



RICHMOND VALLEY COUNCIL

Minutes

Ordinary Meeting

Tuesday, 15 May 2012

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**MINUTES OF THE ORDINARY MEETING OF RICHMOND VALLEY COUNCIL,
HELD IN THE COUNCIL CHAMBERS, CNR WALKER STREET AND
GRAHAM PLACE, CASINO, ON TUESDAY, 15 MAY 2012 AT 4.30 P.M.**

PRESENT

Crs. C.J. Sullivan (Mayor), C.J. Cox, O. Crawford, S.A. George, B.J. Jeffery, D.A. Kinnish, S.E. Morrissey, R.A. Mustow and S.N. Wheatley.

The General Manager, Acting Director Corporate Services, Director Works, Director Environmental Development Services and Executive Assistant (Roslyn Townsend) were also in attendance.

1 PRAYER AND NATIONAL ANTHEM

Those present at the meeting stood for the prayer by Pastor Craig Fraser and the singing of the National Anthem.

2 PUBLIC ACCESS AND QUESTION TIME

**2.1 QUESTION FROM MRS MAVIS MOHAMMED REGARDING
COMMUNITY INVOLVEMENT IN STRATEGIC PLAN REVIEW**

Mrs. Mavis Mohammed, Richmond Valley Ratepayers and Residents Association Inc. asked the following question:

"When will the communities have participation in regards to the financial aspects of the strategic plan to determine the priorities and service level requirements?"

The General Manager advised that clearly in his view there is a fair amount of preparatory work that we need to look at in respect of the Council's finances generally, the Long Term Financial Plan and the Community Strategic Plan which we intend as a Council to address in the first half of this coming year; so, subject to Council's agreement, he believed it will be somewhere in the period November to March that we will engage with the community in the matters raised.

**2.2 QUESTION FROM MRS JILL LYONS REGARDING COAL SEAM GAS
ACTIVITIES AND PROVISION OF SAFE DRINKING WATER**

Mrs. Lyons asked the following question:

"As the Richmond Valley Council is also our water provider, you are committed and required to follow regulations to provide clean safe drinking water for all

residents of the Richmond Valley Council Shire; so what measures have you or can you set in place to ensure our water is kept safe and clean from any possible pollutants or contamination from any existing CSG or new CSG exploration, production and this also includes all holding ponds already here in our Shire?"

The General Manager advised that he would take the question on notice.

2.3 QUESTION FROM MS ANGELA FROUD REQUESTING THE CONDUCT OF A POLL IN CONJUNCTION WITH LOCAL GOVERNMENT ELECTIONS IN RELATION TO COAL SEAM GAS ACTIVITIES

Ms. Froud asked the following question:

"Will Richmond Valley Council conduct a poll in conjunction with the local government elections to determine community support for a ban on coal seam gas and other forms of unconventional gas, both new and existing projects?"

The General Manager advised that any decision to conduct a poll this year in conjunction with Council Elections needed to be notified to the Electoral Commissioner by 30 April. It is therefore too late.

3 APOLOGIES

Nil.

4 MAYORAL MINUTE

The Mayor advised of the late notice of a Mayoral Minute which had been prepared based on information which had become available since the Business Paper had been printed. A copy of the Mayoral Minute had been placed on Councillors' tables prior to the Meeting. Council needed to nominate a representative to vote on its behalf in the forthcoming ballot dealing with the matter of One Association and this information was required prior to the next Council Meeting.

4.1 MAYORAL MINUTE - ONE ASSOCIATION VOTING DELEGATE

Background

The President of the Shires Association of NSW, Councillor Ray Donald has written to Council advising that recently the Executive Committees of both Associations each separately took important formal steps for progressing the proposal to establish "One Association" to the next stage, which is to have the proposal submitted to a secret postal ballot of delegates of the members of each

Association. The Shires Association Executive unanimously resolved in favour of the resolutions.

Issues

Formal documentation has been lodged with Fair Work Australia who will engage the Australian Electoral Commission to undertake the secret postal ballot of members' delegates. Members will be required to supply details of their voting delegate for this ballot and the process needs to be undertaken as a matter of priority, to ensure that the completion of the ballot is not delayed.

It is anticipated that the ballot will occur before the September 2012 Local Government general elections but exact timing will depend on Fair Work Australia. Councils need to supply the following information to the Association by 31 May 2012.

1. The full name of their voting delegate, and
2. The private mailing address of the delegate.

This process has been ongoing for many years and current Councillors should be aware of the progress of the matter. The ballot will be best held prior to the September 2012 general elections as new councillors will not be aware of the history or the process and would not be in a position to make an informed decision.

Assuming that the majority of delegates vote "yes", forming One Association would not take place until after 1 March 2013 but no later than 2 June 2013.

A secret ballot is required because it is a requirement under the Fair Work (Registered Organisations) Act. The Associations are federally registered and must comply with this requirement and all Shires Association members will have one vote.

One of the key principles to come from the One Association Convention held in August 2010 was to enshrine the concept that the overall voting numbers of the Rural/Regional area would be the same as the overall voting numbers of the Metropolitan/Urban areas (which are the Metro councils within the County of Cumberland).

The One Association rules have been developed to ensure equity across the membership in a number of ways. Importantly, the One Association rules provide that only Rural/Regional voting delegates are able to vote for the 10 Rural/Regional Board members and the Rural/Regional Vice President in the same way that only Metropolitan/Urban voting delegates are able to vote for the 10 Metropolitan/Urban Board members and the Metropolitan/Urban Vice President.

The total number of votes for the Metropolitan/Urban Region will be the same as the total number of votes for the Rural/Regional region. At the commencement of the One Association this will be 282 for each Region.

The assets of both Associations will be merged together on the amalgamation date. Neither Association will be financially detrimentally affected in any consequential way by this merger.

RECOMMENDATION

Recommended that Council nominate a Councillor as Voting Delegate to take part in the forthcoming secret postal ballot to deal with the matter of One Association, and that their name and personal postal address be forwarded to the Associations to form the Roll of Voters prior to the end of May 2012.

Col Sullivan
MAYOR

150512/ 1 RESOLVED (Cr. Cox/Cr. Mustow)

That Council nominate the Mayor as its Voting Delegate to take part in the forthcoming secret postal ballot to deal with the matter of One Association, and that his name and personal postal address be forwarded to the Associations to form the Roll of Voters prior to the end of May 2012.

FOR VOTE - All Council members voted unanimously.

5 CONFIRMATION OF MINUTES

150512/ 2 RESOLVED (Cr. Wheatley/Cr. Cox)

That the Minutes of the Ordinary Meeting, held on 17 April 2012, be taken as read and confirmed as a true record of proceedings.

FOR VOTE - All Council members voted unanimously.

6 MATTERS ARISING OUT OF THE MINUTES

Nil.

7 DECLARATION OF INTERESTS

7.1 DECLARATION OF INTERESTS - ORDINARY MEETING 15 MAY 2012

Cr. Kinnish declared a non-pecuniary (insignificant conflict) interest in Item 12.7 - Revenue Policy - Water Pricing for the Northern Cooperative Meat Company (Family members work at Northern Cooperative Meat Company; also this is a Revenue Policy matter and the community has had input on that).

Cr. George declared a non-pecuniary (insignificant conflict) interest in Item 12.7 - Revenue Policy - Water Pricing for the Northern Cooperative Meat Company (Northern Cooperative Meat Company is a sponsor of Beef Week and he is President of Casino Beef Week).

Cr. George declared a pecuniary interest in Item 8.1 - Notice of Motion (Cr Donella Kinnish) - Coal Seam Gas General Purpose Standing Committee and Item 8.2 - Notice of Motion (Cr Robert Mustow) - Coal Seam Gas Mining (Employee of a Coal Seam Gas Company).

Cr. Cox declared a pecuniary interest in Item 8.1 - Notice of Motion (Cr Donella Kinnish) - Coal Seam Gas General Purpose Standing Committee and Item 8.2 - Notice of Motion (Cr Robert Mustow) - Coal Seam Gas Mining (A family member has an interest in a Coal Seam Gas exploration group).

Cr. Mustow declared a non-pecuniary (insignificant conflict) interest in Item 12.7 - Revenue Policy - Water Pricing for the Northern Cooperative Meat Company (A relative works at Northern Cooperative Meat Company) and also declared a pecuniary interest in Item 12.9 - Broadwater and North Woodburn Sewerage Schemes - Plumbing and Electrical Upgrades (He is a home owner in that area). Cr. Mustow advised that he would be leaving the room for both items (during discussion and voting).

150512/ 3 RESOLVED (Cr. Morrissey/Cr. Wheatley)

That the declarations of interest of Cr. Kinnish, Cr. George, Cr. Cox and Cr. Mustow be noted.

FOR VOTE - All Council members voted unanimously.

Cr. George and Cr. Cox, having previously declared an interest in the following matters, retired from the meeting at this stage, the time being 4.42 p.m.

8 NOTICES OF MOTION

8.1 NOTICE OF MOTION (CR DONELLA KINNISH) - COAL SEAM GAS GENERAL PURPOSE STANDING COMMITTEE

Background

Cr. Kinnish submitted the following Notice of Motion on 8 May 2012.

Notice of Motion

That Council note the 35 recommendations in the Report from the NSW Government's General Purpose Standing Committee No. 5 on Coal Seam Gas and write to the NSW Government expressing the desire for the outcomes to be dealt with as a matter of urgency.

(A copy of the Media Release and Summary of Recommendations has been circulated separately to Councillors and the General Purpose Standing Committee No. 5 Report along with submissions, transcripts and other documents associated with the inquiry is available on the website:

www.parliament.nsw.gov.au/gpsc5)

150512/ 4 RESOLVED (Cr. Kinnish/Cr. Sullivan)

That Council note the 35 recommendations in the Report from the NSW Government's General Purpose Standing Committee No. 5 on Coal Seam Gas and write to the NSW Government expressing the desire for the outcomes to be dealt with as a matter of urgency.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr. Cox, Cr. George

8.2 NOTICE OF MOTION (CR ROBERT MUSTOW) - COAL SEAM GAS MINING

Background

Cr. Mustow submitted the following Notice of Motion on 8 May 2012.

Notice of Motion

That Council impose a moratorium on all new coal seam gas activities on Council owned land until the State Government makes a final decision on the Draft Strategic Land Use Policy.

150512/ 5 RESOLVED (Cr. Mustow/Cr. Morrissey)

That Council impose a moratorium on all new coal seam gas activities on Council owned land until the State Government makes a final decision on the Draft Strategic Land Use Policy.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr. Cox, Cr. George

Cr Kinnish foreshadowed a further Motion during debate on the above Motion.

150512/ 6 RESOLVED (Cr. Kinnish/Cr. Crawford)

That Council write to the Minister for Planning expressing a strong desire for the protection of prime agricultural land in the Northern Rivers from coal seam gas mining activities including horizontal drilling.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr. Cox, Cr. George

Cr. George and Cr. Cox returned to the meeting, the time being 4.56 p.m.

9 MAYOR'S REPORT

Nil.

10 DELEGATES' REPORTS

10.1 DELEGATE'S REPORT SUBMITTED TO MAY 2012 ORDINARY MEETING

Background

Council delegates are required to report on meetings/forums attended on Council's behalf.

The following information has been provided in regard to meetings/functions attended by Councillors.

Submitted by Cr. George

Subject Matter of Attendance: Rous Water Meeting held at Lismore on 18 April 2012 (in company with Cr. Sullivan).

Precis/Summary of Issues Discussed/Considered:

Items on the Agenda included:

- Confirmation of Minutes of 21 March 2012.
- Chair's Minute - Proposed change to the timing of the General Manager's performance appraisals for 2012 and the composition of the Performance Review Panel.
- Notice of Motion - Backflow Prevention.
- Draft Budget Estimates 2012/2013 and Integrated Planning and Reporting.
- Financial Review as at 31 March 2012.
- March Quarterly Review of Management Plan.
- Section 96 Application to Modify Consent Conditions: Perradenya Estate.
- Letting of Contract - Preparation of Drinking Water Quality Management Plans.
- Information Reports:
 - Investment Report March 2012
 - Reports Pending
 - Monthly Statistics to March 2012
 - Regional Demand Management Plan 2012-2016.

Outcomes/Actions Required by Council: --

RECOMMENDATION

Recommended that the Delegate's Report be received and noted.

150512/ 7 RESOLVED (Cr. George/Cr. Jeffery)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

11 MATTERS DETERMINED WITHOUT DEBATE

150512/ 8 RESOLVED (Cr. Wheatley/Cr. Kinnish)

That Items 12.4, 12.6 and 12.11 be determined without debate.

FOR VOTE - All Council members voted unanimously.

Cr. Mustow, having previously declared an interest in the following items, retired from the meeting at this stage, the time being 5.03 p.m.

150512/ 9 RESOLVED (Cr. Kinnish/Cr. Wheatley)

That Items 12.7 and 12.9 be determined without debate.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr. Mustow

Cr. Mustow returned to the meeting, the time being 5.04 p.m.

Note: Prior to the above motions being voted on, Councillors had the opportunity to ask questions on any of the Items.

12 MATTERS FOR DETERMINATION

12.1 RICHMOND VALLEY COUNCIL - ORGANISATION REVIEW

Reference: Corporate Management - Establishment, Planning, Reviewing; Personnel - Establishment

Prepared by: General Manager

Background

On 19 July 2011, Council considered a report from the General Manager on the matter of Integrated Planning and Reporting following the failure to gain approval for a special rate variation which had been reported to the June 2011 Council

Meeting. Following consideration of this report, particularly in relation to Council's Organisation, Council resolved, in part, that:

"Council endorse the proposed actions listed in this report and that the General Manager be authorised to invite tenders/quotations/expressions of interest for an Organisation Structure Review Report (subject to the brief being finalised in conjunction with the Mayor following input being sought from all Councillors). Further, that the matter be proceeded with as a matter of priority."

Council subsequently appointed Local Government Management Solutions on 31 August 2011 to conduct the review and their report was provided to Council in December 2011.

Formal consideration of the report was deferred pending the appointment of a new General Manager. The report has subsequently been used by the new General Manager as background and guidance in reviewing the organisation and framing a response and has also been considered by the Council at its Information Sessions.

Report

Issues

The focus of the Organisation Review was to determine the organisation structure needs of the Organisation, the adequacy or otherwise of current staffing levels, and the preparation of a recommended staff organisation structure.

Under the terms of Section 332 of the Local Government Act 1993, a Council has the following responsibilities:

"332 Determination of structure

(1) A council must determine:

- an organisation structure*
- those positions within the organisation structure that are senior staff positions*
- the resources to be allocated towards the employment of staff.*

(2) A council may not determine a position to be a senior staff position unless:

- (a) the responsibilities, skills and accountabilities of the position are generally equivalent to those applicable to the Executive Band of the Local Government (State) Award, and*
- (b) the total remuneration package payable with respect to the position is equal to or greater than the minimum remuneration package (within the meaning of Part 3A of the Statutory and Other Offices Remuneration Act 1975) payable with respect to senior executive office holders whose positions are graded Level 1 (General Management).*

- (3) *For the purposes of subsection (2)(b), the total remuneration package payable with respect to a position within a council's organisation structure includes:*
- (a) *the total value of the salary component of the package, and*
 - (b) *the total amount payable by the council by way of the employer's contribution to any superannuation scheme to which the holder of the position may be a contributor, and*
 - (c) *the total value of any non-cash benefits for which the holder of the position may elect under the package, and*
 - (d) *the total amount payable by the council by way of fringe benefits tax for any such non-cash benefits."*

The General Manager will bring to the June 2012 Council Meeting, recommendations in respect of the matters of organisation structure and designated senior staff as required by the Act. The adoption of the budget will provide the resources for the employment of staff. Should Council adopt the recommended budget, the allocated resources will be reduced by 2% with the implementation of the efficiency cut.

