



# **RICHMOND VALLEY COUNCIL**

## **Minutes**

### **Ordinary Meeting**

**Tuesday, 18 August 2009**

## Table of Contents

<b>PRESENT</b>	<b>.....</b>	<b>1</b>
<b>1</b>	<b>PRAYER AND NATIONAL ANTHEM</b>	<b>1</b>
<b>1A</b>	<b>PRESENTATIONS TO STAFF</b>	<b>1</b>
	1A.1 Presentations to Staff (Training Awards)	1
<b>2</b>	<b>PUBLIC ACCESS</b>	<b>2</b>
	2.1 Address by Mr Ron Fisher regarding Item 12.5 - Proposal to Sell part Evans Head Memorial Aerodrome (for Aged Care Purposes)	2
	2.2 Address by Dr Richard Gates regarding Item 12.5 - Proposal to Sell part Evans Head Memorial Aerodrome (for Aged Care Purposes)	2
<b>3</b>	<b>APOLOGIES</b>	<b>2</b>
<b>4</b>	<b>MAYORAL MINUTE</b>	<b>2</b>
<b>5</b>	<b>CONFIRMATION OF MINUTES</b>	<b>2</b>
<b>6</b>	<b>MATTERS ARISING OUT OF THE MINUTES</b>	<b>3</b>
<b>7</b>	<b>DECLARATION OF INTERESTS</b>	<b>3</b>
	7.1 Declaration of Interests - Ordinary meeting 18 August 2009	3
<b>8</b>	<b>NOTICES OF MOTION</b>	<b>3</b>
	8.1 Notice of Motion (Cr Donella Kinnish) - Koala Habitat Atlas	3
<b>9</b>	<b>MAYOR'S REPORT</b>	<b>4</b>
<b>10</b>	<b>DELEGATES' REPORTS</b>	<b>4</b>
	10.1 Delegates' Reports Submitted to August 2009 Ordinary Meeting	4
<b>11</b>	<b>MATTERS DETERMINED WITHOUT DEBATE</b>	<b>6</b>

<b>12</b>	<b>MATTERS FOR DETERMINATION .....</b>	<b>6</b>
12.1	Community Satisfaction Survey .....	6
12.2	Integrated Planning and Reporting (Community Strategic Plan).....	8
12.3	Union Picnic Day, Office Operations (Christmas/New Year) and Council End of Year Function .....	11
12.4	Stan Payne Oval Memorial Committee .....	12
12.5	Proposal to Sell Part Evans Head Memorial Aerodrome (for Aged Care Purposes).....	13
12.6	Review of Richmond Valley Council Management Plan 2008/2011 as at 30 June 2009.....	16
12.7	Financial Analysis Report - July 2009 .....	18
12.8	Evans Head Sewerage Treatment - Effluent Management Options.....	24
12.9	Broadwater Sewerage Scheme - Pressure Sewerage Policy ...	31
12.10	Evans Head Aquatic Centre Construction Tender 160.09.....	45
12.11	Casino Floodplain Risk Management Plan - Policy Variation for Communal Hall at Casino Public School.....	47
12.12	Sheppard Street, Casino - Drainage .....	50
12.13	Payment of Expenses and Provision of Facilities to Councillors .....	52
12.14	Cultural Plan 2009-2011 .....	53
12.15	Draft Crime Prevention Plan .....	55
12.16	Correspondence Submitted to August 2009 Ordinary Meeting.....	57
<b>13</b>	<b>MATTERS FOR INFORMATION.....</b>	<b>61</b>
13.1	Request Action Management System (RAMS) Report and Statistics - 1 July 2008 to 30 June 2009.....	61
13.2	Grant Application Information.....	61
13.3	IPART Draft Report - Revenue Framework for Local Government.....	63
13.4	Councillor Expense Claims for the 2008/2009 Financial Year .....	66
13.5	Livestock Exchange Statistics as at July 2009.....	68
13.6	Contract Bridgework and Component Orders for the Month of July 2009.....	69
13.7	Status of Engineering Works for the Month of July 2009 .....	71

---

13.8	Status of Works for Water and Sewer Section for the Month of July 2009.....	72
13.9	Evans Head Sewerage Treatment Plant Pollution Reduction Programs .....	74
13.10	Roads and Traffic Authority Review of Road Classifications.....	80
13.11	Woodburn Botanical Gardens .....	81
13.12	General Manager's Contract - Performance Monitoring Review .....	82
13.13	Development Applications Determined under the Environmental Planning and Assessment Act for the Period 1 July 2009 to 30 July 2009 .....	82
13.14	Customer Service - Fact Sheets .....	83
<b>14</b>	<b>COUNCILLORS' QUESTIONS (IN WRITING).....</b>	<b>84</b>
14.1	Casino CBD Upgrade - Draft Crime Prevention Plan.....	84
<b>15</b>	<b>MATTERS REFERRED TO CLOSED COUNCIL.....</b>	<b>84</b>
15.1	Proposed Sale of part Evans Head Memorial Aerodrome (for Aged Care Purposes) .....	85
<b>16</b>	<b>RESOLUTIONS OF CLOSED COUNCIL.....</b>	<b>86</b>

**MINUTES OF THE ORDINARY MEETING OF RICHMOND VALLEY COUNCIL, HELD  
IN THE PERFORMANCE HALL AT THE EVANS RIVER K-12 SCHOOL, CYPRESS  
STREET, EVANS HEAD, ON TUESDAY, 18 AUGUST 2009 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, Director Corporate Services, Director Works, Director Environmental Development Services, Manager Finance 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 Paul Jurjens and the singing of the National Anthem.

**WELCOME BY MR ROB WALKER, PRINCIPAL OF EVANS RIVER K-12 SCHOOL**

Mr. Walker welcomed the Mayor and Councillors to the School and took the opportunity of outlining the achievements of students, staff, parents and the School itself. Mr. Walker also acknowledged and expressed appreciation for the financial contribution that Council had made to the School and specifically the gymnasium.

**1A PRESENTATIONS TO STAFF**

---

**1A.1 PRESENTATIONS TO STAFF (TRAINING AWARDS)**

The Mayor advised that Council, as the opportunity arises, acknowledges the achievements of staff who have obtained or increased their qualifications. He welcomed two staff members to the meeting, commending them for their achievements in obtaining qualifications in their chosen careers. The Mayor proceeded to congratulate and present Certificates to:

- David Cash (Wastewater Treatment System Operator at Evans Head) - Certificate III in Water Industry Operations.
- Anthony Magarry (Assets Engineer) - Bachelor of Engineering Technology.

---

**2 PUBLIC ACCESS**

---

**2.1 ADDRESS BY MR RON FISHER REGARDING ITEM 12.5 - PROPOSAL TO SELL PART EVANS HEAD MEMORIAL AERODROME (FOR AGED CARE PURPOSES)**

Mr. Fisher addressed Council regarding the proposal to sell part Evans Head Memorial Aerodrome for Aged Care purposes, stating that he totally opposed the rezoning of Aerodrome land for the purposes of building a retirement village and nursing home on the grounds of safety. Council was requested to withdraw the rezoning application and to have the village and home developed elsewhere, away from the Aerodrome.

The Mayor thanked Mr. Fisher for his presentation.

**2.2 ADDRESS BY DR RICHARD GATES REGARDING ITEM 12.5 - PROPOSAL TO SELL PART EVANS HEAD MEMORIAL AERODROME (FOR AGED CARE PURPOSES)**

Dr. Gates, on behalf of the Evans Head Memorial Aerodrome Committee Incorporated, addressed Council regarding the proposal to sell part Evans Head Memorial Aerodrome for Aged Care purposes, stating that his Committee objected to the sale of Aerodrome land but was not opposed to the establish of a nursing home facility in Evans Head. He stated that it was not appropriate to build a nursing home complex on the proposed site and outlined concerns involving aircraft noise and safety issues. It was suggested that Council should consider returning to the "original" site proposed for the complex.

The Mayor thanked Dr. Gates for his presentation.

---

**3 APOLOGIES**

---

Nil.

---

**4 MAYORAL MINUTE**

---

Nil.

---

**5 CONFIRMATION OF MINUTES**

---

**180809/ 1 RESOLVED** (Cr. Kinnish/Cr. Morrissey)

That the Minutes of the Ordinary Meeting, held on 21 July 2009, be taken as read and confirmed as a true record of proceedings.

FOR VOTE - All Council members voted unanimously.

**180809/ 2    RESOLVED    (Cr. Crawford/Cr. Mustow)**

That the Minutes of the Reserve Trust Meeting, held on 4 August 2009, 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 18 AUGUST 2009**

Cr. Morrissey declared a non-pecuniary interest in Item 12.5 - Proposal to Sell part Evans Head Memorial Aerodrome (for Aged Care Purposes) and Item 15.1 - Proposed Sale of part Evans Head Memorial Aerodrome (for Aged Care Purposes) (Relative through Marriage to a Board Member of RSL LifeCare).

The General Manager declared a pecuniary interest in Item 13.12 - General Manager's Contract - Performance Monitoring Review (General Manager's Contract of Employment).

Cr. Kinnish declared a non-pecuniary interest in Item 8.1 - Notice of Motion (Cr Donella Kinnish) - Koala Habitat Atlas (Member of Friends of the Koala).

