairperson and councillors' policy was approved for public exhibition.

## 11. Information reports

### i). Investments – July 2022

- At the RBA's July 2022 meeting, it was decided to increase the cash rate to 1.35%. The 90-day average bank bill swap rate (BBSW) has increased to 2.07%.
- Total funds invested as at 31 July 2022 = \$39,080,010.
- The weighted average return on funds invested for the month of July 2022 was 1.48%. This represents an increase of 43 basis point compared to the May 2022 result (1.05%) and is 59 basis points below Council's benchmark (the average 90-day BBSW rate of 2.07%).
- Interest earned for July 2022 = \$49,948.
- Cheque account balance as at 31 July 2022 = \$258,643.
- Ethical holdings represent 33.50% of the total portfolio  
Current holdings in Ethical Financial Institutions equals \$13,000,000. The assessment of Ethical Financial Institutions is undertaken using [www.marketforces.org.au](http://www.marketforces.org.au) which is an affiliate project of the Friends of the Earth Australia.

### ii). Debt write-off information summary

Council received an information report outlining debts approved for write-off under delegation for the period 1 January 2022 to 30 June 2022, totalling \$758.93.

### iii). Water consumption and usage – July 2022

The table below is the July 2022 bulk water sales to the constituent councils in kilolitres compared to the corresponding July sales for 2021 and 2020.

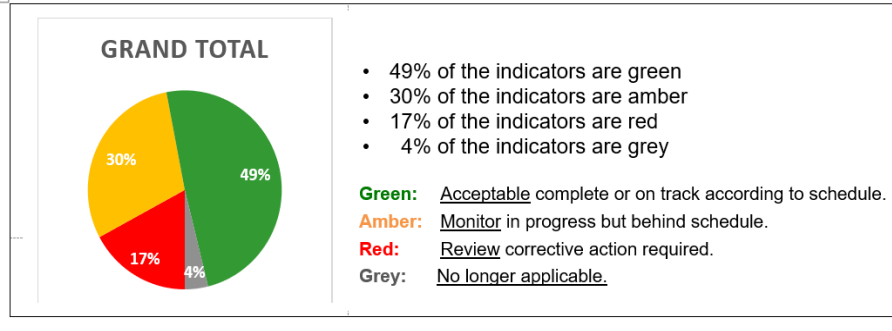
Council	Jul 2020 (kL)	Jul 2021 (kL)	Jul 2022 (kL)	% of Total Sales
Bellina Shire Council	278,123	291,977	280,661	38.83%
Byron Shire Council	197,798	171,109	178,812	24.74%
Lismore City Council	234,988	245,070	222,022	30.72%
Richmond Valley Council	41,394	50,189	41,241	5.71%
<b>TOTAL MONTHLY CONSUMPTION BY CONSTITUENT COUNCILS</b>	<b>752,303</b>	<b>758,345</b>	<b>722,736</b>	

- Rocky Creek Dam capacity as of 31 July 2022 was 100.2%
- Emigrant Creek Dam capacity as of 31 July 2022 was 102.3%

### iv). Delivery program progress update 1 January 2022 to 30 June 2022

This report provides information on Council's achievement of the performance targets in the Integrated Planning and Reporting Delivery program / Operational plan for the period 1 January 2022 to 30 June 2022. (See over page for overview of performance).

Overview of performance – 1 January 2022 to 30 June 2022



## 12. Audit Risk and Improvement Committee (ARIC): meeting update

Council received an information report summarising the key messages from the 25 July 2022 ARIC meeting, covering Risk and Compliance; Audit; Governance; Financial Management; ICT business plan; and Other Matters. The Committee Chair, Brian Wilkinson, presented to Council on the Committee Performance Review 2021-2022.

## 13. Confidential reports

### Richmond Water Laboratories (RWL) strategic options

Council received and noted the information provided in the report and agreed to adopt Option 3. as recommended.

## 14. Notice of Motion: Future Water Project 2060 progress to secure additional water sources

The following NoM was submitted by Cr Cadwallader and approved by Council:

*That Council receive an update from staff on the progress towards securing additional sources of water as outlined in the Future Water Project 2060 Strategy, given the delays to works through the last 18 months of uncertainty and weather, and the approaching 2024 target where our forecasted demand is predicted to exceed supply.*

Council's business paper and draft meeting minutes can be found via the following link:

<https://rous.nsw.gov.au/business-papers-and-meeting-minutes>