In framing this report and recommendation, the General Manager will take into account the details and recommendations from the organisation review (all of which can be accommodated in some form) but also address his own observations, beliefs and future directions that are seen as necessary to effect changes required to the Council's administration for the next phase.

Whilst the list of specific recommendations contained in the organisation review should be kept confidential at this time, the Executive Summary is reproduced below as it is seen to be in the public interest to be released as it outlines some of the key issues that were addressed and will help put future decisions into perspective.

"Executive Summary

Richmond Valley Council is a large rural Council. It has more financial resources and rateable properties than 2/3 of similar sized councils in NSW.

The organisation overall has a positive culture and some very motivated and committed staff. Key challenges for the organisation include revitalising its dealings with the community and significant players within in it, and revitalising internal operations.

A key underlying cause of the various issues the organisation is grappling with appears to be the lack of a corporate, cooperative approach. This includes decision making by officers without apparent consideration for the impact on others in the organisation or the community, different approaches to organisational values, and concern about internal levels of service.

Whilst the current open-door, ad-hoc style of leadership has resulted in some very creative and effective solutions that staff have developed for their part of the organisation, it has also contributed to a siloed culture with the development of separate, stand alone solutions. A corporate, unified and empowering approach

is critical to the organisation's sustainability and should be led by an effective ManEx team who drives joint initiatives and is accountable for their success.

Council is currently undertaking the recruitment of a new General Manager. It is vital that the incoming leader be given a clear mandate for driving change and building a strong, united and accountable Executive team.

Council will also have to look at the way it "does business", work with key stakeholders and consider questions of what really are its core services.

The consultants see potential for some structural adjustments. However, these should be undertaken after the new General Manager has been recruited and with their input into the process. What is envisaged is a focus on corporate services, internal service delivery, and communication.

The consultants wish to thank the Councillors and staff at Richmond Valley Council for their enthusiastic and sincere contributions to this review and would consider it a privilege to support the ongoing development of the organisation.

Strategic Links

This report has strategic links to Council's Community Strategic Plan (Governance and Processes):

- Council to manage its affairs in accordance with good management practices in order that it may fulfil its service delivery responsibilities to the community and remain strong to represent the interests of the community.

Conclusion

The report received from Local Government Management Solutions has given an independent review of Council's current organisation and made useful recommendations for the way forward. Their observations and recommendations will form part of the General Manager's report and recommendations on the structure that will be brought to Council's June 2012 Meeting for consideration.

RECOMMENDATION

Recommended that:

1. Council resolve to accept the report prepared by Local Government Management Solutions and note the fourteen recommendations contained therein.
2. Council note that the General Manager will bring a report to Council at its June 2012 Meeting on the Organisation Structure.
3. Write to Local Government Management Solutions thanking them for their efforts in fulfilling the undertaking for which they were engaged in a constructive and useable manner.

150512/ 10 RESOLVED (Cr. Mustow/Cr. Wheatley)

That:

1. Council resolve to accept the report prepared by Local Government Management Solutions and note the fourteen recommendations contained therein.
2. Council note that the General Manager will bring a report to Council at its June 2012 Meeting on the Organisation Structure.
3. Write to Local Government Management Solutions thanking them for their efforts in fulfilling the undertaking for which they were engaged in a constructive and useable manner.
4. The Organisation Review be listed as an item at Council's Information Session in June.

FOR VOTE - All Council members voted unanimously.

12.2 DRAFT DELIVERY PROGRAM 2012/2016 AND DRAFT OPERATIONAL PLAN 2012/2013 (INCLUDING FINANCIAL ESTIMATES), DRAFT LONG TERM FINANCIAL PLAN 2012/2022 AND DRAFT REVENUE POLICY 2012/2013

Reference: Corporate Management - Planning, Reporting; Financial Management - Budgeting, Fees and Charges, Planning

Prepared by: General Manager

Background

In 2009 the Division of Local Government released Integrated Planning and Reporting Framework/Legislation that applies to all NSW Councils.

Richmond Valley Council committed to implementing the Integrated Planning and Reporting requirements by 1 July 2011 (as a Group 2 Council). Reports for 2011/2012 were considered under this format for the first time.

Report**Issues**

Circulated separately with the Business Paper is the Draft Operational Plan including Financial Estimates for the period 2012/2013 incorporating the Draft Budget Estimates and Draft Revenue Policy and the Draft Delivery Program including Financial Estimates that have been updated for the four year period 2012/2016. Also circulated separately is the Draft Long Term Financial Plan 2012/2022.

The Operational Plan and Delivery Program have been prepared on Council's current focus areas, being Environment, Local Economy, Community and Culture, Recreation and Open Space, Rural and Urban Development, Transport and Infrastructure and Governance and Process. The Operational Plan lists the goals to be achieved by each program for the 2012/2013 year, who has responsibility for those goals, the performance measurement of those goals. The Delivery Program lists the goals to be achieved by each program for the 2012/2016 four year period, who has responsibility for those goals, the performance measurement of those goals.

In framing the budget this year the delivery of a surplus has been considered essential. The Council needs to deliver successive balanced or surplus budgets at least over the 4 year Delivery Program.

To achieve this beyond 2012/2013 a substantial amount of work is needed to be done and it is intended that this be progressively completed over the first half of the financial year.

This work is necessary in each of the Council's funds and in both operational and capital areas. The review will include uncompleted works from previous years.

The Council also needs to revisit the Community Strategic Plan to better align the aspirational outcomes it contains with budget realities. A second iteration of the plan will be developed which will also accommodate the recommendations in the response received from the Division of Local Government on its analysis of the work undertaken to date.

The following areas of the 2012/2013 Estimates should be highlighted:

- General Rates will increase by 3.6%
- Water Rates will increase by 3.4%
- Sewerage Rates will remain unchanged.
- This year's budget as circulated delivers Council a surplus of \$357,000
- The budget has a 2% general efficiency saving on salaries factored in as the first stage in driving efficiency across our operations saving \$267,000 this year. It is expected further efficiency savings will be possible in future years.
- The budget assumes the closure of the Council's Bridge and Prestressing Operation which continues to trade at a significant loss and shows no prospect of improving. Funds from asset sales associated with the closure have not been factored into budgets at this time

The budget also needs to deliver works and services that are necessary or expected by the community. This year's budget has a number of other highlights including new funding initiatives:

- Casino CBD footpath cleaning to overcome the problem of bird droppings
- Additional funds for the improvement of entrances to towns and villages
- Improved bin swapping and cleaning in all towns
- 2012 Council elections

- Upgrading of Council's website and other communication tools
- A further \$298,000 of drainage, road and sports ground works funded from the 2008/2009 Special Rate Variation.

Potential projects submitted for consideration in this budget totalling \$685,000 have been held back from the budget for review and consideration as the year progresses and as Council's financial results continue to be monitored for capacity.

The draft budget estimates for the 2012/2013 financial year have been compiled and reviewed by senior management and Councillors. At this point in time the budget estimates are detailed as follows:

Item	Estimated 2012/2013 \$
Operating Revenue	46,623,897
Operating Expenditure	53,339,142
Operating Result - Surplus/(Deficit)	(6,715,245)
Add: Capital Revenue	2,624,278
Change in Net Assets	(4,090,967)
Add: Non-Cash Expenses	13,433,900
Add: Non-Operating Funds Employed	7,324,269
Subtract: Funds Deployed for Non-Operating Purposes	19,188,471
Cash Surplus/(Deficit)	(2,521,269)
Restricted Funds - Increase/(Decrease)	(2,878,623)
Working Funds - Increase/(Decrease)	357,354

At Council's Information Session held on 1 May 2012, during discussions on the proposed 2012/2013 Budget, additional items were raised that required further costing and advice so that they could be considered for submission or inclusion. The costed list is circulated separately for Council's consideration, bearing in mind that inclusion of some or all of these items, will decrease the currently projected surplus. Estimates on additional allocations required are included in the circulated document.

Legal

Section 405 (3) of the Local Government Act 1993 states Council must prepare a draft operational plan and give public notice of the draft indicating that submissions may be made to Council at any time during the period (not less than 28 days) that the draft is to be on public exhibition.

Section 405 (2) of the Local Government Act 1993 states the operational plan must include a statement of Councils Revenue Policy for the year covered by the operational plan.

Consultation

Council must advertise a draft operational plan and give public notice indicating that submissions may be made to Council at any time during the public exhibition period.

Strategic Links

This report has strategic links to Council's Community Strategic Plan and Long Term Goal 7.4 Statutory Compliance (Strategy 7.4.1).

Conclusion

The Draft Operational Plan including Financial Estimates for the period 2012/2013 including the Draft Budget Estimates and the Draft Delivery Program including Financial Estimates for the period 2012/2016, the Draft Long Term Financial Plan 2012/2022 and Draft Revenue Policy 2012/2013 have been compiled and reviewed by senior management and Councillors.

As shown in the circulated documents, the draft budget estimates project a \$357,354 surplus. Also circulated separately is a list of items with projected costs for Council's consideration. The inclusion of some or all of these items will have a negative effect on the currently projected budget surplus.

RECOMMENDATION

Recommended that:

1. The Draft Delivery Program 2012/2016 and the Draft Operational Plan 2012/2013 (including Financial Estimates), and the Draft Long Term Financial Plan 2012/2012-2021/2022 be considered and any adjustments made be incorporated prior to the mandatory 28 day public exhibition, in accordance with Section 405 of the Local Government Act 1993, seeking submissions from the community on its content.
2. The Draft Revenue Policy 2012/2013 be advertised for a period not less than 28 days in accordance with Section 405 of the Local Government Act 1993, seeking submissions from the community on its content.

Note: Councillors had been provided with an amendment to the draft budget estimates table which was contained on page 13 of the Business Paper; the table contained in the Minutes of this meeting had been updated with the revised figures.

Following the preparation of the report an adjustment had been required in relation to Domestic Waste Management Charges and Sewer Charges which resulted in an increase in operating revenue and a corresponding decrease in amounts required from Restricted Reserves.

The updated table now corresponds to the totals shown on page 1 of the Draft Delivery Program 2012/2016 and Draft Operational Plan 2012/2013 Budget Summary and Cash Result.

The net effect of the change is a reduction in the transfer of funds from Restricted Reserves of \$109,375.

A **Motion** was moved by Cr. Kinnish

That:

1. The Draft Delivery Program 2012/2016 and the Draft Operational Plan 2012/2013 (including Financial Estimates), and the Draft Long Tem Financial Plan 2012/2012-2021/2022 be considered and any adjustments made be incorporated prior to the mandatory 28 day public exhibition, in accordance with Section 405 of the Local Government Act 1993, seeking submissions from the community on its content.
2. Such addition to include \$4,000 for the maintenance of grass on the Pacific Highway at Broadwater near the School and other additional costed items to be considered after the actual financial position for 2011/2012 is determined.
3. The Draft Revenue Policy 2012/2013 be advertised for a period not less than 28 days in accordance with Section 405 of the Local Government Act 1993, seeking submissions from the community on its content.
4. The documents listed above seek to reflect in future years the recent recommendations cited by the Division of Local Government in their review of Council's Integrated Planning and Reporting documents.

The **Motion lapsed** due to lack of a seconder.

A **Motion** was moved by Cr. Mustow and seconded by Cr. George

That:

1. The Draft Delivery Program 2012/2016 and the Draft Operational Plan 2012/2013 (including Financial Estimates), and the Draft Long Tem Financial Plan 2012/2012-2021/2022 be considered and any adjustments made be incorporated prior to the mandatory 28 day public exhibition, in accordance with Section 405 of the Local Government Act 1993, seeking submissions from the community on its content.
2. The Draft Revenue Policy 2012/2013 be advertised for a period not less than 28 days in accordance with Section 405 of the Local Government Act 1993, seeking submissions from the community on its content.
3. The other additional costed items as circulated be considered after the actual financial position for 2011/2012 is determined.
4. The documents listed above seek to reflect in future years the recent recommendations cited by the Division of Local Government in their review of Council's Integrated Planning and Reporting documents.

An **Amendment** was moved by Cr. Kinnish

That:

1. The Draft Delivery Program 2012/2016 and the Draft Operational Plan 2012/2013 (including Financial Estimates), and the Draft Long Tem

Financial Plan 2012/2012-2021/2022 be considered and any adjustments made be incorporated prior to the mandatory 28 day public exhibition, in accordance with Section 405 of the Local Government Act 1993, seeking submissions from the community on its content.

2. The Draft Revenue Policy 2012/2013 be advertised for a period not less than 28 days in accordance with Section 405 of the Local Government Act 1993, seeking submissions from the community on its content.
3. The documents listed above seek to reflect in future years the recent recommendations cited by the Division of Local Government in their review of Council's Integrated Planning and Reporting documents.

The **Amendment lapsed** due to lack of a seconder.

The **Motion** was **carried** (as follows):

150512/ 11 RESOLVED (Cr. Mustow/Cr. George)

That:

1. The Draft Delivery Program 2012/2016 and the Draft Operational Plan 2012/2013 (including Financial Estimates), and the Draft Long Tem Financial Plan 2012/2012-2021/2022 be considered and any adjustments made be incorporated prior to the mandatory 28 day public exhibition, in accordance with Section 405 of the Local Government Act 1993, seeking submissions from the community on its content.
2. The Draft Revenue Policy 2012/2013 be advertised for a period not less than 28 days in accordance with Section 405 of the Local Government Act 1993, seeking submissions from the community on its content.
3. The other additional costed items as circulated be considered after the actual financial position for 2011/2012 is determined.
4. The documents listed above seek to reflect in future years the recent recommendations cited by the Division of Local Government in their review of Council's Integrated Planning and Reporting documents.

FOR VOTE - All Council members voted unanimously.

Note: A copy of the following documents was attached to the archived Minutes of this Meeting.

1. Draft Delivery Program 2012/2016 and Draft Operational Plan 2012/2013.
2. Draft Delivery Program 2012/2016 Financial Estimates and Draft Operational Plan 2012/2013 Financial Estimates.
3. Draft Long Term Financial Plan 2012/2013-2021/2022.
4. Draft Revenue Policy 2012/2013.
5. List of Additional Costed Items requested by Council.

12.3 MAYORAL ALLOWANCE/COUNCILLORS FEES 2012/2013**Reference:** Governance - Councillors**Prepared by:** Manager Finance**Background**

Each financial year, the Local Government Remuneration Tribunal determines the minimum and maximum remuneration payable to Mayors and Councillors for carrying out their duties. The determination by the Local Government Remuneration Tribunal is pursuant to Section 241 of the Local Government Act 1993.

Report**Issues**

Council has received notification by way of publication in the NSW Government Gazette No. 47 dated 4 May 2012, that the Local Government Remuneration Tribunal has determined that the Mayoral and Councillor Fees are to increase by 2.5% for the 2012/2013 financial year. In making its determination, the Local Government Remuneration Tribunal considered the following:

- Submissions and comments made by Associations and individual Councils
- Key Economic Indicators
- Categorisation
- Workload
- Training and Development
- Attracting high quality candidates to nominate for election to local government.