Cr. Mustow declared a pecuniary interest in Item 12.9 - Broadwater Sewerage Scheme - Pressure Sewerage Policy (Property Owner in Broadwater).

**180809/ 3    RESOLVED    (Cr. Wheatley/Cr. Cox)**

That the declarations of interest of Cr. Morrissey, Cr. Kinnish, Cr. Mustow and the General Manager be noted.

FOR VOTE - All Council members voted unanimously.

**8            NOTICES OF MOTION**

---

**8.1        NOTICE OF MOTION (CR DONELLA KINNISH) - KOALA HABITAT ATLAS**

---

**Background**

Cr. Kinnish submitted the following Notice of Motion on 11 August 2009.

**Notice of Motion**

That Council give consideration to the recommendations in the Richmond Valley Koala Habitat Atlas, in particular Recommendations 1-10 and that a report be presented at the September or October Meeting relating to how these recommendations can be progressed.

**180809/ 4 RESOLVED** (Cr. Kinnish/Cr. Jeffery)

That Council give consideration to the recommendations in the Richmond Valley Koala Habitat Atlas, in particular Recommendations 1-10 and that a report be presented at the September or October Meeting relating to how these recommendations can be progressed.

FOR VOTE - All Council members voted unanimously.

**9 MAYOR'S REPORT**

---

Nil.

**10 DELEGATES' REPORTS**

---

**10.1 DELEGATES' REPORTS SUBMITTED TO AUGUST 2009 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. Morrissey**

**Subject Matter of Attendance:** Saleyard Operators Australia Annual General Meeting and Conference held at Inverell 21 to 23 July 2009.

**Precis/Summary of Issues Discussed/Considered:**

Speakers/Items on 22 July 2009 were as follows:

- Saleyard Association President, Steve Loane - Welcome to participants.
- Michael Bayes and John McDonald - Long term outlook for Bindaree Beef and the relationship with saleyards.
- Michael Romano, Roads and Traffic Authority and Andrew Higginson, Livestock and Bulk Carriers Association - Chain of responsibility including driver fatigue management and effluent.
- Tony Batterham, Quirindi Vet Clinic - Managing Stress and Morbidity.

Speakers/Items on 23 July 2009 were as follows:

- Paul Martin, Saleyard Manager's President - Welcome to participants.
- Ron Cullen, Executive Officer, The Sheep Meat Council of Australia and Jo Quigley, Meat and Livestock Association - Australian Sheep Flock Changes in Composition Mandatory Mob Based Movement Sheep and Goats.
- Gary Edwards, Regional Infrastructure - CTLX Experience - Risk vs Reward.
- Anthony White, Executive Officer, Saleyard Operators Association - Opportunities and Threats for Saleyards.

The Annual General Meeting commenced at approximately 1.30 p.m. with announcements of new Executive and Venue for 2010 Conference (Wagga Wagga). During General Business there was discussions as part of the Delegates Discussion/Resolutions Item on the formation of a National Association.

The Director Works and Saleyard Administrator also attended the Conference which provided a good opportunity to hear and discuss saleyard issues.

**Outcomes/Actions Required by Council: --**

-----

**Submitted by Cr. Sullivan**

**Subject Matter of Attendance:** Rous Water Meeting held at Emigrant Creek Dam (near Ballina/Byron Bay) on 20 July 2009 (in company with Cr. George).

**Precis/Summary of Issues Discussed/Considered:**

Following the monthly meeting, a detailed tour of the dam site was carried out to familiarise Councillors, particularly those newly elected. A lot of work has been carried out fencing the dam site with many hundreds of trees being planted on the dam surrounds. Protection of the environment was most impressive.

The meeting did not contain any matters of direct interest to Richmond Valley Council, however, items on the Agenda included:

- Nightcap Water Treatment Plant upgrade - outcome of Expression of Interest Process
- Rocky Creek Dam Safety Works
- Future Water Strategy - Sufficiency of Existing Water Supplies
- Land Acquisition at proposed Dunoon Dam

The next meeting of Rous Water will be held on Monday, 17 August 2009.

## **RECOMMENDATION**

Recommended that the Delegates' Reports be received and noted.

**180809/ 5    RESOLVED    (Cr. Cox/Cr. George)**

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

---

**11        MATTERS DETERMINED WITHOUT DEBATE**

---

**180809/ 6    RESOLVED    (Cr. Mustow/Cr. Crawford)**

That Items 12.4 and 12.13 be determined without debate.

FOR VOTE - All Council members voted unanimously.

---

**12        MATTERS FOR DETERMINATION**

---

**12.1    COMMUNITY SATISFACTION SURVEY**

**Reference:**    Community Relations - Community Consultation

**Prepared by:** General Manager

---

**Background**

At the November 2008 Meeting Council resolved to undertake a Community Satisfaction Survey.

That survey was facilitated via Insync Surveys.

**Report*****Issues***

A copy of the Report had been previously distributed to Councillors in late June 2009 and was subject of discussion at the Council Information Session on 4 August 2009.

It is proposed that the Survey Report will be made available to the community following the August Council Meeting.

The Survey Report document provides a comprehensive analysis of the survey findings with Council area information and also locality information. The Survey provides Council with information which it can utilise to determine future actions, directions, priorities, etc. i.e. in response to "issues" raised in the survey results.

In considering the Survey Results, it is necessary that the whole survey document be taken into account. Whilst individual components of the survey report provide useful information, it is also important to look at the content of the whole survey so that the focus does not become too narrow.

It is important that the Survey document be utilised and referred to by both staff and the elected Council. In that regard, the upcoming Integrated Planning and Reporting processes will provide an opportunity to consider the various survey outcomes.

Pages 8 to 17 (inclusive) of the Survey Report provide a quantity of information relating to the 48 survey items. For purposes of taking "corrective action" on various matters, it is proposed that items with a gap (between performance and importance) of more than 2 will be looked at in more detail with a view to incorporating actions in future Council processes. In that respect, Council's future consultation/community engagement processes can be shaped on the "gap issues" with reference being made to the variances between the overall findings and the responses from specific locality areas.

It is considered that utilisation of the survey result information should be ongoing. In that regard it would be appropriate for Council to undertake a similar survey in the future to gauge what has changed since the 2009 survey. It is proposed that a report will be provided to Council in March 2010 in regard to specific actions taken in response to the survey.

Overall it is considered that the survey process has been most worthwhile and that the survey reports provide Council with data from which future decision making and actions can be based.

### **Conclusion**

This report provides information in relation to the 2009 Community Satisfaction Survey and how it is proposed to be utilised.

### **RECOMMENDATION**

Recommended that Council:

1. Adopt the 2009 Community Satisfaction Survey Report documents.
2. Make available the survey documents to the community.
3. Consider a report at its March 2010 Meeting in regard to actions taken in response to the survey outcomes.

**180809/ 7 RESOLVED** (Cr. Morrissey/Cr. George)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

## 12.2 INTEGRATED PLANNING AND REPORTING (COMMUNITY STRATEGIC PLAN)

**Reference:** Corporate Management - Planning, Reporting

**Prepared by:** General Manager

---

### Background

In June 2009 Council endorsed a range of key elements as the basis for its approach to the implementation of Integrated Planning and Reporting. The "Reform Agenda" adopted by Council in relation to Integrated Planning and Reporting includes the following:

#### "The Reform Agenda"

1. *Implement the new Integrated Planning and Reporting Legislation.*
  - *Implementation of the legislation will be the principle building element of Richmond Valley Council's reform agenda.*
2. *Improve Council's Corporate and Strategic Planning practices and processes.*
  - *As part of the Integrated Planning and Reporting implementation process, determine what resources will be required to ensure that Integrated Planning and Reporting processes are maintained in the future. (Note: the recent organisation structure changes are aimed at achieving the above.)*
  - *Provide awareness training for appropriate staff in Integrated Planning and Reporting, and Council's approach and activities in responding to the legislation.*
  - *Assess the viability and value of incorporating integrated planning functions and responsibilities into staff performance documents.*
3. *Develop greater community interaction and support in relation to the Council's Corporate and Strategic Planning activities.*
  - *Develop a broad based community engagement strategy for application in the community strategic planning process and other consultative initiatives in the future.*
  - *Develop a comprehensive publicity and marketing strategy to ensure the Council's Corporate and Strategic Planning processes are based on broad community understanding, engagement and support.*
  - *Following development and adoption of the Integrated Planning and Reporting framework, develop a schedule of future planning and*

*reporting processes and associated community engagement activities for public information.*

4. *Foster a greater sense of unity, leadership and long term vision within the elected Council.*
  - *Develop an agenda for the Councillor Workshop on 8 July 2009 that encourages participants to identify priorities for the future of the Richmond Valley Council area and use the data collected from this Workshop as the basis for broad community consultation to prepare the Community Strategic Plan.*
  - *Prepare a community briefing paper providing a comprehensive picture of the short and long term pressures and priorities for Council in areas of Finance and Infrastructure - this paper to be adopted and presented to the community by the elected Council.*
  - *Develop an informal "Code of Practice for Councillors", to be agreed by Councillors, in their public leadership of processes to implement the Integrated Planning and Reporting Legislation. The Code is to encourage Councillor "buy in" to the processes and reinforce the importance of unity and leadership amongst elected representatives in the strategic planning processes.*
  
5. *Build greater capacity and certainty into Council's long term financial and infrastructure planning.*
  - *Ensure that a comprehensive Ten Year Financial Plan and Asset Management Strategy are developed to inform the integrated planning process.*
  - *Ensure that all assumptions and long term strategy options within these plans are tested and responded to appropriately and realistically to local needs and interests expressed by the community and the pressures and limitations faced by Council.*
  - *Prepare a community briefing paper to provide the local community with a comprehensive and realistic picture of priorities and issues for Council regarding finance and infrastructure - this paper to be used as a major reference point during community consultation for the Community Strategic Plan.*
  - *Use the Councillor Workshop on 8 July 2009 as an opportunity to explore and determine potential future revenue sources for Council."*

## **Report**

### **Issues**

Since the June Meeting Council has participated in a Workshop Forum to progress various items of the "Reform Agenda" and to also discuss the way forward with the project. As a supplement to that various staff have also been

involved with briefing sessions and preliminary planning for the significant Community Engagement process that will be part of formulating a long term Strategic Plan.

