

### 1. Notice of Motion – Proposed Dunoon Dam – acquisition of properties

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Historical purchases by Rous Council of land in the identified area, it is considered that further strategic acquisition of land in this location does not represent a high-risk financial investment, considering incremental appreciation of land values achieved over time.

Should staff identify an appropriate parcel of land, a business case will be presented to Council at that time in accordance with the *Local Government Act 1993*.

Council resolved

1. To reconfirm its prior position in relation to acquisition of land in the Proposed Dunoon Dam area as shown in the Attachment 1 and strategic interest to the Future Water Strategy 2060.
2. The terms of such acquisition are to be in accordance with Council's current 'Land Management' policy, Item 4 (Attachment 2), namely:
  - a. Acquisition to be upon offer of sale by existing landowner.
  - b. Meets the proposed operational need or strategic objective of the future water strategy 2060.
  - c. Such acquisition costs to be calculated with due consideration to market and strategic value.
3. Report back to Council regarding strategic land purchases for the Future Water Strategy 2060.

### 2. Council meeting schedule 2024

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The new determined council meeting schedule for 2024 will be: -

- 21 February
- 17 April
- 19 June
- 21 August
- October (to be determined following 14 September LG Elections)
- 11 December (*this meeting has been scheduled the second rather than the third Wednesday*)

### 3. Update on interim arrangements for Lismore Levee Scheme

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Since the update to Council in August 2023, progress has been limited, although productive. At a meeting of the Rous and Lismore City Council (LCC) General Managers in July 2023, an agreement was reached on the need to jointly develop an Asset Management Plan, and this has progressed.

Morrison Low consultants were engaged by LCC to undertake a review of existing asset information of the levee scheme and provide an Asset Management Plan for its ongoing management.

With work progressing to resolve the ownership arrangement for the Lismore Levee Scheme, Rous continues to support LCC in the preparation of an Asset Management Plan for the Lismore Levee Scheme and for the planning and design work for new and upgraded assets of

the levee under the NRRRP. It is recommended that LCC be approved to access the scheme assets to progress this work while the ownership arrangements continue, subject to LCC's written confirmation that they will assume ownership of the new, upgraded, and renewed assets.

#### **4. Notice of Motion – “Acquisition of low-lying, high-risk rural floodplain areas”**

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With growing concern about how the lowest lying land on coastal riverine floodplains is zoned and used, a range of issues associated with these areas are predicted to worsen under a changing climate and increased sea levels.

Council resolved to adopt the following position regarding the acquisition of low-lying, high-risk rural floodplain areas:

1. Acknowledge the challenges associated with coastal riverine floodplain land uses, particularly those relating to the lowest lying land (i.e. less than 1m above mean sea level).
2. Write to the State Government requesting a review of current floodplain land uses and development of a long-term strategic direction on how different areas of the floodplain will be used, acknowledging all stakeholders, including First Nations, interests; and
3. This position also be referred to the State and Federal Government seeking funding.

#### **6. Investment Policy (reviewed)**

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The Investments policy was last reviewed in June 2022 and is subject to be reviewed annually. Proposed changes to this policy were presented to the governing body at the Councillor workshop in October 2023.

Some minor amendments have been made to section 6 to rename the Ethical Investments to Investments that do not support the Fossil Fuel industry and to allow investments in these investments up to 30% of the total investment portfolio if they offer a competitive rate of return.

The current policy complies with all regulatory requirements and Council's investment objectives. Some minor changes are proposed to the 2023 policy.

#### **7. Information reports**

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##### **1. Investments – as of 30 November 2023**

- The RBA cash rate is 4.35%
- Total funds invested is \$34,318,872.
- Weighted Average Return is 4.54%
- Interest earned is \$142,779.
- Cheque account balance is \$1,026,843.
- Weel account balance is \$11,837.
- Investments with institutions that do not support the fossil fuel industry is \$5,500,000 (16.04% of current holdings)

## 2. Water production and consumption –

The table below is the November 2023 bulk water sales to the constituent councils in kilolitres compared to the corresponding November sales for 2022 and 2021.