A review of the categorisations of Councils for determining the remuneration has been completed for the 2012/2013 financial year. In this regard, Richmond Valley Council has been determined as a Rural Council.

Financial Implications

The current fees payable for 2011/2012 for Mayor and Councillors is as follows:

	2011/2012 Annual Fee	2011/2012 Monthly Fee
Mayoral Allowance	\$21,770.00	\$1,814.17
Councillor	\$ 9,970.00	\$ 830.83

Note: Total remuneration for the Mayor is the Mayoral Allowance plus the Councillor Fee, i.e. for 2011/2012 it is \$31,740.00 per annum or \$2,645.00 per month.

The remuneration band set for 2012/2013 for a Rural Council by the Local Government Remuneration Tribunal is as follows:

	2012/2013 Minimum Annual Fee	2012/2013 Maximum Annual Fee
Mayoral Allowance	\$8,220.00	\$22,310.00
Councillor	\$7,740.00	\$10,220.00

If it is assumed, as an example, Council accepts the maximum remuneration for a Rural Council, the remuneration for 2012/2013 will be as follows:

	2012/2013 Annual Fee	2012/2013 Monthly Fee
Mayoral Allowance	\$22,310.00	\$1,859.17
Councillor	\$10,220.00	\$ 851.67

Note: Total remuneration for the Mayor is the Mayoral Allowance plus the Councillor Fee, i.e. for 2012/2013 assuming the maximum is \$32,530.00 per annum or \$2,710.83 per month.

The 2012/2013 draft budget included a 3.6% Rate Peg increase on the 2011/2012 budget, this equates to \$22,600.00 for the Mayoral Allowance and \$10,328.88 for each Councillor Fee. Accordingly, a minor change to the budget will be required if the recommended fees are adopted.

Strategic Links

This issue has strategic links to Council's Community Strategic Plan, Strategy 7.4.1 Ensure Statutory Compliance.

Conclusion

The outcome for remuneration of Councillors and Mayors by the Local Government Remuneration Tribunal has been announced as indicated in this report. Historically, Council has set its remuneration at the maximum allowable for the Rural category as set by the Local Government Remuneration Tribunal, the exception to this was 2010/2011 year when Council resolved to not increase the Mayor Allowance or Councillor Fees for the financial year.

On this basis, it is recommended that Council set the Mayoral Allowance/Councillor Fee at the maximum level possible, however it is up to Council to determine the appropriate range of remuneration for the Mayor and Councillors provided it is within the minimum/maximum range for a Rural Council as determined by the Local Government Remuneration Tribunal indicated in the report.

RECOMMENDATION

Recommended that:

1. Council set the Mayoral Allowance for the 2012/2013 financial year effective from 1 July 2012 at \$22,310.00 per annum or \$1,859.17 per month, being the maximum remuneration allowable for a Rural Council.

2. Council set the Councillor Fee for the 2012/2013 financial year effective from 1 July 2012 at \$10,220.00 per annum or \$851.67 per month, being the maximum remuneration allowable for a Rural Council.
3. Council set the total remuneration for the Mayor for the 2012/2013 financial year at \$32,530.00 per annum or \$2,710.83 per month, being the maximum remuneration allowable for a Rural Council.

150512/ 12 RESOLVED (Cr. Mustow/Cr. Kinnish)

That Council set the total remuneration fee for Mayor and Councillors at an increase of 2.5% of the 2011/2012 amount, subject to the increase not exceeding the Local Government Remuneration Tribunal recommendations.

FOR VOTE - All Council members voted unanimously.

**12.4 DELIVERY PROGRAM/OPERATIONAL PLAN PROGRESS REPORT
(JULY 2011 - MARCH 2012)**

Reference: Corporate Management - Planning, Reporting

Prepared by: Manager Finance

Background

The provisions of the Local Government Act require that regular progress reports be provided to the Council reporting on progress with respect to the principal activities detailed in the adopted Delivery Program.

Although progress reports must be provided at least every six months, quarterly reporting is proposed.

The Delivery Program describes how Council will work towards achieving community goals (as identified in the Community Strategic Plan).

Report

Issues

The following summary is provided of the key achievements in the first nine months of 2011/2012 for each of the seven Focus Areas utilised in Council's Integrated Planning and Reporting documents.

- Environment
 - Support continuing to be provided to Evans Head Landcare Group and possible development of a Rileys Hill Group
 - Some recommendations from the Pied Oyster Catcher Management Plan have been implemented
 - Coraki Riverbank Plan prepared and Casino Junbung Plan at Queen Elizabeth Park prepared

-
- North East Waste Forum education trailer and performers booked for 12 separate days over the financial year
 - Revolving Energy Fund policy adopted
 - Trade Waste Policy fully implemented
 - Energy Audits completed of major assets
 - Indian Myna bird website information and pamphlet completed
 - Roadside Vegetation Management Plan to be included on Council's Website
 - Council staff trained in chemical spills, hazardous waste handling and clean up
 - Coastal Zone Management Plan completed
 - Roadside Vegetation Management Plan included as a layer in Councils Geographical Information System
 - Fact sheet on the six Sustainability Principals in the Community Strategic Plan completed

 - Local Economy
 - New membership found for Aboriginal Advisory Committee and new meeting structure developed
 - Opportunities and pathways for Aboriginal employment discussed with Aboriginal Advisory Committee and Working Party
 - Aboriginal Employment Strategy reported to December Council Meeting
 - Memorandum of Understanding completed with NSW TAFE
 - Youth Events being undertaken via the Safer Suburbs Program
 - Casino Community and Cultural Centre opened and bookings system established; awaiting details of anchor tenant.
 - Industrial land identified as part of Urban Land Release Strategy Review
 - Economic Impact included as an element of environmental impact statement assessments for development applications
 - Community Garden established in Casino
 - Foodlinks Program finalised November 2011; referred to General Managers' Group for continuation
 - Economic/demographic information prepared/completed and available for Business/Development enquiries
 - Telemetry infrastructure established for water/sewer system
 - Draft Terms of Reference for Business and Industry Advisory Panel completed
 - Public Transport Information Strategy developed
 - Disability Access and Cycleway Maps Reviewed and updated

 - Community and Culture
 - Rural Fire Service Regional Facility building continuing
 - Ongoing liaison with emergency services
 - Crime Prevention Audits submitted to Community Safety Advisory Committee
 - NAIDOC Week events held/assisted
 - Initial actions in regard to Volunteer procedures and practices commenced
 - Sporting Field Agreements amended to encourage volunteerism
-

-
- Pedestrian Access and Mobility Plan adopted
 - Planning for Crankfest underway
 - Community Events delivered in accordance with advice from Community Engagement Committees of Council
 - Art Display in Casino Community and Cultural Centre

 - Recreation and Open Space
 - Queen Elizabeth Park Master Plan adopted and Sports Advisory Committee used as forum
 - Standard template developed as part of Sporting Group User Agreements
 - Woodburn and Coraki Riverside Park plans completed; agreement reached with Woodburn Chamber of Commerce
 - Core Asset Management Plans in place for Parks/Sporting Facilities
 - Awards to Local Sporting People
 - Involvement in Sports Advisory Committee in the development of sporting agreements
 - 10 year work program prepared for Evans Head Surf Club
 - Funding secured for the new Companion Animal Management Plan
 - Meetings held with Youth Advisory Committee and Children's Advisory Committee in relation to parks and playgrounds
 - Involvement in Committees to develop and implement the Pedestrian Access and Mobility Plan

 - Rural and Urban Development
 - Draft Development Control Plan completed and submissions from the public to be requested
 - Development Register for Section 94 Plans prepared
 - Section 94 heavy vehicle road maintenance levy procedure prepared
 - Development Control Plan reviewed to ensure it is consistent with State and Federal Government requirements

 - Transport and Infrastructure
 - 10 Year Plan incorporated in Pedestrian Access and Mobility Plan and adopted by Council
 - 10 Year Pedestrian and Bicycle Program prepared
 - Higher Mass Limits approved for Casino
 - Aged Care site at Evans Head Memorial Aerodrome cleared of contamination and contracts for sale prepared
 - Full cost recovery for water and sewer pricing implemented
 - Drainage analysis for Evans Head completed
 - Core Asset Management Plans established for various infrastructure
 - Funding arrangements for Woodburn Bridge lights completed
 - Evans Head CBD Upgrade Strategy adopted
 - Transport Master Plan for North Coast being developed by State Government
 - Lobbying for a regional Integrated Transport Plan and linkages considered to the Economic Development Strategy and Tourism/Events Strategy
 - Work with Local Liquor Accords in relation to Alcohol Free and Alcohol Prohibited Signage

- Council promoted and supported Clean up Australia Day
- Cemetery site access assessed and appropriate recommendations costed and budgeted

- **Governance and Process**
 - Organisation Structure Review completed - to be further assessed by General Manager and Council
 - Plant and Equipment requirements for Waste Management Review completed
 - Community Engagement Policy and Strategy adopted
 - Social Media Guidelines and Policy adopted
 - Terms of Reference for Business and Industry Advisory Panel drafted
 - Business Improvement Programs being pursued via staff groups
 - Development of new Corporate Information System underway

In summary the following comments are provided:

Council should be aware that the Progress Report on the Delivery Program and Operational Plan relates to the first nine months of the 2011/2012 financial year. As indicated in the attached report there are a range of actions that have commenced with further action required. Further progress reports will provide better indicators of how progress is going with implementation of Community Strategic Plan strategies.

Strategic Links

The Delivery Program and annual Operational Plan actions are a combined document and therefore both form part of this report.

Financial Implications

A separate Quarterly Budget Review Statement is prepared at the end of each quarter and reported to Council within two months of the end of each quarter.

Conclusion

This report and the related attachment presents Council's progress in implementing the Delivery Program and Operational Plan for the first nine months of the 2011/2012 financial year.

RECOMMENDATION

Recommended that the Progress Report (July 2011 - March 2012) on the Delivery Program 2011/2015 and Operational Plan 2011/2012 be received and noted.

150512/ 13 RESOLVED (Cr. Wheatley/Cr. Kinnish)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

Note: A copy of the Progress Report (July 2011 - March 2012) on the Delivery Program 2011/2015 and Operational Plan 2011/2012 was attached to the archived Minutes of this Meeting.

12.5 QUARTERLY BUDGET REVIEW OF RICHMOND VALLEY COUNCIL AS AT 31 MARCH 2012

Reference: Financial Management - Budgeting, Financial Reporting;
Corporate Management - Planning

Prepared by: Manager Finance

Background

Clause 203 (1) of the Local Government (General) Regulation 2005 requires a Council's Responsible Accounting Officer to prepare and submit a quarterly budget review statement to the governing body of Council.

Report

Issues

The Quarterly Budget Review Statement as at 31 March 2012 for Richmond Valley Council has been circulated separately to each Councillor.

The Quarterly Budget Review Statement as at 31 March 2012 has been prepared on the basis of an analysis of the financial aspects with an incorporation of the review of Council's strategies, actions and performance indicators.

The Budget Review for the third quarter of the 2011/2012 financial year has seen the estimated budget result decline to a projected deficit of \$461,806 compared to the revised budget position as at December 2011 of a deficit of \$260,506. In overall cash terms, the estimated deficit in cash has increased by \$1,613,650 from a cash deficit as per the revised budget position as at December 2011 of \$7,524,149 to an estimated cash deficit of \$9,137,799 as at the 31 March 2012 Quarterly Budget Review.

The revised estimates for Council are summarised in the table below with detailed explanations contained in the attachment to the business paper.

2011/2012 Budget Review Statement as at 31 March 2012	Revised Budget 2011/2012 December Review	Recommended Changes for Council Resolution	Projected Year End Result 2011/2012
Income from Continuing Operations	56,191,843	931,188	57,123,031
Expenses from Continued Operations	58,405,944	775,238	59,181,182
Operating Result from Continued Operations	(2,214,101)	155,950	(2,058,151)
Add: Non-Cash Expenses	12,760,900	1,475,000	14,235,900

2011/2012 Budget Review Statement as at 31 March 2012	Revised Budget 2011/2012 December Review	Recommended Changes for Council Resolution	Projected Year End Result 2011/2012
Add: Non-Operating Funds Employed	13,202,500	(5,941,300)	7,261,200
Subtract: Funds Deployed for Non-Operating Purposes	31,273,448	(2,696,700)	28,576,748
Estimated Funding Result - Surplus/(Deficit)	(7,524,149)	(1,613,650)	(9,137,799)
Restricted Funds – Increase/(Decrease)	(7,263,643)	(1,412,350)	(8,675,993)
Working Funds – Increase/(Decrease)	(260,506)	(201,300)	(461,806)

In the attached budget review statement, pages 8 to 12 contain the budget variation explanations, to follow is a summary of the main contributing factors within each focus area.

Environment

Significant increase in landfill fees of approximately \$560,000 and a decrease in waste management operating expenses of approximately \$270,000, mainly due to not introducing the organics collection service this financial year, this service will be introduced next financial year.

Local Economy

Capital Expenditure on Settlers Subdivision has decreased by approximately \$300,000. Asset Sales have decreased by \$1,800,000 due to only 6 lots being sold in Settlers Subdivision.

Capital Expenditure on the saleyards has decreased by approximately \$214,000, this is due to the Round Drafting Yard, it has been taken out of this years budget and included in the draft 2012/2013 budget.

Income in the Bridges program has decreased by approximately \$890,000, this adjustment has been made to reflect the anticipated loss of this program for this financial year.

Community and Culture

Capital Income and expenditure have both increased by \$620,000 due to an increase in costs for the construction of the Regional Fire Control Centre.

Recreation and Open Space

Capital expenditure has decreased by approximately \$70,000 mainly due to deferral of Queen Elizabeth Park Masterplan.

Rural and Urban Development

Income in the Development and Planning Services area has decreased by approximately \$220,000, due to a significant decline in the number of development applications compared with previous years.

Transport and Infrastructure

Roads and Transport income has increased by approximately \$1,300,000 due to emergency flood damage claims, to offset this Council has an expected

decrease in Department of Defence share of grant funds of approximately \$498,000. Operating expenditure has increased by approximately \$386,000, due to a variety of factors, these are explained in detail on page 10 of the budget review summary. Capital expenditure has decreased by approximately \$850,000 mainly due to the Bellman Hanger no longer being anticipated this financial year.

Sewerage Services has had a decrease in capital income of \$300,000 due to the expected decrease in Section 64 charges. A major decrease in capital expenditure includes \$1,150,000 anticipated savings in the Broadwater Sewerage Augmentation.

Water supplies have a decrease in operating income of \$970,200, mainly due to the adjustment made to reflect the NCMC water pricing proposal that is on exhibition at the moment, Capital income has decreased by \$300,000 due to lower than anticipated Section 64 contributions. There have been decreases in water fund expenditure, both operational and capital of approximately \$320,00 and \$125,000 respectively.

In the Quarries program there has been a net decrease of approximately \$76,000 due to stockpile adjustments.

Governance and Process

Under the Governance and Finance program there has been an increase of \$550,000 in interest earned from investment, this has been included to show a more accurate reflection.

Fleet management has an increase in operating income of approximately \$250,000, due to an increase in plant hire rates. A decrease in plant purchases has shown a decrease in both capital expenditure and asset sales of approximately \$165,000 and \$300,000 respectively.

Conclusion

As indicated earlier in this report, detailed explanations of the required budget adjustments are included in the Quarterly Budget Review Statement as at 31 March 2012. Adoption of the Quarterly Budget Review Statement as at 31 March 2012 will ensure compliance with Clause 203 of the Local Government (General) Regulation 2005 for the quarter ended 31 March 2012.