As Council is aware the University of Technology Sydney (UTS) Centre for Local Government has been engaged to guide Council with the implementation of the Integrated Planning and Reporting processes. It is the view of the General Manager that such an arrangement is proving very effective. In that regard the involvement of the University of Technology Sydney is not only based on the implementation of Integrated Planning and Reporting but also to build the capacity of Council and staff, the improvement of community engagement processes and to also change the "culture" of Council/Community relations. Accordingly, this project is a significant and important one for Council (for a range of reasons).

The recent Council Workshop discussed the proposed community engagement in respect of the preparation of the Community Strategic Plan. The preparation of arrangements for same (i.e. the range of meetings, publicity, community communication, staff training, etc.) has commenced. In that regard, a range of Community Meetings are proposed (in October 2009).

In order to appropriately accommodate the proposed community engagement processes, it is necessary that Council consider the provision of additional funds for same.

### ***Financial Implications***

An initial budget of \$40,000 was allocated for the Integrated Planning and Reporting Project in 2008/2009 (funded from the Workers Compensation Incentive Restricted Asset).

An allocation of \$20,000 (revenue funded) has also been made in the 2009/2010 budget.

An amount of \$26,529.68 will be carried over from 2008/2009 as it was not expended. This leaves some \$44,670 for expenditure on the next stage of the project in 2009/2010. After making provision for payments to University of Technology Sydney and the preparation of media/communication material, it is considered that an additional \$15,000 will be required to undertake the range of Community Meetings. Funding of that is proposed from the savings made in 2008/2009 in respect to the By-Election costs. This has been provided for in the June 2009 quarterly review.

### **Conclusion**

This report provides an update on the Integrated Planning and Reporting Project and seeks the allocation of additional funding to ensure that proposed community engagement processes can be undertaken effectively.

**RECOMMENDATION**

Recommended that Council note the information and endorse the allocation of additional funds of \$15,000 for the project. Further, that such funds be allocated from savings generated in 2008/2009 relating to By-Election costs.

**180809/ 8 RESOLVED** (Cr. Cox/Cr. Wheatley)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

**12.3 UNION PICNIC DAY, OFFICE OPERATIONS (CHRISTMAS/NEW YEAR) AND COUNCIL END OF YEAR FUNCTION**

**Reference:** Governance - Councillors; Customer Service - Access; Personnel - Leave, Arrangements

**Prepared by:** General Manager

---

**Background**

On an annual basis Council considers the issues of Union Picnic Days, Office Closure between Christmas/New Year and details of the End of Year Function.

**Report****Issues**

Each of the items are summarised as follows:

- (a) Union Picnic Day; in accordance with Legislation Council needs to provide for a Picnic Day holiday for all staff. As has been the practice in previous years, the respective "Union Groups" have been requested to nominate their preferred Picnic Day. It is proposed that on receipt of these requests, the Picnic Days be determined by the General Manager.
- (b) Christmas/New Year Office Closure; Council has closed its offices between Christmas and New Year for a number of years without difficulties. Accordingly, it is proposed to continue those arrangements for 2009.
- (c) End of Year Function; an End of Year Function is organised on an annual basis for Councillors and Staff. The function is held in Council time and staff are required to attend (unless on leave or required to be on duty). Accordingly, it is proposed to arrange a similar function in 2009 at a location to be determined.

***Financial Implications***

Appropriate provision has been made in Council's budget for the Picnic Days, Office Closure and End of Year Function activities.

**Conclusion**

This report provides information and proposed progression of the Picnic Days, Christmas/New Year Office Closure and End of Year Function.

**RECOMMENDATION**

Recommended that Council resolve to:

1. Authorise the General Manager to determine Picnic Day holidays for 2009 following input from the relevant staff groups.
2. Close its Casino and Evans Head Offices over Christmas and New Year 2009/2010 (from 25 December 2009 to 1 January 2010 inclusive).
3. Authorise the 2009 End of Year Function for Councillors and Staff to be held on Thursday, 17 December 2009.

**180809/ 9 RESOLVED** (Cr. Wheatley/Cr. Morrissey)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

**12.4 STAN PAYNE OVAL MEMORIAL COMMITTEE**

**Reference:** Parks and Reserves - Meetings; Governance - Council Meetings; P40630

**Prepared by:** General Manager

---

**Background**

The Stan Payne Memorial Oval Committee has been established by Council in accordance with the Local Government Act 1993; the Committee has been delegated the function of "Care, control and management of Stan Payne Memorial Oval" and its membership consists of community representatives. The Oval is a key venue for sporting activities in Evans Head and the community has been very supportive of the complex.

**Report*****Issues***

Correspondence dated 11 July 2009 was received from the Stan Payne Memorial Oval Committee advising the names of those persons the Committee

wished to have endorsed as members. The names submitted were Jim Hall, Gary Roberts, Kerry Clissold, Barbara Jeffery, Ken Hardy, Alison McGeary, Joel Mercer, Brett Dent and Rob Hayes.

### **Conclusion**

This report provides updated details of membership of the Stan Payne Memorial Oval Committee.

### **RECOMMENDATION**

Recommended that membership of the Stan Payne Memorial Oval Committee consist of Jim Hall, Gary Roberts, Kerry Clissold, Barbara Jeffery, Ken Hardy, Alison McGeary, Joel Mercer, Brett Dent and Rob Hayes.

**180809/ 10 RESOLVED** (Cr. Mustow/Cr. Crawford)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

### **12.5 PROPOSAL TO SELL PART EVANS HEAD MEMORIAL AERODROME (FOR AGED CARE PURPOSES)**

**Reference:** Council Properties - Acquisition and Disposal; P1001228

**Prepared by:** General Manager

---

### **Background**

In July 2004 Council received correspondence in regard to delays (relating to native title issues) that were being experienced by proponents of an aged care facility in Evans Head. The site of the proposed aged care facility at that time was an area of Crown Land and also some Council land in Tuckeroo Crescent/Currajong Street.

At the August 2004 Meeting, Council resolved to make representations to the State Government in regard to the Crown Land site issues. The report to that Meeting also referred to possible alternative sites at the Evans Head Memorial Aerodrome that could be pursued. The report stated:

*"Whilst each of the sites will require issues to be resolved, the economic, social and community benefits associated with the establishment of a retirement village in Evans Head, requires that action be taken to progress the issue. In that regard, it needs to be recognised that the demographics of Evans Head and the ageing population issues that are being promoted by the various levels of government, will at some time 'require' the establishment of aged care facilities at Evans Head. The shortage of suitable land for such development is unlikely to improve and accordingly, the issue is better addressed now rather than at a later*

*time. In doing so, Council needs to be mindful that development and other processes need to be followed."*

At the same time the preparation of the Plan of Management for the Evans Head Memorial Aerodrome was in progress so the proposal for an aged care facility on the site needed to be incorporated in the Plan of Management processes.

As part of the progression of the matter, preliminary negotiations commenced regarding possible sale arrangements of the land.

At its February 2005 Meeting, Council resolved to advise the aged care facility proponents that it supported in principle the availability of a portion of the Evans Head Memorial Aerodrome and Council's Depot site as being available for the proposed aged care facility (subject to the satisfactory outcome of negotiations relating to the sale of required land and the finalisation of the Plan of Management for Evans Head Memorial Aerodrome such that it enables the project to proceed).

At the April 2005 Meeting of Council it was resolved to advise the proponents *"that (at this time) it is prepared to proceed with sale of land at the Evans Head Aerodrome (on the basis of their submitted offer), subject to the supportive completion of all necessary approvals and processes. Further, that the monetary details of the arrangement not be disclosed until settlement of the sale is completed."*

The Plan of Management for Evans Head Memorial Aerodrome was endorsed by the NSW Heritage Council in 2005; the Plan of Management process was subject to extensive community debate and resulted in an area of the Aerodrome being clearly identified for purposes of an aged care facility.