Council	Nov 2021 (kl.)	Nov 2022 (kl.)	Nov 2023 (kl.)	% of Total Sales
Ballina Shire Council	320,651	331,316	293,157	36.84%
Byron Shire Council	191,761	227,106	218,865	27.51%
Lismore City Council	236,001	253,952	235,296	29.57%
Richmond Valley Council	44,386	56,091	48,347	6.08%
<b>TOTAL MONTHLY CONSUMPTION BY CONSTITUENT COUNCILS</b>	<b>792,799</b>	<b>868,465</b>	<b>795,665</b>	

## 3. Environmental Management System – Action List progress update

Since the last update report, staff have continued to progress the completion of the outstanding EMS actions.

- Action C1 – COMPLETE: Lime cleaning systems for both Nightcap Water Treatment Plant (WTP) and Emigrant Creek WTP have been implemented with standard operating procedures developed.
- Action LM8 – COMPLETE: Spill control equipment registers and provision of chemical spill kits for Council vehicles who carry chemicals, have been completed.
- Action C3 – ONGOING: The primary outstanding action remains the upgrade and augmentation of the bulk chemical storage facilities at Nightcap Water Treatment Plant (NCWTP). Investigations into the preferred location, chemical options and storage requirements have now been completed. Preliminary design of the bulk chemical storage area is expected to be completed in early 2024 with construction of the new facility to commence in winter of 2024. The procurement and construction works may take 12-24 months to complete.

## 4. Update on Bungawalbyn (East) Levee funding request

The Bungawalbyn (east) levee is a critical flood mitigation asset within the mid-Richmond floodplain. The levee requires further investment to increase its resilience. These improvements are needed to increase the long-term viability of the structure and reduce the damage that overtopping events currently cause. Without this work, the levee will remain in a cycle of being damaged during floods, that damage being repaired and then the next flood causing more damage.

Rous will continue to pursue funding opportunities to improve the levee and the creek bank. Rous has engaged regularly and cooperatively with stakeholders to listen to concerns and raise awareness of the importance of the Bungawalbyn Levee and the need for further investment.

## 5. Audit risk and Improvement Committee – meeting update

A revised Audit, Risk and Improvement Committee Charter was presented to the Committee at its November 2023 meeting with the intention of submitting the same to Council for approval in December 2023.

The Office of Local Government released [circular 23-15](#) on 4 December 2023 notifying of the making of the foreshadowed amendments to the Local Government Regulation and finalisation of the new Guidelines.

Presentation to Council of the revised Committee Charter will now be deferred to the February 2024 ordinary meeting to enable a final review against the requirements of the new Guidelines and Local Government Regulation.

As the first meeting of the Committee in 2024 will occur in March, the deferral of the presentation of the Committee Charter to the February 2024 Council meeting will have no material impact on Committee operations.

#### Annual “Model code of conduct statistics”

In accordance with Part 11 of the Code of Conduct Procedures, Council’s Complaints Coordinator must arrange for annual Code of Conduct complaints statistics to be reported to Council and to the Office of Local Government within three months of the end of September each year (being 31 December 2023).

It is noted that there were no Code of Conduct complaints received in the reporting period about councilors nor the General Manager.

#### Disclosure of Interests 2022/23

Councillors and designated persons are required under clause 4.21 of the Code of Conduct to lodge a completed Disclosure of Interest within three months of the end of the financial year.

The Register of Returns will be tabled at the first meeting following the lodgement date. Accordingly, the Disclosure of Interest Returns Register is now tabled as a public record and available for inspection.

## **8. Acknowledgment to three staff members**

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During the meeting the Council acknowledged the following two staff members for their longevity in years of service with Rous and thanked them for their unwavering professionalism and dedication in their work.

Melissa Mosse – 10 years in service with Rous

Vanessa George – 20 years in service with Rous

The Council also acknowledged Ms Noeline Smith (Executive Secretary) has been with council for the past 22 years with Rous and will be retiring in 2024. Noeline has been in the local government world for nearly 50 years and will surely be missed by all her work colleagues and Council wish her all the best for her retirement.

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>