RECOMMENDATION

Recommended that Council adopt the Quarterly Budget Review Statement as at 31 March 2012 and approve the variations thereto.

A **Motion** was moved by Cr. Kinnish

That Council adopt the Quarterly Budget Review Statement as at 31 March 2012 and approve the variations thereto with particular note regarding the decrease in funds received from the Department of Defence.

The **Motion lapsed** due to lack of a seconder.

The Mayor called for a further Motion.

150512/ 14 RESOLVED (Cr. Wheatley/Cr. Jeffery)

That Council adopt the Quarterly Budget Review Statement as at 31 March 2012 and approve the variations thereto.

FOR VOTE - Cr. Sullivan, Cr. Cox, Cr. Crawford, Cr. George, Cr. Jeffery, Cr. Morrissey, Cr. Mustow, Cr. Wheatley

AGAINST VOTE - Cr. Kinnish

(Cr. Kinnish requested that it be recorded that her reason for voting against the motion was that she had sent queries to staff regarding this budget review and the answers were not available at this point in time and therefore she could not endorse this until she had those answers and they did relate in particular to the \$498,000 that Council is not now receiving from the Department of Defence.)

Note: A copy of the adopted Quarterly Budget Review Statement as at 31 March 2012 was attached to the archived Minutes of this Meeting.

12.6 FINANCIAL ANALYSIS REPORT - APRIL 2012

Reference: Financial Management - Investments

Prepared by: Manager Finance

Background

Clause 212 of the Local Government (General) Regulation 2005 requires Council to be provided with a monthly report concerning Council's Investments.

Report

Issues

The Financial Analysis Report for April 2012, included with this report, aims to disclose information regarding Council's investment portfolio.

This report includes the provision of fair value for all Council's investments. Council receives indicative market valuations on these investments monthly (where available) and this can be compared to the face value or original cost of the investment when purchased (where available). The notion of fair value is to comply with Australian Accounting Standard AASB 139. The market valuations of fair value valuations are an indication only of what a particular investment is worth at a point in time and will vary from month to month depending upon market conditions.

During the month of April 2012, the Reserve Bank of Australia left the cash rate unchanged at 4.25% per annum at month end. In terms of investment yields, interest rates available for investments during the month have decreased slightly

to the previous month. Council has continued to pursue term deposit investments whenever cash flow estimates provide.

Council did not make any new term deposits during April 2012. Council did not have any term deposit maturities during April 2012. Council has been taking advantage of longer investment periods as cashflow allows Council to get the benefit of higher interest rates.

The BlackRock Care and Maintenance Fund during the month of April 2012 had a negative return of 0.03% for the month. Council is gradually withdrawing from this fund as the manager permits, given the fund is to be closed by the manager when the underlying securities have been realised.

In terms of Council's Fixed Interest Securities, Esperance 2 CDO matures in March 2013 and this CDO was constructed to withstand 6 event defaults. The bankruptcy of Ambac Financial is event 5½. Esperance 2 was restructured during the month of November 2011 and Council voted to participate in this and in doing so elected to receive an amount of accumulated interest received by the trustee as well as the underlying collateral for the transaction. The collateral was in fact the original Esperance CDO previously owned by Council, Esperance 1 was valued at 20.00c as at month end by arranging bank Merrill Lynch. This investment has been written down to a nil value in Council's 2009/2010 Financial Statements, when the CDO is eventually wound up Council will record any proceeds as a fair value gain.

All other CDO investments at this time remain with a positive outlook in terms of coupon payment and probability of reaching maturity with full return of principal. Council's Independent Investment Advisors are also investigating potential switch options for other investments that whilst liquid are no longer providing any income stream. Any switch option under consideration would only be undertaken if it is financially advantageous to Council over the life of the investment.

As additional information, the following table below provide what amounts are currently outstanding on sundry debtors, rates and charges, and water/sewerage debtors as at 30 April 2012:

Debtor Type	Outstanding \$ 30 April 2012
Sundry Debtors	782,182.90
Rates and Charges	3,082,687.31
Water and Sewerage Charges	4,260,126.41
Total	8,124,996.62

The following table also outlines an analysis of the collection of rates and charges (excluding water and sewerage) during the course of the 2011/2012 financial year as at 31 March 2012:

	Balance \$ 30 April 2012
Rates and Charges Arrears 1 July 2011	1,010,329.78
Add: Levies to 30 April 2012	11,158,457.20
Total Outstanding	12,168,786.98

Less: Collections to 30 April 2012	9,086,099.67
Balance Outstanding at 30 April 2012	3,082,687.31

Percentage Collected**74.67%**

The following table outlines an analysis of the collection of rates and charges arrears as at 1 July 2011, during the course of the 2011/2012 financial year as at 30 April 2012.

	Balance \$ 30 April 2012
Rates and Charges Arrears 1 July 2011	1,184,917.12
Less: Arrears Collected to 30 April 2012	(522,608.05)
Arrears 30 April 2012	662,309.07

Legal

Council must maintain its investments in accordance with Section 625 of the Local Government Act 1993, NSW Minister for Local Government's Investment Order issued from time to time and Clause 212 of the Local Government (General) Regulation 2005. This report certifies Council's investments are held in accordance with these legislative requirements.

Policy

Council has adopted Policy 1.4.3 regarding investments.

Conclusion

It must be remembered that investment performance needs to be measured over the life of a particular investment, not only in isolation of a one or two month return. Council has long term investments designed to be held to maturity where it could be expected market conditions will be different at maturity then currently exists. This report is also provided to Council in the aim of satisfying current legislative requirements regarding investments.

RECOMMENDATION

Recommended that Council adopt the Financial Analysis report for April 2012 detailing balances of outstanding rates/charges, water/sewerage charges, sundry debtors, bank account balances and investments.

150512/ 15 RESOLVED (Cr. Wheatley/Cr. Kinnish)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

RICHMOND VALLEY COUNCIL FINANCIAL ANALYSIS REPORT AT 30 APRIL 2012														
Investment Name	Investment Source	Investment Type	Rating	Investment Date	Maturity Date	Interest Basis	Interest Frequency	Current Interest Rate for Month	Original Investment Value	Current Investment Fair Value	Fair Valuation Date	% of Total Portfolio	Capital Guarantee Maturity	
Cash at Call														
CBA Business Online Saver	Commonwealth Bank	At Call	A1+/AA		At Call	Variable	Monthly	0.38%	N/A	2,700,000.00	30/04/2012	11.35%	No	
Total Cash at Call										2,700,000.00		11.35%		
Term Deposits														
Money Market Deposit	Bank West	Term Deposit	A1+/AA	19/12/2008	18/12/2012	Fixed for Term	Annually	0.44%	N/A	422,000.00	30/04/2012	1.77%	Yes	
Term Deposit	St George Bank	Term Deposit	AAA	7/11/2011	5/05/2012	Fixed for Term	Maturity	0.48%	N/A	2,000,000.00	30/04/2012	8.40%	No	
Term Deposit	National Australia Bank	Term Deposit	A1+/AA	2/02/2012	2/05/2012	Fixed for Term	Maturity	0.48%	N/A	2,100,000.00	30/04/2012	8.82%	Part	
Term Deposit	Members Equity Bank	Term Deposit		6/02/2012	7/05/2012	Fixed for Term	Maturity	0.48%	N/A	1,000,000.00	30/04/2012	4.20%	Part	
Term Deposit	IMB Ltd	Term Deposit	BBB	7/02/2012	7/05/2012	Fixed for Term	Maturity	0.49%	N/A	1,000,000.00	30/04/2012	4.20%	Part	
Term Deposit	ING Direct	Term Deposit	1A	27/02/2012	28/05/2012	Fixed for Term	Maturity	0.48%	N/A	1,000,000.00	30/04/2012	4.20%	Part	
Term Deposit	Westpac Bank	Term Deposit	A1+/AA	29/02/2012	2/03/2015	Fixed for Term	Maturity	0.48%	N/A	1,000,000.00	30/04/2012	4.20%	Part	
Term Deposit	Suncorp Bank	Term Deposit		1/03/2012	30/05/2012	Fixed for Term	Maturity	0.48%	N/A	1,000,000.00	30/04/2012	4.20%	Part	
Term Deposit	Bank of Queensland	Term Deposit	A2	5/03/2012	4/06/2012	Fixed for Term	Maturity	0.48%	N/A	1,000,000.00	30/04/2012	4.20%	Part	
Term Deposit	Elders Rural Bank	Term Deposit		5/03/2012	4/06/2012	Fixed for Term	Maturity	0.48%	N/A	1,000,000.00	30/04/2012	4.20%	Part	
Term Deposit	ANZ Bank	Term Deposit	A1+/AA	6/03/2012	4/06/2012	Fixed for Term	Maturity	0.46%	N/A	1,000,000.00	30/04/2012	4.20%	Part	
Term Deposit	St George Bank	Term Deposit	AAA	19/03/2012	18/06/2012	Fixed for Term	Maturity	0.46%	N/A	1,000,000.00	30/04/2012	4.20%	Part	
Term Deposit	Westpac Bank	Term Deposit	A1+/AA	19/03/2012	18/06/2012	Fixed for Term	Maturity	0.47%	N/A	1,000,000.00	30/04/2012	4.20%	Part	
Term Deposit	Newcastle Permanent B S	Term Deposit	A2	20/03/2012	18/06/2012	Fixed for Term	Maturity	0.48%	N/A	1,000,000.00	30/04/2012	4.20%	Part	
Term Deposit	ING Direct	Term Deposit	1A	28/03/2012	28/03/2013	Fixed for Term	Maturity	0.49%	N/A	1,500,000.00	30/04/2012	6.30%	Part	
Total Term Deposits										17,022,000.00		71.53%		
Managed Funds														
Blackrock Care & Maintenance Fund	Blackrock	Managed Fund	Aaf		At Call	Variable	Monthly	-0.30%	N/A	1,563,232.24	7/05/2012	6.57%	No	
Total Managed Funds										1,563,232.24		6.57%		
Fixed Interest Securities														
Averon CPP Limited - (Averon II)	ANZ Investment Bank	CPPI -Fund	AAA	13/07/2007	13/07/2014	BBSW + 1.50%	Quarterly	0.00%	500,000.00	396,450.00	30/06/2010	1.67%	Yes	
Octagon PLC (EMU Note)	FIIG Securities	CPPI - Hedge	AAA	25/10/2005	25/10/2015	50% performance	Yearly	0.00%	500,000.00	426,000.00	29/02/2012	1.79%	Yes	
AB Svensk Exportkredit - (All Seasons)	FIIG Securities	CPPI - Hedge	AA+	29/06/2006	29/08/2014	8.00%	Yearly	0.00%	500,000.00	458,300.00	30/03/2012	1.93%	Yes	
Beryl Finance Limited (Esperance 2)	Lehman Brothers	CDO	N/A	20/03/2006	20/03/2013	3mth BBSW + 1.30%	Quarterly	0.00%	1,000,000.00	0.00	n/a	0.00%	No	
Nexus 4 Topaz Notes (Nexus 4)	Lehman Brothers	Listed CDO	A+	11/07/2005	23/06/2015		Half Yearly	0.00%	997,900.00	778,362.00	31/03/2012	3.27%	Yes	
UBS Series 25 (CPIN)	Longreach	Capital Protect Note	A+	4/04/2007	4/04/2014	7.00%	Half Yearly	0.00%	500,000.00	453,960.00	30/04/2012	1.91%	Yes	
Total Fixed Interest Securities										3,997,900.00	2,513,072.00		10.56%	
Bank Accounts														
Account Name		Balance \$ 30-Apr-12												
General Fund Bank Account		493,343.00		Overall Average Interest Rate for month - Portfolio 0.31% One Month Bank Bill Index 0.41%										
Trust Fund Bank Account		120,994.55												
NAB Business Cash Maximiser A/c		2,412,760.44												
UBS Cash Account		37,804.51												
Total		3,064,902.50												
									Total Investment Portfolio at Face Value	25,283,132.24				
									Total Investment Portfolio at Fair Value	23,798,304.24				

12.7 REVENUE POLICY - WATER PRICING FOR THE NORTHERN COOPERATIVE MEAT COMPANY

Reference: Water Supply - Fees and Charges; Financial Management - Fees and Charges

Prepared by: Manager Finance

Background

At the Ordinary Council Meeting held on 17 April 2012 a report prepared by the General Manager was circulated and considered. This report advised that after negotiations between Council's General Manager and the Northern Cooperative Meat Company Chief Executive Officer an agreed position was reached. The 12 terms of the agreement are listed further in this report.

The proposed charges for the Northern Cooperative Meat Company were duly advertised with submissions to be received up to 4.30 p.m. on Tuesday, 15 May 2012.

Report**Issues**

Meetings between representatives of the Northern Cooperative Meat Company, State Government and Richmond Valley Council were held in an effort to resolve the Water Pricing Issue.

In setting the expectations for discussions, the General Manager set out his objectives as follows:

1. Find a solution that is a positive for all parties.
2. Prices water at an acceptable level for the Council's system and remains within government pricing guidelines.
3. Ensure full cost recovery, recoup of all depreciation and produces an acceptable profit margin.
4. Keeps the Northern Cooperative Meat Company as a water customer of the Council in perpetuity.
5. Avoids future disagreements between the parties.
6. Does not negatively affect other ratepayers and does not involve other ratepayers subsidising the Meat Company.

The other participants in the negotiations agreed with these objectives being pursued and all discussions were held in a positive way with both sides seeking a resolution. As a result an agreed position was reached. The terms of the Agreement that is recommended to Council are:

1. Northern Cooperative Meat Company continues to source all of its potable water from Richmond Valley Council.

2. The Agreement is to be legally binding and be in perpetuity.
3. The Northern Cooperative Meat Company will not construct a potable water treatment plant.
4. That the price be based on a sustainable location based charge.
5. The pricing mechanism for the current years be based on the circulated methodology.
6. Pricing is to be reviewed annually between the parties respective Finance Managers with a more formal review to be held every two years.
7. It is expected that prices will move annually by the CPI, however, if there is an extraordinary event and/or there is a rise in expenses greater than CPI, then the parties will meet to resolve the matter.
8. If agreement is not reached in these circumstances a mediator is appointed and the parties agree to be bound by the mediation result.
9. That the price for the Northern Cooperative Meat Company for the 2011/2012 financial year be set at \$0.81 per kL based on the cost of our production, a recoup of depreciation and the agreed profit margin. The \$0.81 charge represents a 17.4% increase on the previous years charge.
10. The Agreement for this and any other location based charge is based on a minimum annual useage of 100ML.
11. The Agreement to be approved in writing by the appropriate office of State Government.
12. That the recommended price be advertised for public comment for the required 28 days.

At the Ordinary Meeting held on 17 April 2012, Council resolved to accept the 12 abovementioned terms of the agreement. Part 2 of the resolution was to advertise the 0.81c per kL charge for 28 days asking for submissions, with submissions closing 4.30 p.m. on 15 May 2012. As the submissions close at the same time the Ordinary Council Meeting at which this report is being determined begins, all submissions received up to the time of writing this report (4. 30 p.m. on Wednesday, 9 May 2012) are listed below. Any submissions received after this time, if any, will be submitted to Council on the night of the Meeting.

Consultation

The proposal to reduce the water charges for the Northern Co-operative Meat Company and inviting submissions was advertised in the local newspapers, made available at Council's offices and was also published on Council's website.