In November 2005 Council was advised in correspondence from the Parliamentary Secretary to the Minister for Lands that outstanding Native Title Claims over the Crown Land in Tuckeroo Crescent had complicated the availability of the land for the aged care facility. *"Until such time as that Claim has been resolved, the ability of the Minister to make Crown Lands available from within Lot 2 to facilitate development proposals, including any proposals for Council's property in Tuckeroo Crescent/Currajong Street, is severely restricted."*

As matters regarding the proposed sale of land progressed, issues relating to contamination matters at the site evolved. The contamination matters were very complex and proved difficult to resolve in a short timeframe. In that regard, correspondence via Council's Solicitors was forwarded (in October 2006) to the proposed purchaser/aged care proponent indicating that land contamination issues needed to be resolved before finalisation of the sale contract and that the remedial costs for the land may require amendments to the proposed sale agreement.

The sale of part of the Aerodrome land for the proposed aged care facility has effectively been on hold since that time. However, there have been numerous political representations, meetings and other actions taken to move the matter forward.

## Report

### *Issues*

As Council would be aware a report was provided to the October 2008 Meeting of Council in regard to the proposed remediation works at the Evans Head Memorial Aerodrome (and the funding of same). In that respect the report emphasised that the remediation of contamination at the Aerodrome needs to be dealt with as opportunities to pursue the requirements of the Plan of Management and to produce appropriate revenue streams, depends on same.

In view of the progression of remediation issues (which is actively being supported and urged by Federal Government agencies), it is considered appropriate that sale negotiations in regard to the land proposed for the aged care facility be progressed. Council would also be aware that the Expression of Interest process for utilisation of other areas of the Aerodrome is also being progressed. Therefore the progression of proposed sale arrangements should be undertaken to ensure that matters proceed in an expedient manner (in conjunction with other matters).

There are various issues that need to be taken into account by Council in considering the sale of part of the Evans Head Memorial Aerodrome for purposes of an aged care facility. These include the following:

- That the proposal for an aged care facility at the site is provided for in the endorsed Plan of Management.
- There is a significant need for such a facility at Evans Head.
- There will be short term and ongoing social, economic and general community benefits as a result of an aged care facility being developed.
- The future of the Evans Head Memorial Aerodrome will benefit from such a facility; the Evans Head Memorial Aerodrome is an important and significant community asset - the proposed aged care facility will contribute to the costs associated with the Aerodrome (via the proposed Heritage Agreement), i.e. the aged care facility will contribute to the ongoing sustainability of the Aerodrome.
- The need for Council to recoup costs associated with the Aerodrome remediation but balance same with the benefits of the project for the community.

As indicated above, it is proposed that Council recommence negotiations in relation to the sale arrangements for part of the Aerodrome for purposes of an Aged Care Facility. Like any negotiations for land sale, and in particular this instance due to the many impacting factors, it is appropriate that negotiations be undertaken on a Confidential basis. Accordingly, a separate report has been prepared for consideration in Closed Council.

## Conclusion

It is proposed that Council recommence negotiations in regard to the proposed sale of part of the Evans Head Memorial Aerodrome for aged care purposes. Council's endorsement of such action is sought via this report.

## RECOMMENDATION

Recommended that Council recommence negotiations in regard to the proposed sale of part of Evans Head Memorial Aerodrome for purposes of an Aged Care Facility.

**180809/ 11 RESOLVED** (Cr. Wheatley/Cr. Crawford)

That the above recommendation be adopted.

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

## 12.6 REVIEW OF RICHMOND VALLEY COUNCIL MANAGEMENT PLAN 2008/2011 AS AT 30 JUNE 2009

**Reference:** Corporate Management - Planning; Financial Management - Budgeting

**Prepared by:** Manager Finance

---

## Background

Clause 203 of the Local Government (General) Regulation 2005 and Section 407 of the Local Government Act 1993 require within two months of the end of each quarter a report be provided to Council on a review of the budget estimates and implementation of the management plan.

## Report

### *Issues*

The quarterly review of Richmond Valley Council's 2008/2011 Management Plan incorporating a review of the 2008/2009 budget as at 30 June 2009, has been circulated separately to each Councillor.

The document 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 final quarter of the 2008/2009 financial year has seen the estimated budget result increase to a deficit of \$1,013,200 compared to the balanced position as at the 31 March 2009 Budget Review. In overall cash

terms, the estimated deficit in cash has decreased by \$6,732,600 from a cash deficit as per the adoption of the 31 March 2009 Budget Review of \$10,579,700 to an estimated cash deficit of \$3,846,100 as at the 30 June 2009 Budget Review.

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

<b>2008/2009 Budget Review Statement as at 30 June 2009</b>	<b>Revised Estimate 31/03/2009</b>	<b>Revote</b>	<b>Revised Estimate 30/06/2009</b>
Operating Revenue	54,870,600	(584,800)	54,285,800
Operating Expenditure	58,586,300	(1,034,200)	57,552,100
<b>Operating Result – Surplus/(Deficit)</b>	<b>(3,715,700)</b>	<b>449,400</b>	<b>(3,266,300)</b>
Add: Capital Revenue	4,431,000	1,667,300	6,098,300
<b>Change in Net Assets</b>	<b>715,300</b>	<b>2,116,700</b>	<b>2,832,000</b>
Add: Non-Cash Expenses	9,558,400	(238,700)	9,319,700
Add: Non-Operating Funds Employed	846,400	13,200	859,600
Subtract: Funds Deployed for Non-Operating Purposes	21,698,800	(4,841,400)	16,857,400
<b>Estimated Funding Result - Surplus/(Deficit)</b>	<b>(10,578,700)</b>	<b>6,732,600</b>	<b>(3,846,100)</b>
Restricted Funds – Increase/(Decrease)	(10,578,700)	7,745,800	(2,832,900)
<b>Working Funds – Increase/(Decrease)</b>	<b>0</b>	<b>(1,013,200)</b>	<b>(1,013,200)</b>

Overall the estimated financial position of Council in the short term for the 2008/2009 financial year as at 30 June 2009 is satisfactory. The Budget Review as at 30 June 2009 contains a number of adjustments that reflect some actual results at the conclusion of the 2008/2009 financial year.

The projected budget deficit for 2008/2009 relates solely to the estimated write down on the investment portfolio of \$1,013,200 as at 30 June 2009. Otherwise aside from this adjustment, the budget would have remained in a balanced position. Council may recall it is a requirement of accounting standard AASB139 to report the investment portfolio at fair value and the revised budget result reflects the anticipated fair value movement for the year. Once again it needs to be stressed this is an accounting treatment, not an actual result. Investment losses are only realised if the investment is redeemed and the fair value losses in the investment portfolio are related to investments within the portfolio designed to be held to maturity. If economic conditions improve that are affecting all investors, not just Council, then the fair value losses incurred to date may very well reverse. Council may also recall when adopting the 30 June 2008 budget review, the fair value loss on investments as part of that review were reported as \$2.869million. It could be argued that the impacts of the Global Financial Crisis are starting to stabilise and that Council may be able to potentially realise fair value gains on the investment portfolio in future years from where it is now.

From a cash perspective, the projected cash deficit for the 2008/2009 has reduced substantially during the last quarter of the financial year. This is mainly due to the estimated capital works program not being completed with details provided on page 87 of the budget review document and the budget review notes.

In terms of the revised estimated budget result as at 30 June 2009, it can only be emphasised that the budget result is not a defined cash loss but is more a reporting loss to comply with accounting standards.

It must also be recognised that the final financial results for 2008/2009, subject of this review are still subject to year end adjustments, yet to be externally audited and may change. The audited financial results for the 2008/2009 financial year will be reported to Council at its Ordinary Meeting to be held in October 2009.

### **Conclusion**

As indicated earlier in this report, detailed explanations of the required budget adjustments are included in the Management Plan 2008/2011 Review as at 30 June 2009. The document also includes progress on implementation of Council's 2008/2011 Management Plan objectives in relation to the 2008/2009 financial year. Adoption of the 2008/2011 Management Plan Review and quarterly 2008/2009 Budget Review as at 30 June 2009 by Council will ensure compliance with Clause 203 of the Local Government (General) Regulation 2005 and Section 407 of the Local Government Act 1993 for the quarter ended 30 June 2009.

### **RECOMMENDATION**

Recommended that Council adopt the revised 2008/2011 Management Plan and 2008/2009 Budget Estimates as at 30 June 2009 and approve the variations thereto.

**180809/ 12 RESOLVED** (Cr. Mustow/Cr. George)

That the above recommendation be adopted.

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

Note: A copy of the adopted revised 2008/2011 Management Plan and 2008/2009 Budget Estimates as at 30 June 2009 was attached to the archived Minutes of this Meeting.

### **12.7 FINANCIAL ANALYSIS REPORT - JULY 2009**

**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 July 2009, included with this report, aims to disclose greater information regarding Council's investment portfolio.

This report includes the provision of fair value for all Council's investments. Council is now able to receive 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 July 2009, the Reserve Bank of Australia did not reduce official interest rates so the cash rate in Australia remains at 3.0% per annum. In terms of investment yields, interest rates available for investments during the month have remained relatively stable. However, there is now discussion that interest rates could be on the rise after Christmas 2009 and that the cash rate may be back to 5.0% in two years time. Council has continued to pursue term deposit investments whenever cash flow estimates provide. Although, July is traditionally a poor cash flow month in terms of cash inflows, the portfolio has decreased by \$10million from 30 June 2009. This reduction was mainly due to the maturity of two term deposits totalling \$5.941million which were required to repay a loan that was due to the Commonwealth Bank. In addition to this, payments to suppliers during July 2009 were in excess of \$3.5million.