As at the time of writing this report (4.30 p.m. on Wednesday, 9 May 2012), there has only been one submission received by Council from the Richmond Valley Ratepayers and Residents Association. The submission was via a letter and is in support of the advertised pricing structure. The submission congratulated the General Manager and his staff for bringing the matter to resolution after months of turmoil. The submission then goes on to state *"This is a great outcome for the N.C.M.C and the ratepayers as this will mean that there will be no added expenses placed on the ratepayers of the Richmond Valley also this will protect the employees of the biggest employer from further stress of the potential loss of jobs."*

Any submissions received after 4.30 p.m. on Wednesday, 9 May 2012 up to when submissions close at 4.30 p.m. on Tuesday, 15 May 2012, will be submitted to Council on the night of the May Ordinary Meeting.

Strategic Links

This issue has strategic links to Council's Community Strategic Plan Long Term Goal 6.5 Maintain, improve and plan for appropriate public infrastructure (Improve local water quality and security of the water supply) and in particular Strategy 6.5.1.

Conclusion

After recommencing discussions with the Northern Co-operative Meat Company on their water pricing issue, an agreement has been reached and reported to Council at the April 2012 Ordinary Meeting. At this meeting it was resolved to put the new pricing for the Northern Cooperative Meat Company on advertisement seeking submissions from the public. At the time of writing this report 4.30 p.m., 9 May 2012, only one submission has been received; this submission was in favour of the pricing. Any submissions received after this date up to 4.30 p.m. on Tuesday, 15 May 2012 will be submitted to Council that evening at the scheduled Ordinary Meeting.

RECOMMENDATION

Recommended that Council resolve to implement the Agreement detailed in the report to the April 2012 Meeting and charge the Northern Co-operative Meat Company for water according to that agreement.

150512/ 16 RESOLVED (Cr. Kinnish/Cr. Wheatley)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.
ABSENT. DID NOT VOTE - Cr. Mustow

12.8 APPLICATIONS FOR S356 FINANCIAL ASSISTANCE

Reference: Grants and Subsidies - Applications, Programs; Financial Management – Sponsorships

Prepared by: Governance Officer

Background

Council's Guidelines for Section 356 Financial Assistance Policy provides for the allocation of 80% of the financial vote for financial assistance in August/September each year (as part of an advertising process) with the remaining 20% to be allocated in May/June based on additional one-off applications received throughout the year.

In September 2011 \$8,484 was allocated to 12 community groups and organisations. Therefore, the remaining funds (\$2,716) are available for allocation.

Report**Issues**

The following summary is provided in regard to requests received for financial assistance:

- Casino and District Brass Band – Seeking \$1,000 towards purchasing some new sound equipment to enhance the children's performances (i.e. microphones and amplifiers). The children perform in local community events such as ANZAC services and Casino Beef Week. This "application" accords with the policy criteria.
- Bentley Community Hall Trust – Hosts of the Bentley Art prize and are seeking assistance to fund a traffic plan for the event (approximately \$900 to comply with a formal traffic plan). This "application" accords with the policy criteria.

Although other enquiries have been received regarding one-off financial assistance requests, at the time of preparation of this report no other supporting information has been received to enable same to be considered.

Policy

This report is based on the contents of Council Policy 1.4.5.

Strategic Links

This issue has strategic links to Council's Community Strategic Plan and Long Term Goal 7.4 Statutory Compliance (Strategy 7.4.1).

Social

The allocation of Section 356 Financial Assistance aims to assist local groups and organisations to undertake activities for the community.

Financial Implications

The funds proposed to be allocated via this report are available within the current budget.

Conclusion

This report provides information in regard to additional financial assistance requests received by Council. It is proposed that both organisations be allocated half of their request, which is the median of the allocations made to similar organisations in the first round of funding, and that unallocated funds are used as savings in the 2011/2012 budget.

RECOMMENDATION

Recommended that Council allocate the following from the remaining balance of the Section 356 vote:

- Casino and District Brass Band - \$500 for purchase of band sound equipment.
- Bentley Community Hall Trust - \$450 towards costs of complying with traffic management plan.

150512/ 17 RESOLVED (Cr. Kinnish/Cr. Mustow)

That:

1. Council allocate the following from the remaining balance of the Section 356 vote:
 - Casino and District Brass Band - \$500 for purchase of band sound equipment.
 - Bentley Community Hall Trust - \$450 towards costs of complying with traffic management plan.
2. Council review the Section 356 Guidelines and Policy to clarify the allocation process for Round 2 funding.

FOR VOTE - All Council members voted unanimously.

12.9 BROADWATER AND NORTH WOODBURN SEWERAGE SCHEMES - PLUMBING AND ELECTRICAL UPGRADES

Reference: Sewerage and Drainage - Contracting, Design and Construction, Tendering

Prepared by: Water and Sewer Planning Development Engineer

Background

At the July 2011 Council Meeting, the contract for the Broadwater and North Woodburn Sewerage Schemes was awarded to Ledonne Constructions. The

Broadwater component was awarded for the schedule of rates and lump sum amount of \$7,113,722 (inclusive of GST), which included an amount of \$1,633,050, being the tendered schedule of rates costs for plumbing and electrical upgrades to private properties.

Ledonne Constructions have now completed the property audits which have identified the electrical and plumbing upgrades required at each property.

This report is to recommend that Council meet the costs of the minor electrical upgrades for residential properties and water testing of the private plumbing within each property.

Report

Issues

Property Audits

As part of the contract, Ledonne Constructions were required to carry out property audits of each property in Broadwater to assess the condition of the existing electrical and plumbing systems and what is required to upgrade them to current standards. The costs of any major electrical or plumbing upgrades were to be met by the property owner, which has been communicated to the community at the various public meetings held prior to the contract being awarded.

Ledonne Constructions have now completed the property audits. Based on the audits and the tendered rates submitted by Ledonne Constructions, detailed cost estimates have been prepared for each property.

Electrical Audits

Of the 179 properties audited, only 14% have been found to be compliant and require no electrical upgrades. The other 86% require some form of electrical upgrade, varying from minor work to a complete upgrade of their electrical system.

In summary, the upgrades required include:

- No work required - 14%
- Minor electrical upgrades only - 38%
- Minor electrical upgrades (plus replace consumer mains) - 38%
- Replace consumer mains - 7%
- Complete electrical upgrades - 3%

In order for Ledonne Constructions to connect the pumps and have the system operational, it is necessary that the electrical upgrades are completed by the time the contractor installs the pressure system on the property. The property owner has the choice to either use Ledonne Constructions or their own electrician to carry out these works. However, these works need to be

completed by 31 October 2012, the cut-off date advised by Ledonne Constructions.

To assist in the expedition of the electrical upgrades, it would be beneficial if the costs of the minor electrical works only were met by Council, with the works being carried out by Ledonne Constructions under the contract. Minor electrical works include:

- Replace earth wire and water pipe bond with the correct size.
- Replace earth stake.
- Replace neutral link.
- Replace main switch.
- Replace meter service fuse and meter.
- Make adjustments to existing board.
- Miscellaneous items (current limiters).

The benefit of having the minor electrical works carried out by the Contractor is that these properties can be immediately connected to the scheme without the need to issue orders. This will see 52% of the properties immediately connected.

There are 38% of properties which require minor electrical upgrades but also need their consumer mains replaced. The replacement of consumer mains is defined as major works and will not be paid for by Council. However, it is proposed that if the property owner chooses to use Ledonne Constructions to carry out this work then Council would meet the costs of the minor electrical upgrade component. If every property owner chose this option, this would see 90% of the scheme connected.

There are 10% of properties which require replacement of the consumer mains or which require a complete electrical upgrade. These property owners will be responsible for carrying out these upgrades at their own expense.

Based on the results of the property audits and the tendered rates submitted by Ledonne Constructions, the cost to Council of minor upgrades would be in the order of \$45,000. This includes the component of minor upgrades for those properties which also require their consumer mains to be replaced.

If this process is approved by Council, the benefits include:

- Ease of construction for the Contractor
- Less impact/disruption on the property owner
- Increase the number of properties which can be immediately connected to the scheme
- Will reduce Council resources for issuing orders and ensuring property owners meet their obligations.

Plumbing Audits

All properties require some form of plumbing work which is the responsibility of the property owner. As would be expected, the costs vary considerably depending on the condition and age of the properties plumbing system. At minimum, all properties are required to pump out and decommission their existing septic system.

As part of the audit process, the Contractor was instructed to also inspect under house plumbing (for raised houses) and to identify those properties with vitreous clay (VC) pipe.

With the audits now completed, the Contractor has prepared cost estimates for each property on the basis that all VC pipe (regardless of condition) should be replaced. The basis for this premise is that VC pipe is no longer compliant and that it is prudent to replace this pipe now to reduce infiltration into the sewer system.

However, it is proposed that for those properties that have been identified as requiring plumbing upgrades, that an initial water tightness test be carried out.

This will better define the extent of plumbing upgrades required at each property. It is proposed that Council will meet the costs to carry out the water tightness test for those properties. This work would be carried out by Ledonne Constructions using a licensed plumber and would be used to form the basis for determining the extent of sub-standard plumbing at each property.

The benefits of Council committing to this process are:

- Improved operation of the sewer system by reducing infiltration
- Gaining more accurate information on the extent and cost of plumbing upgrades required at each property
- Potentially lessening the financial impact on property owners who have VC pipe but pass the water tightness test.

Based on the number of properties and the tendered rate submitted by Ledonne Constructions, the cost to Council of this work would be in the order of \$45,000.

Strategic Links

This report has strategic links to Council's Community Strategic Plan Long Term Goal 6.5 Maintain, improve and plan for appropriate public infrastructure.

Financial Implications

The total cost of the minor electrical upgrades and water testing of the private plumbing is approximately \$90,000. This is based on the tendered rates submitted by Ledonne Constructions.

These extra costs can be incorporated within the contract and within Council's budget allocation for the scheme. The Broadwater Sewerage Scheme has been

programmed for and budgeted in the 2010/2011 to 2012/2013 financial years (total budget of \$10.1 million) as follows:

2010/2011	\$100,000
2011/2012	\$7,000,000
2012/2013	\$3,000,000

In addition, Council will be receiving 15.2% funding for the Broadwater component (up to a maximum grant of \$1,482,000) from the State Government which has already been approved under the Country Towns Water Supply and Sewerage Program (CTWS&S).

Conclusion

Ledonne Constructions have completed the property audits which identify the electrical and plumbing upgrades required at each property.

In order to expedite the scheme it would be beneficial to have the costs of the minor electrical upgrades met by Council, with the work carried out by Ledonne Constructions. The estimated cost of these minor works is approximately \$45,000.

In addition, to better define the extent of plumbing upgrades required at each property, it is proposed to conduct an initial water tightness test for those properties identified as requiring plumbing upgrades, the costs of which are to be met by Council. If approved, the cost of this work is approximately \$45,000.

RECOMMENDATION

Recommended that:

1. Council meet the costs of the minor electrical upgrade works on residential properties, with the work to be carried out by Ledonne Constructions under the contract. Minor electrical upgrade works are defined as:
 - Replace earth wire and water pipe bond with the correct size.
 - Replace earth stake.
 - Replace neutral link.
 - Replace main switch.
 - Replace meter service fuse and meter.
 - Make adjustments to existing board.
 - Miscellaneous items (current limiters).
2. Council meet the costs of carrying out an initial water tightness test on those properties that have been identified as requiring plumbing upgrades with the work to be carried out by Ledonne Constructions under the contract.

Prior to the commencement of the meeting the following Amended Recommendation on Item 12.9 had been placed on Councillors' tables.

AMENDED RECOMMENDATION

Recommended that the report be withdrawn and the matter be deferred to the June 2012 Ordinary Meeting and that a new report consider all impacts of required upgrades to plumbing and electrical systems for connection into the scheme. Further, the matter be listed for discussion at the June Council Information Session to enable a holistic consideration of all issues arising from the compliance audit of existing properties at Broadwater for electrical and plumbing connections to the new sewerage scheme, including a community engagement strategy.

150512/ 18 RESOLVED (Cr. Kinnish/Cr. Wheatley)

That the above amended recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

ABSENT. DID NOT VOTE - Cr. Mustow

12.10 CODE OF MEETING PRACTICE

Reference: Governance - Council Meetings, Councillors

Prepared by: Director Corporate Services

Background

Council is required under Section 360 of the Local Government Act to prepare a Code of Meeting Practice for Council and Committee Meetings. A revision of the current Code of Meeting Practice has identified the need to amend the current Code to accommodate meeting practices envisaged in Committee meetings.

Report

Issues

The proposed Code of Meeting Practice now incorporates Sections of the Local Government Act and the Regulations covering a number of additional aspects which were not detailed in the Council's current Code of Meeting Practice. There is also a statutory requirement that prior to adoption by Council, the Draft Code of Meeting Practice be advertised and submissions from the public be invited.

Legal

The Local Government Act provides for the establishment of a Code of Meeting Practice. That document will (when adopted) form the basis on which Council Meetings are conducted and is also subject to amendment when considered appropriate and in accordance with statutory requirements.

Policy

Council's current Code of Meeting Practice is detailed in Policy 1.1.4 and it is intended that the Draft Code of Meeting Practice will replace this Policy.

A copy of the proposed draft Code of Meeting Practice has been circulated separately to Councillors.

Consultation

Prior to the adoption the Code of Meeting Practice, it is required that the draft Code be placed on public exhibition in accordance with Section 361 of the Local Government Act 1993.

Strategic Links

This issue has strategic links to Council's Community Strategic Plan Long Term Goal 7.4 Statutory Compliance (Strategy 7.4.1)

Financial Implications

There are no financial implications anticipated for this process.

Conclusion

Consideration of the Draft Code of Meeting Practice will ensure statutory requirements are met and provide a clearer and more detailed guide for Council in regard to Council's Code of Meeting Practice.

RECOMMENDATION

Recommended that:

1. The draft Code of Meeting Practice be placed on public exhibition for a period of 28 days and submissions invited from the public for a period of not less than 42 days.
2. The current Code of Meeting Practice (Policy 1.1.4) be revoked.

150512/ 19 RESOLVED (Cr. Mustow/Cr. Morrissey)

That the draft Code of Meeting Practice, with the deletion of clauses 5.2 and 9.2 regarding inspection of Minutes (numbering to be adjusted) and the amendment of clause 6.4 Sunset Committees point 2) b) to read "..... shall be by appointment by the Council", be placed on public exhibition for a period of 28 days and submissions invited from the public for a period of not less than 42 days.

FOR VOTE - All Council members voted unanimously.

Note: A copy of the draft Code of Meeting Practice was attached to the archived Minutes of this Meeting.

12.11 LOCAL HERITAGE ASSISTANCE SCHEME 2012/2013

Reference: Grants And Subsidies – Applications; Programs; Land Use And Planning – Planning; Programs

Prepared by: Senior Strategic Planner

Background

The 2012/2013 Round of the Local Heritage Assistance Scheme was announced during March and April this year with 18 applications being received. This round has a budget of \$24,000 to be awarded in grants, including a contribution of \$8,500 from the Heritage Branch.

This report summarises the 18 applications received, discusses eligibility, and makes recommendations on the awarding of grants.

Report***Issues***

This will be the eighth year that Council has operated a Local Heritage Grants Scheme.