Total new term deposits made during July 2009 included:

- Macquarie Bank, \$1,000,000 maturing on 1 October 2009 at 4.35% per annum for ninety days.
- IMB, \$1,000,000.00 maturing on 2 October 2009 at 4.25% per annum for eighty eight days.

The total term deposit maturities during June 2009 included returning principal (in full) and interest were:

- Bank of Queensland \$3,000,000.00 maturing on 10 July 2009 (interest rate was 9.00% per annum for the investment period).
- Investec Bank \$2,941,000.00 maturing on 10 July 2009 (interest rate was 9.18% per annum for the investment period).
- Southern Cross Credit Union, \$500,000.00 maturing on 7 July 2009 (interest rate was 4.10% per annum for the investment period).
- Suncorp Metway Bank, \$1,000,000.00 maturing on 13 July 2009 (interest rate was 4.12% per annum for the investment period).
- Credit Union Australia \$1,000,000.00 maturing on 31 July 2009 (interest rate was 4.30% per annum for the investment period).
- IMB, \$1,000,000 maturing on 6 July 2009 (interest rate was 4.15% per annum for the investment period).

- Citibank, \$1,000,000.00 maturing on 6 July 2009 (interest rate was 4.25% per annum for the investment period).

Council's Managed Fund Investments have in recent months, been performing poorly. Also due to the Federal Government guarantee on bank deposits, there has been a general shift from managed funds as these investments are not covered by the guarantee. This has affected the liquidity and return of some of these funds. Due to this, Council has been progressively redeeming the Aberdeen Cash Plus Fund. Council was limited to withdrawals of now \$125,000.00 per month so to assist the fund from being frozen. These proceeds have been reinvested into term deposits as indicated in the attached investment schedule and or catering for Council's cash flow requirements. Council has now completely withdrawn from the Aberdeen Cash Plus Fund. Due to the recent good performance, The Blackrock Care and Maintenance Fund (which is also being eventually wound up by the Fund Manager) was able to pay another distribution of \$300,302.67. Distributions in this fund are gradually being paid out as and when the underlying securities in the fund are able to be sold or mature.

As previously reported to Council in relation to the Collatorised Debt Obligation (CDO) investments generally that Council has in its portfolio, these are designed to withstand a series of defaults. If the investment has not defaulted entirely by the time it matures, Council will receive all principal invested. These investments are debt obligations and debt has a maturity date upon which it must be repaid. This is also the case even though current market valuations or fair value suggests a much lower value at this point in time. It is also difficult to get monthly valuations on these investment types as that part of the investment market is seeing very little activity. Liquidity is still an issue as there are generally not buyers seeking these investment types, however most are still paying their coupons in some form. Interestingly though there are some opportunistic investors seeking CDO investments with prices now being offered on some CDO investments but they are heavily discounted and are CDO investments approaching maturity. This has still continued during the month of July 2009.

Following on from the information provided to the November 2008 Ordinary Council Meeting, there is now further advice on what will happen with the Esperance 2 CDO post the default of Lehman Brothers. As reported to Council as additional information to the March 2009 Ordinary Council Meeting, the trustee of the Esperance 2 CDO being the Bank of New York Mellon has asked all note holders of the Esperance 2 CDO to agree to five recommendations to pursue unwinding this investment. Council responded to the request of the Bank of New York Mellon and registered its support of the recommendations. It has not been confirmed but it has been suggested that a majority of note holders agreed to the recommendations. As at the end of July 2009, Council has still not received any further advice as to the timeframe of when the Esperance 2 CDO will be unwound. It is understood the Administrators of Lehman Brothers are taking action to prevent the unwinding happening even though Lehman Brothers were clearly in breach of contract under the terms of the trust deed.

Council has received more advice from CPG Research and Advisory that more defaults have occurred recently in some CDO investments during May 2009. One of the CDOs held by Council has had another default at this time is the Trio

CDO. This investment has been previously reported to Council and has been written off on a fair value basis as it was believed to be in default. The latest modelling suggests that the latest default of a reference entity will erase the previous partial recovery from one of the Icelandic Banks. During June 2009, the Trio CDO paid a partial coupon of some \$1,800.00. After this coupon was paid, within two days, Council received written advice from the Issuer of the Trio CDO, Calyon, via the trustee BNY Mellon and then through Macquarie Bank that the Trio CDO has officially defaulted which formally validates the course of action to write this investment down to a zero value and backs the modelling which suggested default. Given this investment has defaulted it has been removed from Council's schedule of investments and will no longer be reported upon. The remaining CDO investment's held by Council not subject to unwinding (Esperance 2) or default (Trio) are still relatively strong presently even though the fair value valuations may not suggest this.

Council may be aware that the Administrators of Lehman Brothers Australia held a series of creditor meetings during May 2009. This matter was reported in the press due to its controversy. Council participated in the creditors meeting through Piper Alderman whom were representing most Councils in Australia exposed to Lehman Brothers. The outcome of the final meeting held on 28 May 2009 was that Lehman Brothers Australia be placed in a Deed of Company Arrangement based on a proposal submitted by Lehman Brothers Asia, also in receivership. Essentially all direct creditors and former employees of Lehman Brothers Australia are understood to be paid in full. Additionally a \$42million pool is proposed to be established to compensate contingent creditors for 'notional investment losses' based on investment valuations at 26 September 2008. Richmond Valley Council is considered a contingent creditor by the Administrator. What is not clear is when any compensation will be paid and does the Deed of Company Arrangement prevent future or present claims being finalised relating to Lehman Brothers Investments. As far as Council is concerned, it is not clear whether the unwinding of the Esperance 2 CDO will be impacted by the outcome of the creditors meeting held on 28 May 2009. During June 2009, the Administrators of Lehman Brothers Australia executed the Deed of Company Arrangement, however it appears some Councils are considering further legal action to get the Deed of Company Arrangement set aside and pursue Lehman Brothers to be liquidated. It is understood this is still the case during July 2009.

As additional information the following table below provides what amounts are currently outstanding on sundry debtors, rates and charges, and water/sewerage debtors as at the end of July 2009:

<b>Debtor Type</b>	<b>Outstanding \$ 31 July 2009</b>
Sundry Debtors	1,115,112.24
Rates and Charges	10,828,413.60
Water and Sewerage Charges	2,713,889.58
<b>Total</b>	<b>14,657,415.42</b>

The following table also outlines an analysis of the collection of rates and charges (excluding water and sewerage) during the course of the 2009/2010 financial year as at 31 July 2009:

	<b>Balance \$ 31 July 2009</b>
Rates and Charges Arrears 1 July 2009	667,740.55
Add: Levies to 31 July 2009	10,381,282.25
<b>Total Outstanding</b>	<b>11,049,022.80</b>
Less: Collections to 31 July 2009	221,609.20
<b>Balance Outstanding at 31 July 2009</b>	<b>10,827,413.60</b>

**Percentage Collected**

**2.00%**

### ***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 July 2009 detailing balances of outstanding rates/charges, water/sewerage charges, sundry debtors, bank account balances and investments.