The scheme represents one element of Council's Heritage Incentives Policy (Policy No. 2.7.16). It aims to provide grant funds to eligible projects, on a dollar-for-dollar basis, towards conservation works and repairs to locally significant heritage properties and items located within the Richmond Valley Local Government Area.

There will again be \$24,000 available under this scheme to be awarded for eligible projects.

Applications for grant assistance have been evaluated for their eligibility, level of priority, with some consideration of previous funding being considered.

Strategic Links

This report has strategic links to Council's Community Strategic Plan Long Term Goal 3.3 Heritage.

Financial Implications

This scheme operates with a budget of \$24,000. This is supported by an \$8,500 contribution from the Heritage Branch, reclaimed at the end of May each year within Council's Annual Heritage Report.

Often the financial limitations of this scheme mean that the requested grant assistance cannot be satisfied. This may result in a lesser amount being offered or that only part of the project is funded. So that most applications can be

funded, the maximum amount to be awarded in this round will be \$1,800, instead of the usual \$2,000.

Successful applications will be offered a grant on a dollar-for-dollar basis for the particular project. All projects are required to be completed by 30 April 2013 with submission of a payment request and evidence the project has been completed.

Statutory/Policy Implications

Policy 2.7.16 - Heritage Incentives provides for Council to operate an annual small grants scheme offering owners of heritage listed properties financial assistance towards conservation or reinstatement of heritage fabric.

Council is in the second year of a three year agreement with the Heritage Branch to provide funding towards Heritage Advisory Services and a Local Heritage Assistance Fund. This agreement provides funding, on a dollar-for-dollar basis, with Council to a maximum of \$85,000 towards the grants scheme and \$7,500 towards the advisory service.

Application Summaries

This has been a highly competitive year for the program, with 18 applications being received. The total of requested grants was \$47,795.25 however there is only \$24,000 available to be awarded. A summary of the projects received is contained in the Table within this report.

Evaluation of project eligibilities, and of suggested project modifications, is discussed further under the heading *Eligibility and Modifications*. In summary, one project is ineligible and cannot be offered funding. Several others include works that either cannot be funded or should not be funded without other works being first undertaken. One project is not recommended to be offered a grant in this round due to the competitive nature of the round; that funding of the same type of work has been funded twice at that site, that the work is considered a low priority.

Application No.	Applicant	Item Type/ Address	Project Description	Project Budget	Requested Grant	Recommended Grant Offer
2012-01	Mr J & Mrs H Robinson	Woodburn Post Office - 85 River Street, Woodburn	Replace water damaged ceiling of verandah after new roof installed. Replace end wall on verandah due to damage by hail stones and vandals.	\$1,344.00	\$672.00	\$672.00
2012-02	Mr I & Mrs B Blackman	Coraki Post Office – 81 – 83 Richmond Terrace, Coraki	Paint exterior of building and some interior	\$8,239.00	\$2,000.00	\$1,800.00
2012-03	Mr G & Mrs H Miller	Residence – 107 Lennox Street, Casino	Repair and paint front staircase, replace timber ramp to garage	\$5,200.00	\$2,000.00	\$1,800.00
2012-04	Messrs P & R and Mrs S Graham	Residence – 1480 Kyogle Road, Bentley	Replace verandah decking on eastern side of house.	\$6,000.00	\$3,000.00	\$1,800.00

Application No.	Applicant	Item Type/ Address	Project Description	Project Budget	Requested Grant	Recommended Grant Offer
2012-05	Mr J & Mrs G Brown	Former Bank – 132 Walker Street, Casino	Replace rusted & leaking gutters and downpipes. Paint same as existing.	\$2,255.00	\$1,127.50	\$1,127.50
2012-06	Miss C Leeson	Residence – 64 Barker Street, Casino	Renovate & refresh bathroom.	\$4,470.00	\$2,000.00	\$0
2012-07	Mr D Mulherin	Residence – 85 Lennox Street, Casino	Repairs to terracotta tiles- replace broken and clean entire roof	\$5,000.00	\$2,000.00	\$1,800.00
2012-08	Mr A and Ms S Gava	Residence – 4 Wheat Street, Casino	Repair & replace stained window frame and glass at front of house. Repair & polish timber floorboards throughout house, predominantly lounge, dining and bedrooms.	\$4,500.00	\$2,000.00	\$1,000.00
2012-09	Koinonia Ministries Ltd	Youth Camp and Recreation Facility – 39 – 41 Terrace Street, Evans Head	Repairs to existing floors including removal or worn floor coverings and polishing existing floor boards.	\$5,350.40	\$2,000.00	\$0
2012-10	Anglican Parish of Mid Richmond	Hall – 45 – 47 Queen Elizabeth Drive, Coraki	Paint and repair interior of hall.	\$9,500.00	\$2,000.00	\$1,500.00
2012-11	Mr D Guest	Residence – 42 – 44 Bridge Street, Coraki	Paint exterior - West and North sides	\$5,956.50	\$2,978.25	\$1,800.00
2012-12	Casino School of Arts	School of Arts – Cnr of Walker and Barker Streets, Casino	Paint exterior	\$60,000.00	\$10,000.00	\$1,800.00
2012-13	M/s J Lewis	Former Bank – 85 – 89 Richmond Terrace, Coraki	Clean tiles & replace broken. Rebed and repoint ridge capping. Coat tiles with protective seal.	\$7,892.50	\$2,000.00	\$1,800.00
2012-14	Mr R & Mrs E Jefferyes	Pharmacy & Residence – 97 Richmond Terrace, Coraki	Replace guttering	\$3,135.00	\$1,567.50	\$1,567.50
2012-15	Rileys Hill Dry Dock Heritage Reserve Trust	Dock Road – Dock Road, Rileys Hill	Install panes for displaying material on interior walls, as well as construct and install shutter on 'Jetty' shed. Paint roofs of 2 other sheds.	\$1,884.00	\$950.00	\$950.00
2012-16	Mr J & Mrs L Best	Residence – 19 Donaldson Street, Coraki	Replace rear skillion roof, flashing & gutter. Replace 16 metres of gutter to match existing. Replace timber flashing and side gable. Replace ridge cap front gable roof.	\$2,570.00	\$2,000.00	\$1,285.00
2012-17	Mr R Hearne	Residence – 356 Coombell Road, Coombell	Reroof sunroom and adjoining rear garage and carport. Paint interior rooms	\$9,000.00	\$4,500.00	\$1,500.00

Application No.	Applicant	Item Type/ Address	Project Description	Project Budget	Requested Grant	Recommended Grant Offer
2012-18	Mr D Cowgill & Ms A Hovard	Former Church – 194 Pacific Highway, Broadwater	Repair stained glass windows. Sand and repaint as much as possible in 140 hours of labour.	\$10,000.00	\$5,000.00	\$1,800.00
		TOTALS		\$152,296.40	\$47,795.25	\$24,002.00

Eligibility and Modifications

All projects received within the round are for heritage listed items.

Project #2012-06 – Project is ineligible for funding. This scheme does not cover the cost of new works and renovations. This project involves the renovation of a bathroom with a new vanity, fittings and tiles.

Project #2012-08 - All works proposed are eligible, however, the front window repairs are most urgent. The internal work is a low priority so funding reduced to cover window work only at this time.

Project #2012-09 – Project is eligible for funding but assessed as low priority. This Heritage Item consists of a number of WW2 cabins relocated from the Evans Head Aerodrome. Previous grants of \$3,500 have been awarded to undertaken maintenance of cabins, with this project being to fund the continuation of this maintenance program.

Project #2012-16 - Funding is on a dollar-for-dollar basis so only half of the project cost can be awarded. The rear skillion roof is ineligible for funding but the rest of the project is eligible.

Project #2012-17 – The rear sunroom roof is in urgent need of replacement. The attached car port is an addition and ineligible for funding. The rear garage is in poor condition. This building needs a lot of structural work to be done so replacing the roof is considered premature.

Conclusion

The 2012/2013 Local Heritage Assistance Scheme has an estimated budget of \$24,000 which is the same as the 2011/2012 round.

It is proposed to offer grants to the value of \$24,002.00 based on the recommended grant offers contained within the Table in this report.

Delegation to the General Manager is sought to redistribute grant funds, where grant offers are declined or not taken up, to 'top-up' or fund eligible projects.

Funding of all projects will be conditional on:

- the applicant agreeing to complete the project by 30 April 2013;
- payment of the grant upon completion of the project and presentation of evidence (submission of receipts, photographs etc.); and
- the grant being matched on at least a dollar-for-dollar basis.

RECOMMENDATION

1. Sixteen (16) applications (Project #2012-01 to 2012-05, 2012-07 and 2012-08 and 2012-10 to 2012-18) received for the 2012/2013 Local Heritage Assistance Scheme be offered grants as recommended in the Table in this report and having a value of \$24,002.00.
2. The General Manager be granted delegation to distribute surplus grant funds, if any arise, towards eligible heritage projects.

150512/ 20 RESOLVED (Cr. Wheatley/Cr. Kinnish)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

12.12 CORRESPONDENCE SUBMITTED TO MAY 2012 ORDINARY MEETING

Background

Council receives a range of correspondence that Councillors need to be aware of; accordingly, the following correspondence is submitted for information.

Director Funding and Disclosure, Election Funding Authority - (ECM 756572) - Writing to advise of recent amendments that have been made to the Election Funding, Expenditure and Disclosures Act 1981. Local Government Councillors and Candidates should know and understand their obligations and responsibilities under the Act and to assist, the Election Funding Authority will soon publish revised guidebooks and information on its website (www.efa.nsw.gov.au).

The amendments came into force on 9 March 2012 and were inserted into the Election Funding, Expenditure and Disclosures Act 1981 (available for viewing at www.legislation.nsw.gov.au).

A summary of the amendments are as follows:

"1. Prohibition of political donations other than by individuals on the electoral roll

It is unlawful for a political donation to a party, elected member, group, candidate or third-party campaigner to be accepted unless the donor is an individual who is enrolled on the roll of electors for State elections, the roll of electors for Federal elections or the roll of electors for local government elections: s.96D(1).

It is unlawful for an individual to make a political donation to a party, elected member, group, candidate or third-party campaigner on behalf of a corporation or other entity: s.96D(2).

It is unlawful for a corporation or other entity to make a gift to an individual for the purpose of the individual making a political donation to a party, elected member, group, candidate or third-party campaigner: s.96D(3).

It is unlawful for an industrial organisation or other entity to pay an annual or other subscription to a party for affiliation with the party. Such subscriptions are gifts by virtue of a s.85(3A) of the Act and are therefore political donations: s96D(4).

*It is **not** unlawful for branches of parties or associated parties to dispose of property between one another: s.96D(5); however, such dispositions remain gifts and, accordingly, political donations for the purpose of disclosure: s.85(3A).*

It is unlawful for a person to receive a reportable loan (other than a loan from a financial institution) from an entity: s96G(1).

Political donations are those in relation to State elections and elected members of the NSW Parliament, local government elections and elected members of councils or matters unconnected to any election or elected member (e.g. political donations made to a State Party administration account). Political donations are not those made exclusively for the purpose of Federal elections or elected members of the Australian Parliament.

2. Meaning of "electoral expenditure" and "electoral communication expenditure"

*The amendments modify the definition of electoral expenditure and electoral communication expenditure as they apply to an entity or other person not being a registered party, elected member, group or candidate. Electoral expenditure and electoral communication expenditure **does not** include expenditure incurred by an entity or other person (not being a registered party, elected member, group or candidate) if the expenditure is not incurred for the dominant purpose of promoting or opposing a party or the election of a candidate or candidates or influencing the voting at an election: s.87(4).*

3. Aggregation of expenditure caps in respect of State election campaigns

The applicable caps on electoral communication expenditure for a party for a State election campaign now includes the aggregation of electoral communication expenditure incurred by the party and any other electoral communication expenditure incurred by an affiliated organisation of that party: s.95G(6).

An affiliated organisation of a party means a body or other organisation, whether incorporated or unincorporated, that is authorised under the rules of that party in pre-selection of candidates for that party (or both): s.95G(7)."

The Authority advises that a political donation includes (but is not limited to) a gift made to or for the benefit of a political party, candidate, group of candidates, elected member or third-party campaigner and may be monetary or non-monetary (gift in kind).

The Hon Don Page MP, Minister for Local Government, Minister for the North Coast - (ECM 756905) - Forwarding Ministerial Circular M12-01 regarding the establishment of an Independent Local Government Review Panel as part of the Destination 2036 initiative, advising as follows:

"Following the successful Destination 2036 conference in Dubbo last August and a request by the Local Government and Shires Associations of NSW, I have announced the establishment of an independent expert panel to examine options for governance models, structural arrangements and voluntary boundary changes for local government in NSW.

The Local Government Review Panel is the first initiative to be announced under Destination 2036.

The panel will be comprised of three members, Chaired by Professor Graham Sansom and is expected to report back to me within 12 to 14 months from the start of the review.

I expect to release the final Destination 2036 Action Plan shortly."

Chief Executive, Local Government, A Division of the Department of Premier and Cabinet - (ECM 765360) - Forwarding Circular 12-07 advising councils and other stakeholders of changes to the Election, Funding and Disclosures Act 1981 which came into effect on 9 March 2012 and will apply to political donations made to candidates standing at the September 2012 ordinary elections of councils.

Changes include the following:

- Only individuals who are enrolled for Federal, State or Local Government elections can make political donations.
- Political parties, candidates, groups of candidates, elected members and third party campaigners are prohibited from accepting political donations from a corporation or other entity.
- Individuals are prohibited from making political donations on behalf of a corporation or other entity.
- Corporations and other entities are prohibited from making political donations to an individual for the purpose of that individual making political donations.
- Payment of an annual or other subscription to a political party by an industrial organisation or other entity is prohibited.

Persons participating in the upcoming local government elections should familiarise themselves with the new requirements.

Chief Executive, Local Government, A Division of the Department of Premier and Cabinet - (ECM 767828) - Forwarding Circular 12-08 regarding 2012 Councillor Development Strategy as follows:

"In conjunction with the Local Government and Shires Associations of NSW, the Division will be providing support to councils and councillors to help them in their role.

The aim is to ensure that newly elected councillors have a good understanding of their role and responsibilities, have the necessary training and resources to fulfil the role and are able to work together effectively to achieve positive results for their local community.

Following a review of the support the Division provided at the last election, we will again be providing a range of support. The Division will be conducting a series of Councillor Induction Workshops following the September 2012 elections.

We will also be providing resources to assist councillors in their role, including the Councillor Induction and Professional Development Guide for councils, the Councillor Guide, and the webpage of information and resources for councillors on the Division's website. A new quick reference resource 10 key things councillors need to know will also be developed.

Future options for professional development for councillors will also be explored for implementation during the 2016 electoral term.

Councils are encouraged to support all councillors elected in September 2012 to attend one of the upcoming Councillor Induction Workshops. Further details of the workshops will be advised prior to the elections."

RECOMMENDATION

Recommended that the above correspondence be received and noted.

150512/ 21 RESOLVED (Cr. Cox/Cr. Crawford)

That:

1. Richmond Valley Council workshop the recently released Structural Reform Business Case report for Rous Water, Richmond River County Council and Far North Coast Weeds County Council.
2. NOROC be requested to review its decision to support Option 7 when all constituent Councils have had the opportunity to convey their considered views on the business case final report.

FOR VOTE - All Council members voted unanimously.

150512/ 22 RESOLVED (Cr. Mustow/Cr. Wheatley)

That the above correspondence be received and noted.

FOR VOTE - All Council members voted unanimously.