**180809/ 13 RESOLVED** (Cr. Crawford/Cr. Jeffery)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

RICHMOND VALLEY COUNCIL FINANCIAL ANALYSIS REPORT AT 31 JULY 2009

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
<b>Cash at Call</b>													
Commonwealth Bank Cash Deposit	Commonwealth Bank	11am at Call	AA	At Call	Variable		Quarterly	0.25%	N/A	600,000.00	31/07/2009	2.86%	No
ANZ High Yield Cash Account	ANZ Bank	At Call	AA	At Call	Variable		Maturity	0.27%	N/A	0.00	31/07/2009	0.00%	No
AMP Business Saver	AMP Bank	At Call	A	At Call	Variable		Maturity	0.33%	N/A	1,715,798.38	31/07/2009	8.19%	No
<b>Total Cash at Call</b>										<b>2,315,798.38</b>		<b>11.05%</b>	
<b>Term Deposits</b>													
Transferable Certificate of Deposit	Commonwealth Bank	TCD	AA	24/06/2008	24/06/2011	3mth BBSW + 0.80%	Quarterly	0.41%	N/A	1,000,000.00	31/07/2009	4.77%	No
Money Markey Deposit	Bank West	Term Deposit	AA	19/12/2008	18/12/2012	Fixed for Term	Annually	0.44%	N/A	422,000.00	31/07/2009	2.01%	Yes
Term Deposit	Investec Bank	Term Deposit	PL, F2	19/12/2008	20/12/2010	Fixed for Term	Annually	0.42%	N/A	454,000.00	31/07/2009	2.17%	Yes
Term Deposit	Credit Union Australia	Term Deposit	N/A	3/05/2009	3/08/2009	Fixed for Term	Maturity	0.37%	N/A	1,300,000.00	31/07/2009	6.21%	No
Term Deposit	IMB	Term Deposit	A-2	8/05/2009	6/08/2009	Fixed for Term	Maturity	0.33%	N/A	500,000.00	31/07/2009	2.39%	Yes
Term Deposit	Savings & Loans Credit Union	Term Deposit	N/A	2/06/2009	4/08/2009	Fixed for Term	Maturity	0.36%	N/A	1,000,000.00	31/07/2009	4.77%	Yes
Term Deposit	Savings & Loans Credit Union	Term Deposit	N/A	9/06/2009	10/08/2009	Fixed for Term	Maturity	0.37%	N/A	1,000,000.00	31/07/2009	4.77%	No
Term Deposit	Southern Cross Credit Union	Term Deposit	N/A	24/06/2009	24/08/2009	Fixed for Term	Maturity	0.37%	N/A	1,000,000.00	31/07/2009	4.77%	Yes
Term Deposit	National Australia Bank	Term Deposit	AA	25/06/2009	23/09/2009	Fixed for Term	Maturity	0.34%	N/A	1,000,000.00	31/07/2009	4.77%	Yes
Term Deposit	Macquarie Bank	Term Deposit	A-1	3/07/2009	1/10/2009	Fixed for Term	Maturity	0.36%	N/A	1,000,000.00	31/07/2009	4.77%	Yes
Term Deposit	IMB	Term Deposit	A-2	6/07/2009	2/10/2009	Fixed for Term	Maturity	0.35%	N/A	1,000,000.00	31/07/2009	4.77%	No
<b>Total Term Deposits</b>										<b>9,676,000.00</b>		<b>46.19%</b>	
<b>Managed Funds</b>													
Aberdeen Cash Plus Fund	Aberdeen	Managed Fund	AAf	At Call	Variable		Monthly	N/A	N/A	0.00	31/07/2009	0.00%	No
Blackrock Care & Maintenance Fund	Blackrock	Managed Fund	AAf	At Call	Variable		Monthly		N/A	2,492,433.23	31/07/2009	11.90%	No
<b>Total Managed Funds</b>										<b>2,492,433.23</b>		<b>11.90%</b>	
<b>Fixed Interest Securities</b>													
Select Access FRN 2005-5 (Sails)	ABN-AMRO Morgans Bank	CDO	AA	26/07/2005	14/12/2010	3mth BBSW + 0.80%	Quarterly	0.32%	500,000.00	454,705.00	31/07/2009	2.17%	No
Aphex Pacific Capital - (Phoenix)	ABN-AMRO Morgans Bank	FRN	AA+	14/08/2007	10/11/2011	3mth BBSW + 2.05%	Quarterly	0.43%	500,000.00	431,250.00	31/07/2009	2.06%	No
Averon CPP Limited - (Averon II)	ANZ Investment Bank	CPPI - Fund	AAA	13/07/2007	13/07/2014	BBSW + 1.50%	Quarterly	0.48%	500,000.00	300,000.00	30/06/2009	1.43%	Yes
Sirens BV 2007-2 [B1.a] - (Cargo II)	Citigroup Wealth Advisors	Commodity Link Note	B	28/03/2007	28/03/2012	3mthBBSW + 1.40%	Quarterly	0.45%	1,000,000.00	760,100.00	21/07/2009	3.63%	No
Octagon PLC (EMU Note)	FIIG Securities	CPPI - Hedge	AAA	25/10/2005	25/10/2015	50% performance	Yearly	0.00%	500,000.00	387,150.00	30/06/2009	1.85%	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	317,650.00	30/06/2009	1.52%	Yes
Magnolia Finance Ltd 2005-14 (Flinders)	Lehman Brothers	CDO2	BB+	10/02/2005	20/03/2012	3mth BBSW + 1.50%	Quarterly	0.47%	1,500,000.00	1,125,000.00	30/09/2008	5.37%	No
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	553,990.00	10/11/2008	2.64%	No
Herald Ltd Series 24 (Quartz)	Lehman Brothers	CDO	B+	31/08/2005	20/12/2010	3mth BBSW + 1.50%	Quarterly	0.47%	500,000.00	298,935.00	30/09/2008	1.43%	No
Nexus 4 Topaz Notes (Nexus 4)	Lehman Brothers	Listed CDO	A+	11/07/2005	23/06/2015		Half Yearly	0.01%	997,900.00	548,845.00	31/07/2009	2.62%	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	331,300.00	30/06/2009	1.58%	Yes
Series 33 - STIRM 2	Longreach	Capital Protect Note	A+	31/03/2008	10/05/2013	Variable	Maturity	N/A	500,000.00	483,300.00	30/06/2009	2.31%	Yes
Select Access FRN 2005-4 (Titanium)	Macquarie/RIMSEC	CDO	AAA	31/05/2005	14/12/2010	3mth BBSW + 0.80%	Quarterly	0.32%	500,000.00	473,020.00	30/06/2009	2.26%	No
<b>Total Fixed Interest Securities</b>									<b>8,997,900.00</b>	<b>6,465,245.00</b>		<b>30.86%</b>	
<b>Bank Accounts</b>													
		<b>Balance \$</b>											
		<b>31-Jul-09</b>											
Account Name													
General Fund Bank Account	1,549,835.51												
Trust Fund Bank Account	1,482,963.35												
<b>Total</b>	<b>3,032,798.86</b>												
<b>Total Investment Portfolio at Face Value</b>									<b>23,482,131.61</b>				
<b>Total Investment Portfolio at Fair Value</b>										<b>20,949,476.61</b>			
Overall Average Interest Rate for month - Portfolio										0.30%			
One Month Bank Bill Index										0.27%			

## **12.8 EVANS HEAD SEWERAGE TREATMENT - EFFLUENT MANAGEMENT OPTIONS**

**Reference:** Sewerage and Drainage - Augmentation, Design and Construction, Planning

**Prepared by:** Director Works

---

### **Background**

Monthly reports to Council have reported on the progress of works related to the Pollution Reduction Programs (PRPs) attached to the Evans Head Sewage Treatment Plant (STP) licence.

Council currently has the following three PRPs attached to the Evans Head STP licence:

- PRP 6 - Stage 2 Reclaimed Water Release Point Investigation.
- PRP 10 - Salty Lagoon Monitoring Program.
- PRP 11 - Effluent Reuse.

On Wednesday, 5 August 2009, Council Officers met with staff from the Department of Environment and Climate Change (DECC) to discuss the various options for effluent disposal and effluent reuse at Evans Head. This meeting was held to identify a process which will lead to the development and implementation of an appropriate reuse and/or effluent disposal option. DECC has already acknowledged that the final option or combination of options for effluent reuse and disposal will be considered within Council's budget constraints, ie affordability. This will require assessment of the social, environmental and financial viability of any option.

This report describes the outcomes from the recent meeting and recommends a way forward for Council in undertaking further investigations in order to better define the engineering requirements for some of the short-listed options.

### **Report**

#### ***Issues***

##### Pollution Reduction Programs

The following PRPs are attached to the Evans Head STP licence:

- \* *PRP6 - Stage 2 Reclaimed Water Release Point Investigation.*
- \* *PRP10 – Salty Lagoon Monitoring Program.*
- \* *PRP11 - Effluent Reuse.*

Council made a submission to the DECC addressing the requirements of PRP 6 and 11 which have already been reported to Council by the Water and Sewer Planning Development Engineer as part of the monthly reports on the Evans Head Sewage Treatment Plant Pollution Reduction Programs.

At the meeting on 5 August 2009 with DECC, the PRPs attached to the licence and Council's submission addressing the PRPs were discussed. In order to facilitate these discussions, Council prepared a summary paper of all the options that have been investigated to date for effluent reuse and disposal. The following effluent management options were discussed:

- Effluent reuse (Geolink 2009 Report).
- Salty Lagoon Monitoring program.
- Current ocean release location (Aurecon 2009 Report).
- Deep well injection.
- Aquifer storage and recovery.
- Direct potable reuse.
- Wetland and Carbon Forest.
- Disposal to the Richmond River.
- Ebb-Tide Release to the Evans River mouth (including sand fluidisation option).

The summary paper detailing the above options is available for perusal by Councillors.

The conundrum for Council is that pumping/pipeline costs for excess effluent disposal or effluent reuse are very high for some options.

DECC and Council Officers are very cognisant that given the costs of delivery of effluent to various reuse sites, there is a very strong linkage between the ultimate excess effluent disposal option selected by Council and approved by DECC, and any effluent reuse proposal. Thus, decisions on effluent reuse based on cost, cannot be made until an excess effluent release point is finalised.

Similarly, the amount of excess effluent to be released is impacted by the excess effluent release option associated with affordability of effluent reuse options.

Decision making is complicated by unknown factors associated with the outcomes of the Salty Lagoon Monitoring Study and whether an environmental flow will be required.

Council had adopted Deep Water Ebb Tide Release as its last remaining option, which is no longer supported due to cost.

#### Common Ground

As a basis for the discussions, DECC has acknowledged that:

- Council has made significant commitments to investigating and reviewing options for effluent management at Evans Head.
- The new Evans Head STP is performing to expectations and the quality of the discharge into Salty Lagoon has improved significantly.
- The Salty Lagoon Monitoring Program is continuing with the final report to be submitted by 31 March 2010.