13 MATTERS FOR INFORMATION

13.1 REQUEST ACTION MANAGEMENT SYSTEM (RAMS) REPORT AND STATISTICS - 1 JULY 2011 TO 31 MARCH 2012

Reference: Customer Service - Reporting

Prepared by: General Manager

Background

The Request Action Management System (RAMS) is used to track and record information in relation to "action requests" received by Council.

Report

Issues

A Summary of RAMS information has been prepared for the period 1 July 2011 to 31 March 2012.

During the period requests have been received by a variety of methods, with 67% received via the telephone, 11% via Environmental Development Services administration processes, 12% being lodged at the front counter, 9% received via the After Hours Call service, and 1% being submitted by letter. The majority of requests received (98%) had been recorded as requests for work to be carried out, with 1% being recorded as a complaint and 1% as an enquiry or thank you.

Of the total of 4,153 requests received during the July 2011 to March 2012 period, 95% have been completed, with 4% overdue and 1% referred/overdue.

A copy of the RAMS Report and Statistics Summary (1 July 2011 to 31 March 2012) can be provided to Councillors if required.

Conclusion

The RAMS statistical information is provided to Council for notation.

13.2 GRANT APPLICATION INFORMATION - APRIL 2012

Reference: Grants and Subsidies - Applications, Programs

Prepared by: Management Accountant

Background

At the May 2009 Ordinary Meeting of Council it was resolved that at each monthly Meeting details be provided about all submitted grant applications,

inform of grants that have been approved and/or received and advise of any unsuccessful grant applications since the previous Meeting.

Report

Issues

This report aims to provide information on grant applications submitted, grants that have been approved and/or received and grant applications that were unsuccessful for the month of April 2012.

Grant Applications Submitted

No grant applications were submitted during the month of April 2012.

Whilst not a formal grant application, The Sustain Group and Deakin University have developed a research initiative that seeks to investigate the challenges and opportunities around carbon pricing and sustainability as they affect Local Government Authorities and Councils in rural and regional Australia. A project proposal has been put forward during April that could involve funding from The Sustain Group and Deakin University and up to \$5,000 from Richmond Valley Council. Further information will be reported to Council on the progress of this project proposal.

Grants that have been approved and/or received

Project ID	10054
Funding Body	Emergency Management NSW
Funding Name	Natural Disaster Resilience Program
Government Level	State
Project Name	Richmond Valley Floodplain Risk Management Plan
Project Value (excl GST)	\$45,000.00
Grant Amount (excl GST)	\$30,000.00
Council/Other (excl GST)	\$15,000.00
Date Application Submitted	16 April 2010
Comment (if required)	Instalment 1 received
Date Approved/Received	\$15,000.00 received 13 April 2012

Project ID	10077
Funding Body	NSW Roads and Maritime Services
Funding Name	Natural Disaster Funding
Government Level	State
Project Name	Flood Event 26 December 2010 to January 2011 - Local and Regional Roads
Project Value (excl GST)	\$3,626,520.00
Grant Amount (excl GST)	\$3,597,520.00
Council/Other (excl GST)	\$ 29,000.00
Date Application Submitted	28 January 2011
Comment (if required)	Progress claim
Date Approved/Received	\$400,000.00 received 10 April 2012

Project ID	10103
Funding Body	Destination NSW
Funding Name	Regional Tourism Product Development
Government Level	State
Project Name	Cultural Tour Product Development
Project Value (excl GST)	\$10,300.00
Grant Amount (excl GST)	\$10,300.00
Council/Other (excl GST)	\$ 0.00
Date Application Submitted	31 October 2011
Comment (if required)	Instalment 1
Date Approved/Received	\$7,725.00 received 12 April 2012

Project ID	N/A
Funding Body	NSW Roads and Maritime Services
Funding Name	Traffic Route Lighting Subsidy
Government Level	State
Project Name	Traffic Route Lighting Subsidy
Project Value (excl GST)	\$86,000.00
Grant Amount (excl GST)	\$86,000.00
Council/Other (excl GST)	\$ 0.00
Date Application Submitted	N/A - annual allocation
Comment (if required)	\$86,000.00 received 10 April 2012

Project ID	N/A
Funding Body	NSW Rural Fire Service
Funding Name	N/A
Government Level	State
Project Name	Regional Fire Control Centre
Project Value (excl GST)	\$2,975,000.00
Grant Amount (excl GST)	\$2,975,000.00
Council/Other (excl GST)	\$ 0.00
Date Application Submitted	N/A – approved with annual RFS Estimates
Comment (if required)	Instalment 5
Date Approved/Received	\$292,038.00 received 26 April 2012

Unsuccessful Grant Applications

Project ID	10102
Funding Body	NSW Department of Premier and Cabinet
Funding Name	NSW Community Building Partnership Program
Government Level	State
Project Name	Queen Elizabeth Park Master Plan Implementation Project
Project Value (excl GST)	\$120,000.00
Grant Amount (excl GST)	\$ 60,000.00
Council/Other (excl GST)	\$ 60,000.00
Date Application Submitted	2 November 2011
Comment (if required)	
Date Advised Unsuccessful	12 April 2012

Conclusion

This report provides information to Council regarding grants applied for, grants approved and/or received and unsuccessful grant applications during April 2012.

13.3 COMPLAINTS MANAGEMENT - QUARTERLY REPORT

Reference: Governance - Procedures; Customer Service - Public Reaction

Prepared by: Governance Officer

Background

Council adopted its revised Complaints Management Policy on 20 October 2009. The policy requires that Council's Governance Section analyse and report on all complaints received by type and outcome/action, on a quarterly basis.

This report covers the period from 1 January to 31 March 2012.

Report

Issues

There was one complaint received during the period as follows:

Date Received:	16 February 2012
Type of Complaint:	Tier 2 (referred for investigation by Manager)
Nature of Complaint:	Attitude of employee
Date Resolved:	16 February 2012
Number of Calendar Days Taken:	1 day
Outcome:	Discussed with complainant and unable to identify which employee was involved. Council has provided the contractor with details of the complaint.

Policy

This report is based on the contents of Council Policy 1.4.14.

Strategic Links

This issue has strategic links to Council's Community Strategic Plan Long Term Goal 7.2 Communication (Strategy 7.2.3).

Conclusion

This report provides information in regard to complaints received and recorded in accordance with Council's Complaints Management Policy.

13.4 LIVESTOCK EXCHANGE STATISTICS FOR APRIL 2012

Reference: Commercial Activities - Service Provision - Casino
Regional Livestock Exchange

Prepared by: Saleyards Administrator

Background

This report provides an update of Saleyard throughput up to and including April 2012.

Report**Issues**

The following is a summary of Saleyard statistics:

<u>Grown Cattle</u>	<u>2011/12</u>	<u>2010/11</u>	<u>2009/10</u>	<u>2008/09</u>
July	7,093	9,879	12,703	10,978
August	7,754	8,568	7,312	9,254
September	7,397	9,425	7,850	7,152
October	7,559	6,214	5,976	9,022
November	9,966	7,473	6,898	7,432
December	6,144	8,867	4,793	4,615
January	9,834	10,240	8,687	9,795
February	15,977	12,240	13,680	9,861
March	20,672	20,270	22,841	15,488
April	8,014	10,947	14,183	9,959
May		9,793	11,068	9,364
June		10,680	13,423	9,539
TOTAL	100,410	124,596	129,414	112,459

<u>Bobby Calves</u>	<u>2011/12</u>	<u>2010/11</u>	<u>2009/10</u>	<u>2008/09</u>
July	103	63	112	168
August	82	102	135	174
September	79	159	153	146
October	81	50	131	189
November	54	71	77	127
December	32	80	76	80
January	56	52	114	143
February	116	127	108	165
March	115	131	138	166
April	79	113	165	138
May		104	98	145
June		152	128	118
TOTAL	797	1,204	1,435	1,759

Strategic Links

This report has strategic links to Council's Community Strategic Plan Long Term Goal 2.3 Business, Industry and Agriculture (Strategy 2.3.5).

Conclusion

This report provides information on Saleyard throughput. Budgeting for the Saleyards is based on a throughput of 115,000 mature cattle and 1,800 calves.

13.5 OPERATIONS OF THE CONCRETE PRODUCTS AND BRIDGE CONSTRUCTION SECTION FOR APRIL 2012

Reference: Commercial Activities - Contracting, Reporting; Roads - Reporting; Council Properties - Reporting; Sewerage and Drainage - Reporting; Water Supply - Reporting

Prepared by: Manager Concrete Products/Bridge Construction

Background

This report provides an update on activities undertaken in the Concrete Products and Bridge Construction Section for the month of April 2012.

Report

Issues

- Modular Precast and Doolan Decks

Somerset Regional Council	Supply 8 of Doolan Decks for O'Connors Bridge (previously Happy Creek Bridge)	Girders delivered and work commenced in preparing them for moulds
Greater Taree City Council	Bootawa Road Bridge Crockers Bridge Mooral Creek Bridge	Mooral Creek decks completed Bootawa Road Bridge Preliminary design complete Crockers Bridge design still in progress
Kyogle Shire Council	Flowers Bridge (4 units)	Complete - awaiting delivery

- Precast/Prestressed Products

Greater Taree City Council	Bootawa Road Bridge Crockers Bridge Mooral Creek Bridge	All planks poured and half have been delivered to Coraki Precast Yard
Port Macquarie Hastings Council	Saltwater Creek Bridge	Preliminary Design submitted and comments received. Final design in progress

- In-situ Construction

Greater Taree City Council	Bootawa Road Bridge Crockers Bridge Mooral Creek Bridge	Bootawa and Crockers bridge designs in progress. Discussions had with piling contractors, site visit undertaken
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- Design

Greater Taree City Council	Bootawa Road Bridge Crookers Bridge Mooral Creek Bridge	Mooral Creek Bridge Final design complete Bootawa Road Bridge Preliminary design complete Crookers Bridge design still in progress
Port Macquarie Hastings Council	Saltwater Creek Bridge	Preliminary Design submitted and comments received back from client. Final design commenced
Bellingen Shire Council	Design of Cutbank Creek Bridge	No further work required. Design may not proceed
Tweed Shire Council	Richards Bridge	Preliminary calculations undertaken. Awaiting Order to proceed with full design

- Jobs Tendered or Awarded

Client	Project	Work	Status
Per Ballina Shire Council	Gibson Creek Bridge	Supply bridge components for single lane 12m span bridge	Price submitted to various tenderers
Per Ballina Shire Council	Yellow Creek Bridge	Supply bridge components for single lane 12m span bridge	Price submitted to various tenderers
Lismore Rowing Club	Lismore Boat Ramp Extension	Supply 8 off precast units	Price submitted
Wagstaff Piling	Molesworth Street Slip Remediation	Construct Pile Cap	Awarded
Victor von der Heyde & Karu-Kali Pty Ltd	Main Arm Bridge	Design and construct 2/10m span private access bridges	Awarded
Brisbane City Council	Edgar Street Footbridge	Supply PSC Planks	Tender submitted and no decision made
Logan City Council	13 bridges	5 year maintenance program	Expression of interest submitted and meeting held with Council – Further discussions had this month and am still awaiting outcome
Logan City Council	Edwards Bridge	Design and construct new bridge	Expression of Interest submitted - and we are prequalified to tender for supply of bridge components
Ballina Shire Council	Ballina Heights Estate	Supply and construct pedestrian and road bridge	Tender submitted - No decision yet as all prices exceeded budget
Kempsey Shire Council	Matty's Flat Wharf	Supply PSC bridge decks	Revised Tender prices submitted for various options - no decision yet

Client	Project	Work	Status
Ballina Shire Council	Eltham Road Bridge (Yellow Creek Bridge)	Supply and construct bridge	Expression of Interest submitted and tender documents prepared with RVC as preferred supplier, refer to above entries

- Private Float Hire

Council's Kenworth Prime Mover continued private hire work when not required for Council work.

- Internal Works

Council Section	Description of Work
Water and Sewer	On-going maintenance at Evans Head, Coraki and Casino STP, Evans Head, Riley's Hill and Casino Pump Stations and Casino Water Treatment Plant. Poured slab to PPAC Building at the Casino Raw Water Pump Station addition.
Civil Operations	Undertook repairs to water truck
Strategic Planning	Assisted in preparing budget estimates for 10 year bridge maintenance plan
Coraki Precast Yard	Repairs and modifications to bridge deck and fabrication of new kerb moulds.
Kenworth Float	Moved various plant for Council's own operation.

Strategic Links

This report has strategic links to Council's Community Strategic Plan and the following Long Term Goals:

- 2.3 Business Industry and Agriculture (Strategy 2.3.6)
- 6.1 Road (Strategy 6.1.4)
- 6.5 Maintain, improve and plan for appropriate public infrastructure (Strategies 6.5.5, 6.5.6 and 6.5.7)
- 7.2 Communication (Strategy 7.2.16)

Conclusion

This report is an update of work activities being undertaken by the Concrete Products/Bridge Construction Section of Council's Works Directorate.

13.6 STATUS OF ENGINEERING WORKS FOR THE MONTH OF APRIL 2012

Reference: Corporate Management - Planning

Prepared by: Operations Engineer – Roads and General Services

Background

This report provides an update on the works undertaken within the month of April 2012.

Report

Issues

Ongoing wet weather continues to hamper the efforts of staff to carry out routine maintenance works in line with current service levels and keep Council assets in an acceptable condition, particularly pavement patching of the sealed road network and maintaining a desirable surface on the unsealed gravel road network. Council staff are making every effort to return Council's road network and the mowing of parks and reserves to an acceptable condition. The weather has also created difficulties in completing Capital Works projects within programmed timelines and schedules.

A. State Roads Maintenance and Construction Works

Routine maintenance activities were undertaken on the State Highway network. Some work within Casino was undertaken at night to minimise disruption to work day traffic flows.

Roadside slashing has continued and poisoning has been undertaken when weather has allowed for effective spraying conditions.

Clearing and grubbing was undertaken on Segment 2930 on the Bruxner Highway just west of Woodview to enable a detailed survey to be undertaken. It is anticipated that the Roads and Maritime Services will commit to the full reconstruction including significant widening of this historically poor section of pavement in the next financial year.

In agreement with the Roads and Maritime Services, works were temporarily ceased on the widening and sealing of the roadside shoulders south of Whiporie to allow for the rehabilitation of Coombell Road (*a Council project*) within the school holidays. It was anticipated that the works in Coombell Road would be completed in two weeks, however, weather delayed critical components of the project and the work crew only returned to Whiporie in early May. It is now anticipated that works on this project will be completed in mid May.

The full rehabilitation of 1.70km of the Bruxner Highway in the vicinity of McKees Hill will now commence as soon as Whiporie is completed and it is still expected, weather permitting, that the project can be completed by the end of June.

B. Regional Roads – Block Grant

Routine maintenance was undertaken on the Regional Road network.

Roadside slashing has continued and poisoning has been undertaken when weather has allowed for effective spraying conditions.

Centreline marking was redone on the entire Regional Road network

The Roads and Maritime Services is yet to jointly inspect the claim Council submitted for damages to the Regional Road network.

C. Local Roads

Routine maintenance was undertaken on the Local Road and Drainage network.

Roadside slashing has continued and poisoning has been undertaken when weather has allowed for effective spraying conditions.

Council has had two grading teams working on the unsealed road network over the last month.