- The current effluent disposal option adopted by Council for an offshore deep sea discharge is not economically viable for Council.
- Effluent reuse needs to be considered in conjunction with the preferred effluent disposal option, ie. they should not be considered separately.

### Discussions

The following is a summary of the outcomes from the discussions that were held:

- Effluent Reuse: Decisions on an effluent reuse strategy would be made once the final effluent disposal option was determined. This is a sensible approach as the eventual sites chosen for reuse will depend on the chosen effluent disposal point. This is because the pumping options and pipelines for both reuse and effluent disposal are integral to both schemes.
- Salty Lagoon: DECC has acknowledged that the new Evans Head STP is performing to expectations and the quality of the discharge into Salty Lagoon has improved significantly. The Monitoring Program is also continuing with the final report to be submitted by 31 March 2010. The outcomes of the report and recommendations for rehabilitation are not yet known. Environmental flows may be required. Further polishing of effluent to reduce nutrient loads may be a component of recommendations. The rehabilitation strategy will need to address the ecosystem that exists because of the historical effluent inflow. Long term disposal to Salty Lagoon is not an option. Short to medium term flows may be required as the ecosystem adjusts to a new regime.
- Deep Water (Ocean) Ebb-Tide Release: The current wet weather release option that has been adopted by Council (in October 2006) is an ocean ebb-tide release (Site C1, some 800m offshore). As part of the Stage 2 release investigations, Connell Wagner (now Aurecon) evaluated the benefits of an ebb-tide and continuous release in the vicinity of Site C. However, due to the engineering constraints around constructing the pipeline and the diffuser to this point, Connell Wagner were required to revise their report which identified that a more suitable location for the release point would be in deeper water (15m deep) approximately 2.3Km offshore. This was estimated to cost around \$24 million which is unaffordable for Council and which has been acknowledged by DECC as being unviable due to the cost. As such the long term disposal issue needs to be considered holistically.
- Deep Well Injection: A review of the studies undertaken to date reveals that this option is technically viable, subject to further studies (mainly in regards to clogging and injection trials). Preliminary estimates also reveal that this is one of the most affordable options. For these two reasons it was decided to include this option on the shortlist for further investigation. As consideration of same poses many issues associated with assessment of impact on National Park and associated legislation, this option is not preferred at this time.

- Aquifer Storage and Recovery: This option involves the injection of treated effluent into the Woodburn aquifer (injection point not yet identified) and using the bore as storage for potable or non-potable reuse. It is estimated that the capital cost for construction and extra treatment would be high, the community/stakeholder acceptance would be low, and that regulator approval would be difficult to achieve. For these reasons it was decided not to short-list this option for further investigation.
- Direct Potable Reuse: Apart from ocean discharge, this is one of the highest cost options. In addition, regulator approval and community acceptance would be difficult to achieve. Direct potable reuse is not yet implemented in Australia. For these reasons it was decided not to shortlist this option for further investigation. Direct potable reuse does not deal with the quantum of effluent created in the system.
- Wetland and Carbon Forest. This is the most recent option developed for effluent management. It may also be the best option when considered in conjunction with future opportunities for reuse. Depending on location, the pumping and pipeline costs can be very high. For these reasons it was decided to include this option for further investigation. There is a need for significant modelling of flow regimes and water quality in the Evans River.
- Richmond River: The cost for this option is high, and the Richmond River is already a highly stressed river, therefore, the likelihood of this option being adopted is low. For these reasons it was decided not to short-list this option for further investigation.
- Ebb-Tide Release to the Evans River Mouth: It was decided to shortlist this option for further investigation. The previous studies carried out by GHD used the premise of an ebb-tide release. However, for the further studies required to determine whether this would be a viable option or not, continuous release would be modelled. There is a need for significant modelling of flow regimes and water quality in the Evans River.

In summary, the following options for effluent disposal were identified for consideration given the complexities of the issues:

- Interim release of environmental flows to Salty Lagoon dependent on monitoring and rehabilitation investigation outcomes.
- Wetland and Carbon Forest (location options impact affordability and river flows/water quality require further review).
- Ebb-Tide Release to the Evans River Mouth (including sand fluoridation/continuous release option).

Deep Well Injection and Deep Water release (ebb tide and continuous) are not preferred at this time.

### Way Forward

The outcomes of the Salty Lagoon Monitoring Program and recommendations for the rehabilitation strategy will not be known until mid 2010. Regardless of the ultimate disposal option selected, the Environmental Impact Study for disposal will need to consider all options and reasons for the final decision. Significant cost implications exist with all options, dependent on location, continuous vs. wet weather vs. ebb tide release and effluent reuse potential. Consideration of social, environmental, financial, and sustainability issues will be paramount.

As there will be ongoing discharge to Salty Lagoon whilst these issues are considered, we also need to assess what can be done to minimise any impact.

There is a lack of knowledge about the Evans River flow regimes and water quality that needs to be addressed.

The following is proposed as a suggested way forward for DECC's consideration:

- In order to assess the potential for ongoing environmental flows or interim discharge to Salty Lagoon, additional treatment options will be investigated. This can be assessed under the current monitoring program being carried out by Hydroshpere and will form part of the final Salty Lagoon Ecosystem Recovery Monitoring Program report, due for completion by 31 March 2010. The additional work can be carried out in conjunction with the existing work being carried out for the monitoring program.
- Hydrodynamic and water quality modelling of the Evans River system to determine the environmental impact of the discharge options. This modelling will help to determine the feasibility of the two discharge options identified for the Evans River, namely the Wetland and Carbon Forest option and the Ebb-Tide Release option (to be considered as continuous release). The timeframe to carry out this work is anticipated to be completed by 30 September 2010. This will also allow time to consider the outcomes from Salty Lagoon.
- Modelling of Wetland/Carbon Forest water balances will also be required to feed into the results of the Evans River system as well as consideration of interim discharge to Salty Lagoon or environmental flows.
- For any further investigation of the deep well injection option, clogging and injection trials will need to be carried out. These clogging/injection trials are expensive and, therefore, it is proposed to carry out the above studies first to determine the feasibility of these options, prior to proceeding with any further work on the deep well injection option.
- The anticipated cost of further investigations is \$200,000 for Evans River Hydrodynamic and water quality modelling as well as water balance etc. of the Wetland/Carbon Forest. Clogging and injection trials for deep well injection are anticipated to cost over \$1,000,000.

***Financial Implications***

The additional work needed to assess continuing discharge to Salty Lagoon can be carried out by Hydrosphere in conjunction with the work being carried out under the Salty Lagoon Ecosystem Recovery Monitoring program. A budget has already been allocated for this program in the 2009/10 budget. It is anticipated that additional funds will be required, however, at this early stage an estimate has not been completed. This extra work will not impact on the PRP submission date for the Final Report, which is due by 31 March 2010.

The hydrodynamic and water quality modelling of the Evans River/Wetland/Carbon Forest is anticipated to be completed by 30 September 2010. Prices for this work need to be determined, however, at this early stage it is anticipated the budget allocation of \$170,000 under job number 6331.036 (Treatment Plant Evans Head – options development effluent management) can be utilised.

**Conclusion**

Council has previously resolved to pursue a deep water ocean release as the only available option for disposal of excess effluent at Evans Head. The financial viability of this option makes it undesirable.

Discussions have progressed with the DECC in relation to progressing options and identifying a process which will lead to the development and implementation of an appropriate reuse and/or effluent disposal option.

The reclaimed water release point and effluent reuse options are intricately linked in relation to volume and impact as well as social, environmental and cost implications. It is, therefore, necessary to consider all when determining the ultimate option. DECC has also acknowledged that budget considerations will be a factor in determining the preferred option for effluent reuse and disposal.

Further studies are required to investigate the feasibility of and to determine a preferred effluent disposal option.

**RECOMMENDATION**

Recommended that:

1. A copy of this report be provided to Department of Environment and Climate Change.
2. The Department of Environment and Climate Change be requested to await the outcomes of the Salty Lagoon Monitoring Program and any resultant impact on the rehabilitation strategy and also allow Council time to complete the hydrodynamic and water quality modelling of the Evans River/Wetland/Carbon Forest by 30 September 2010.
3. No further action be taken to progress the deep water ocean disposal option at this time.

4. Funding for hydrodynamic and water quality modelling of the Evans River/Wetland/Carbon Forest studies be initially sourced from allocation 6331.036 (Treatment Plant Evans Head – Options Development Effluent Management).

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

That:

1. A copy of this report be provided to Department of Environment and Climate Change.
2. The Department of Environment and Climate Change be requested to await the outcomes of the Salty Lagoon Monitoring Program and any resultant impact on the rehabilitation strategy and also allow Council time to complete the hydrodynamic and water quality modelling of the Evans River/Wetland/Carbon Forest by 30 September 2010.
3. No further action be taken to progress the deep water ocean disposal option at this time.
4. Funding for hydrodynamic and water quality modelling of the Evans River/Wetland/Carbon Forest studies be initially sourced from allocation 6331.036 (Treatment Plant Evans Head – Options Development Effluent Management).