The Roads and Maritime Services has inspected about one third of the Local Road network and has, so far, approved \$800,000 of restoration works, including the reinstatement of the collapsed river and channel banks on Droneys Bridge Road and Myall Creek Road

Council has commenced Natural Disaster restoration grading works of the unsealed gravel road network on:

Avenue Road

Myrtle Creek Road

Until the joint inspection has been carried out completely with the Roads and Maritime Services and a full Schedule of Works provided, grading will generally only be done on those roads yet to be inspected on the very worst sections of the network with a view to only repairing safety issues. There will be areas on the unsealed network that will have surfaces that may be less than desirable.

Routine maintenance (M) or safety (S) grading activities were undertaken on:

Coraki Ellangowan Road (S)

Hogarth Range Road (M)

Myall Creek Road (S)

Upper Cherry Tree Road (S)

Upper Mongogarie Road (S)

Gores Road (M)

Old School Road (M)

Rambaldinis Road (M)

The Gap Road (M)

The restoration of Coombell Road was done as planned during April coinciding with the school holidays. However, due to the wet weather experienced during the project, the gravel shoulders of the road remain very soft and works will be required when the area dries out to reinstate and compact those shoulders.

The complete removal and replacement of a four cell piped culvert under Reynolds Road, North Casino was programmed and completed during the school holidays, so as to not impact on school bus services. This work was part of the 2011 Natural Disaster Restoration Program.

D. Urban Works

Routine maintenance was undertaken on the Urban Road and Drainage network.

Routine street cleaning, and toilet cleaning has continued as per agreed service levels. Town, park and reserve mowing continues to be severely impacted by the water logged ground conditions and is behind schedule. Every effort will be

made to catch up and return Council assets to an acceptable condition once the ground dries out.

Works commenced on the reconstruction of Colches Street North between Queensland Road and Sandilands Street. It was anticipated that this project would be basically completed during the school holidays, so as to not impact school buses. However, this project has been significantly impacted by the prolonged wet weather and is only about 50% complete.

A number of concrete footpath extensions were installed in Casino as part of the Pedestrian Access and Mobility Plan (PAMP) upgrade and improvement program.

The installation of a large diameter pipeline between the Pacific Highway and the entrance to the Caravan Park on Broadwater Evans Head Road has been completed.

Strategic Links

This report has strategic links to Council's Community Strategic Plan and the following Long Term Goals:

- 6.1 Road (Strategy 6.1.1)
- 6.5 Maintain, improve and plan for appropriate public infrastructure (Strategies 6.5.3, 6.5.5, 6.5.6 and 6.5.7)

Conclusion

This report is an update of the status of work activities undertaken by the operational section of roads and general services of Council's Works Directorate.

13.7 STATUS OF WORKS FOR WATER, SEWER AND POOLS SECTION FOR THE MONTH OF APRIL 2012

Reference: Water Supply - Reporting; Sewerage and Drainage - Reporting

Prepared by: Operations Officer - Water and Sewer Services

Background

This report provides an update on the works undertaken in the Water, Sewer and Pools section for the month of April 2012.

Report

Issues

Construction Activities

The Lower River construction crew is continuing on a sewer manhole replacement and pump station (PS8) upgrade as part of the rising main upgrade

in Currajong Street, Evans Head. Works have been completed on a water main replacement on Bells Road, Riley's Hill.

The Casino construction crew has completed a water mains replacement in Pratt Street, Casino.

Broadwater/North Woodburn Sewerage Scheme

The contract for the Broadwater/North Woodburn Sewerage Scheme was awarded to Ledonne Constructions on 22 September 2011. The works completed to date include:

- Construction of the 150mm diameter sewer rising main along the Evans Head Broadwater Road - 87% complete.
- 95% purchase of E-One Units for Broadwater and North Woodburn.
- Completion of the property audits.
- Finalisation of the construction plans for the rising main, pump station and town reticulation systems.

Maintenance Activities

Maintenance and sewer system crews have been completing junction repairs, hydrant inspections, CCTV inspections of Woodburn sewerage reticulation, and pump station inspections. RAMS (Request Action Management System) have also been responded to on a daily basis.

Private Works – Completed

Box Ridge - Ongoing backlog works and routine operation and maintenance work for the water and sewerage systems at Box Ridge Reserve.

Pacific Highway, Woodburn – Fire Hydrant Construction

St Josephs Primary School, Woodburn – Fire Service Connection

Upcoming Private Works

New water service – 2/2 Palm Place Evans Head

New water service – 59 Ocean Drive Evans Head

Casino Water Treatment Plant

Charts showing the updated volume of water produced for the period of April are available for perusal by Councillors. These charts are also available on Council's website.

Sewerage Treatment Plants

Charts showing the most current test results of the Sewerage Treatment Plants are available for perusal by Councillors. These graphs are also available on Council's website.

Coraki STP Pollution Studies and Reduction Programs Update

Council currently has one condition within its Coraki Licence to determine the effectiveness of the duckweed system to be completed by December 2011. A report was submitted to the Office of Environment and Heritage in late December. Council is in discussions with the Environment Protection Agency in relation to the report.

Evans Head STP Pollution Studies and Reduction Programs Update

Council's Licence had been amended to include the addition of a Pollution Reduction Program (PRP) detailing the proposed Five Year Trial Closure of the Artificial Channel connecting Salty Lagoon with Salty Creek, and the removal of previously completed PRPs (PRP 6 & 10) from the licence. All tasks and their current status for the conditions are listed below.

U1 PRP 1 – Trial Closure of the Artificial Channel

Implementation Strategy: The licensee is to prepare an implementation strategy for the proposed five year trial closure of the Artificial Channel connecting Salty Lagoon to Salty Creek. A final draft of the Implementation Strategy has been provided to the Department Environment Climate Change and Water by 28 February 2011 - task has been completed.

Pre/Post Closure Monitoring Report: The licensee is to implement the Pre/Post Closure Monitoring Program for the five year trial closure of the Artificial Channel. This is to be implemented by:

- Awarding the monitoring contract by 28 February 2011- this task has been completed. GeoLINK have been awarded the contract.
- Commencing the monitoring program by 1 March 2011 - this milestone has been completed. GeoLINK have completed their scheduled monthly monitoring for the month of April with the final monthly reports for March under review. The monthly reports and report card are available on Council's website.
- The Approvals process is completed for the construction works associated with the artificial channel closure. The Aboriginal Heritage Impact Assessment (AHA) provided by Ainsworth Heritage Consulting has been finalised. Tenders and quotations for the closure and revegetation of the artificial channel have been awarded to Dredging Systems Pty Ltd and NTSCORP Ltd on behalf of the Bandjalang Women, respectively.

Reporting: The licensee has committed to providing the Office of Environment and Heritage with:

- Monthly Council reports on progress against the proposed closure Implementation Plan
- Annual monitoring program reports for each year of the pre/post channel closure monitoring program (31 August each year 2012 to 2017)

Channel Closure: The licensee should commence the Artificial Channel closure construction by 4 May 2012. The tender for this work has been awarded to Dredging Systems Pty Ltd with works due to commence on 7 May 2012. A media release, as part of Council's communications strategy to inform the community of the Artificial Channel closure, is due for advertisement on the 5 and 9 May 2012.

Council Swimming Pools Update

General

Monthly meetings are being utilised to facilitate discussions regarding contractual matters or operational concerns with the facilities themselves.

Maintenance

General

Major maintenance and repairs of all facilities are being finalised for this season, with quotes forthcoming for scheduled works, including the replacement of automated chlorine dosing control units (with the exception of the Evans Head Aquatic Centre's unit) at each facility.

Evans Head Aquatic Centre

The twelve month defect liability period has now lapsed on this facility. There are still some minor issues being rectified as part of this process. All previous issues that have been raised have been addressed and/or fixed in an appropriate timeframe with quality results.

Casino Memorial Baths

Council Officer's have scheduled works associated with upgrading several items of park furniture within the pool grounds. There has also been some seating installed in the toddler's pool area.

Woodburn Public Baths

Council has replaced infrastructure within the plant room, and repaired some minor leaks associated with a misaligned pump. There are some minor maintenance items currently being scheduled for this pool.

Coraki Public Baths

Council has not undertaken any major maintenance on the Coraki Pool at this point in time. Some minor maintenance items have being addressed by Council officers, including replacement of some flooring within the plant room and stabilisation of a handrail on the south western side of the main pool concourse. The replacement of the existing grandstand seating has been scheduled for this financial year.

Winter Closing Times

Woodburn, Coraki and Casino Memorial Baths closed for swimmers on 15 April 2012. The gymnasium at Casino Memorial Pool remains open during the Winter Season for public use while the Evans Head Aquatic Centre remains open for all

users except during closures on Sundays and Public Holidays during the winter period (May to August inclusive).

Pool Patronage

The patronage for each of the pools is as follows:

2010/2011	Facility			
	Casino	Coraki	Woodburn	Evans Head
July	Closed	Closed	Closed	Not open
August	Closed	Closed	Closed	2,857
September	1,153	Closed	Closed	3,228
October	6,709	274	451	3,426
November	7,882	758	979	3,532
December	3,649	161	551	4,192
January	5,543	287	567	7,085
February	6,758	257	762	3,582
March	4,243	227	547	3,109
April	1,159	43	23	2,046
May	398	Closed	Closed	1,607
June	370	Closed	Closed	1,359
Total	37,864	2,007	3,880	36,023

2011/2012	Facility			
	Casino	Coraki	Woodburn	Evans Head
July	445	Closed	Closed	1,200
August	347	Closed	Closed	1,490
September	1,758	Closed	Closed	2,209
October	6,265	187	504	2,622
November	8,809	630	1,661	4,261
December	3,351	251	522	3,261
January	4,119	337	452	4,509
February	6,327	241	580	3,799
March	4,267	64	481	2,879
April	801	40	51	1782
May				
June				
Total	36,489	1,750	4,251	28,012

Strategic Links

The above construction and maintenance activities link to Council's Community Strategic Plan 2011/2024 and the following Long Term Goals:

- 1.1 Preservation of Waterways
- 1.3 Environmental Protection
- 6.5 Maintain, improve and plan for appropriate public infrastructure (Improve local water quality and security of the water supply)
- 7.4 Statutory Compliance

Conclusion

This report is an update of status of works activities undertaken by the water, sewer and pools section of Council's Works Directorate.

13.8 TENDER NO 1102389 - SEWER MAINS LINING - ADDITIONAL WORKS

Reference: Sewerage and Drainage - Contracting, Maintenance, Tendering

Prepared by: Water and Sewer Support Engineer

Background

Tender 1102389 - Sewer Mains Lining and Spot Repairs within Ballina Shire Council and Richmond Valley Council closed on 31 January 2012, with the tender being awarded to Kembla Watertech Pty Ltd. Under the combined tender, Richmond Valley Council works were identified as Milestone Two for relining works within Casino, Evans Head, Coraki and Woodburn, at a value of \$675,891.35 (inclusive of GST).

In awarding the tender, Council also resolved that additional relining works be identified and included within the contract, up to the value of \$350,000. Further, that the additional relining works be reported to Council once agreement with the contractor has been finalised.

This report is to inform Council of the additional sewer lines chosen and agreed with the contractor to be included within the contract.

Report***Issues***

Council resolved on 21 February 2012 to award Milestone Two works of Tender No. 1102389 - Sewer Mains Lining and Spot Repairs within Ballina Shire Council and Richmond Valley Council to Kembla Watertech Pty Ltd. Council also resolved that additional relining works to the value of \$350,000 (inclusive of GST) be identified and included within the contract works by agreement with Kembla Watertech Pty Ltd, under the tendered schedules of rates.

Based on the tendered schedule of rates, it is estimated that an additional 4,800 metres of 150mm diameter and 105 metres of 300mm diameter sewer mains may be relined (4,905m in total). These proposed additional lines consist of 4,500 metres of 150mm diameter lines in Casino, 100 metres of 300mm diameter lines in Casino, 300 metres of 150mm diameter lines in Evans Head, and 30 metres of 150mm diameter lines in Woodburn.

These additional lines will be prioritised with Kembla Watertech to ensure works remain under the value of \$350,000 (inclusive of GST) to allow for variations under the contract and to remain within Council's budget allocation of \$1,000,000.

Strategic Links

This report has a strategic link to Council's Community Strategic Plan Long Term Goal 6.5 Maintain, improve and plan for appropriate public infrastructure.

Conclusion

To take advantage of the competitive rates submitted by Kembla Watertech Pty Ltd in Tender No. 1102389 - Sewer Mains Lining and Spot Repairs within Ballina Shire Council and Richmond Valley Council, an additional 4,905 metres of 150mm and 300mm diameter sewer mains have been identified for possible relining. The additional works will be prioritised with Kembla Watertech to ensure that the works remain under the value of \$350,000 (inclusive of GST), to allow for variations under the current contract and remain within Council's budget allocation of \$1,000,000.

13.9 WATER LOSS MANAGEMENT PROGRAM - STATUS UPDATE

Reference: Water Supply - Monitoring

Prepared by: Water and Sewer Support Engineer

Background

The Water Loss Management Program was a joint initiative of the Water Directorate and the Local Government and Shires Association of NSW. Council has received both financial and practical assistance as part of the initiative to pro-actively manage and control water loss within its water distribution networks.

This report is to give an update on the outcomes of Council's specific Water Loss Program, completed in 2011.

Report

Issues

Council's specific program involved the installation of several permanent flow meters and data loggers to record flow into specific areas across each water reticulation area, at a total project cost of \$239,476.

Funding allocated to Council under the initiative was 33% of the total project cost, which resulted in Council being reimbursed a total of \$79,027 for the project.

The installation of the flow meters and subsequent leak repairs resulted in Council saving an estimated \$81,600 per year.

Council has been awarded Joint Division C winners for Water Conservation in the recent Local Government and Shires Association Excellence in Environment Awards for its involvement within the Program. This award was shared between

the 54 Councils which took place and completed all tasks under the Program, and was submitted for entry by the NSW Water Directorate on each Local Water Utilities behalf.

Council now has a system in place for monitoring flows in our main water reticulation areas and at larger consumer sites and, therefore, is well placed to manage and minimise water loss into the future.

Strategic Links

This report has strategic links to Council's Community Strategic Plan Long Term Goal 6.5 Maintain, improve and plan for appropriate public infrastructure (Strategy 6.5.2).

Conclusion

This report provides a brief update on the costs and outcomes of Council's Water Loss Management Program.

13.10 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 APRIL 2012 TO 30 APRIL 2012

Reference: Development and Building Controls – Development Applications

Prepared by: Manager Planning and Development

Background

A summary of all Development Applications determined by Council is subject of a report in each Business Paper for information purposes only. In addition to this summary, Council notifies all determinations of Development Applications in the local newspaper pursuant to Clause 101 of the *Environmental Planning and Assessment Act 1979 (as amended)* on a weekly basis.

Report

Issues

This report presents to Council a summary of Development Applications determined by Council either under delegated authority or by Council resolution for the period 1 April 2012 to 30 April 2012.

Conclusion

The total value of Development Applications determined by Council for the period 1 April 2012 to 30 April 2012 is \$3,373,050.

RECOMMENDATION

Recommended that the items submitted for information be received and noted.

150512/ 23 RESOLVED (Cr. Morrissey/Cr. George)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

14 QUESTIONS FOR NEXT MEETING (IN WRITING)

Nil.

15 MATTERS REFERRED TO CLOSED COUNCIL

Nil.

16 RESOLUTIONS OF CLOSED COUNCIL

Nil.

The Meeting closed at 5.38 p.m.

CONFIRMED - 19 June 2012

CHAIRMAN