An **Amendment** was moved by Cr. Kinnish and seconded by Cr. Crawford

That:

1. A copy of this report be provided to Department of Environment and Climate Change.
2. The Department of Environment and Climate Change be requested to await the outcomes of the Salty Lagoon Monitoring Program and any resultant impact on the rehabilitation strategy and also allow Council time to complete the hydrodynamic and water quality modelling of the Evans River/Wetland/Carbon Forest by 30 September 2010.
3. No further action be taken to progress the deep water ocean disposal option at this time.
4. Funding for hydrodynamic and water quality modelling of the Evans River/Wetland/Carbon Forest studies be initially sourced from allocation 6331.036 (Treatment Plant Evans Head – Options Development Effluent Management).
5. Council hold a public meeting this year (2009) to discuss the options for PRPs 6 and 11 and that outcomes be reported to the Department of Environment and Climate Change.

The **Amendment** was **carried**.

The **Amendment** then became the **Motion** and was **carried** (as follows):

**180809/ 14 RESOLVED** (Cr. Kinnish/Cr. Crawford)

That:

1. A copy of this report be provided to Department of Environment and Climate Change.
2. The Department of Environment and Climate Change be requested to await the outcomes of the Salty Lagoon Monitoring Program and any resultant impact on the rehabilitation strategy and also allow Council time to complete the hydrodynamic and water quality modelling of the Evans River/Wetland/Carbon Forest by 30 September 2010.
3. No further action be taken to progress the deep water ocean disposal option at this time.
4. Funding for hydrodynamic and water quality modelling of the Evans River/Wetland/Carbon Forest studies be initially sourced from allocation 6331.036 (Treatment Plant Evans Head – Options Development Effluent Management).
5. Council hold a public meeting this year (2009) to discuss the options for PRPs 6 and 11 and that outcomes be reported to the Department of Environment and Climate Change.

FOR VOTE - All Council members voted unanimously.

Cr. Mustow, having previously declared an interest in the following matter, retired from the meeting at this stage, the time being 5.44 p.m.

## **12.9 BROADWATER SEWERAGE SCHEME - PRESSURE SEWERAGE POLICY**

**Reference:** Sewerage and Drainage - Design and Construction, Fees and Charges, Planning, Policy, Procedures

**Prepared by:** Water and Sewer Planning Development Engineer

---

### **Background**

In April 2007 Council adopted the Broadwater Protocol, which is a document outlining the responsibilities and requirements for the pressure sewerage system in Broadwater. This document was based on the Wagga Wagga protocol, which is now outdated. With the development of pressure sewerage systems in Australia, the industry has gone away from this style of document as it tried to

address all of the functions associated with pressure sewerage systems in the one document.

As a result, a new Policy for Pressure Sewerage Systems has been developed which is also supported by other documents.

## **Report**

### ***Issues***

Along with the Policy, other documents relating to pressure sewerage being developed are:

- Pressure Sewerage Code of Practice.
- Pressure Sewerage Engineering Standards.
- Home Owner's Manual.
- Pressure Sewerage Operations and Maintenance Manual.
- Customer Services Agreement.
- General information on what a pressure sewerage system is which will be placed on Council's website.

The Policy document needs to be adopted by Council. The other documents mentioned above support the Policy and are working documents which do not need formal approval of Council.

The Policy typically sets out requirements in relation to issues associated to pressure sewerage such as:

- Definition of a pressure sewerage system.
- Technologies supported by Council.
- Ownership of the system.
- Maintenance of the system.
- What is expected of the home owner.
- What is to be done for commercial applications.
- The formal levels of service to be provided by Council.
- Responsibilities of developers and the process to be followed.
- Who pays for power supply to the pumping unit.
- Access requirements for maintenance crews.
- Payment of a Property Levy for subdivisions.
- Trade waste requirements.
- Household modifications.
- Connections for pools and spas.

The Policy is included in the report below.

**Consultation**

The Broadwater Protocol was previously advertised for public comment prior to its adoption in 2007.

On 15 June 2009, a public information evening was held at the Broadwater Community Hall to advise the Broadwater community of the proposed new Policy and why it was being developed.

**Statutory/Policy Implications**

The Broadwater Protocol was adopted by Council in 2007. The proposed new Policy which replaces the Protocol, has been developed as the pressure sewerage industry has moved away from the old style of document.

**Conclusion**

A new Policy has been developed for the Broadwater Sewerage Scheme and for other applications of pressure sewerage within the Richmond Valley Council area. The new Policy also replaces the Broadwater Protocol which was adopted by Council in April 2007.

**RECOMMENDATION**

Recommended that the Pressure Sewerage Policy be adopted.

**180809/ 15 RESOLVED** (Cr. Wheatley/Cr. Kinnish)

That the above recommendation be adopted.

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

## RICHMOND VALLEY COUNCIL POLICY REGISTER

**Policy No:**

**Reference:** Sewerage and Drainage - Design and Construction, Planning, Policy

---

<b>POLICY:</b>	<b>PRESSURE SEWERAGE</b>
<b>FUNCTION:</b>	Sewerage Services
<b>OBJECTIVE:</b>	To provide specific direction in relation to the use of pressure sewerage systems in Council's area
<b>DIRECTORATE:</b>	<b>WORKS</b>

---

### POLICY

#### 1. INTRODUCTION

This document is intended to provide specific Council policy in relation to the use of pressure sewerage systems within Richmond Valley Council. The need for this separate policy document arises from the recognition that previous Council policy, developed for more traditional sewerage technologies, will not always be applicable to pressure sewerage installations.

This policy statement is supported by the following additional Council pressure sewerage documentation:

- A Pressure Sewerage Code of Practice that explains in more detail the intent and implementation of this policy document.
- A set of Pressure Sewerage Engineering Standards.
- A Home Owner's Manual to guide the Resident in the Use of the Technology.
- A Pressure Sewerage Operations and Maintenance Manual.
- A specific pressure sewerage Customer Services Agreement.
- General information on what a pressure sewerage system is, to inform potential property owners on what to expect from their system.
- The Water Services Association of Australia's Code on Pressure Sewerage Systems (WSAA - 07).

All of this documentation is intended to ensure the consistent application of this technology throughout the Council area, as well as obtaining the optimum performance from such systems. Pressure Sewerage Systems, as covered by this policy, are briefly defined as a dedicated central (or reticulated) sewerage system comprising:

- A dedicated pressure sewerage pumping unit installed on each property with the collective action of those pumping units being responsible for the pressure to move the sewage from the property, to the designated discharge point for the system.
- A property service line on each property that connects the pumping unit to the boundary valve arrangement.
- Boundary valves installed on each property to allow the property to be isolated for repair purposes and prevent backflow onto the property.
- A common collection system, designed specifically for a pressure sewerage system. It is to connect the individual properties to be served to the designated

discharge point. Such systems follow minimum depth principals, rather than being laid on grade.

- A dedicated point for the discharging of all sewage collected in this manner, with this point to always be nominated by Council.
- Individual grinders (or cutters) and dedicated individual alarm systems to warn residents when their pumping unit is not working.

The minimal requirements for these systems are set out in Council's Engineering Standards for Pressure Sewerage Systems, and are not intended for this document.

## **2. THE USE OF PRESSURE SEWERAGE IN THE RICHMOND VALLEY AREA**

Pressure Sewerage is one of several sewerage service options available to Council in sewerage different parts of the Council area of responsibility. Its usage will generally be limited to applications where:

- It represents the most economical overall solution for Richmond Valley Council and the people of the Richmond Valley Council area, over the life of the pumping units.
- There are specific environmental reasons/benefits that mandate the usage of this technology in a particular location.
- There are specific site requirements that mandate pressure sewerage's usage, in a particular location.

The final choice of any sewerage technology to be adopted for a particular location will remain with Council, and any party proposing to utilise pressure sewerage will need to specifically address the above criteria, in their development submission to Council.

Council requires in its pressure sewerage applications that a single standard size pumping unit will be installed on all residential properties and then connected to the collection system. The technology is, however, not limited to residential applications, with some non residential applications possibly including larger pumping units or multiple pump applications. These must be specifically designed for their particular application. These non residential applications will be permitted subject to:

- Such applications having been allowed for in the collection system design.
- Such applications having been designed by an appropriately skilled designer.
- The technology being proposed is able to be reasonably supported by Council.

This policy statement needs to be read in conjunction with the other supporting pressure sewerage documents as set out in the "Introduction" of this document. Particular overlapping documents are the Code of Practice and the Pressure Sewerage Engineering Standards.

## **3. PRESSURE SEWERAGE TECHNOLOGIES TO BE SUPPORTED BY COUNCIL**

The pressure sewerage system will be based on a standard residential pumping unit being adopted and more specialised applications being used for non residential

applications where the standard unit will not be suitable. That standard unit will be selected on the basis of the technology that Council believes best meets its needs.

Richmond Valley Council will generally operate only one pressure sewerage technology, as defined in its Engineering Standards, until it reviews this policy in 2015. Council will not accept handover of any other pressure technology from Developers (or other parties) for operation by Council, before that date.

This policy direction, however, does not preclude Council from moving away from any technology adopted by it previously, if it is discovered that the technology is not up to the standards required by Council, or it discovers other technologies that may be better suited to a particular isolated application.

Council will assist other parties wanting to use this technology by having a long term supply contract with the selected Technology Supplier and making the pumping units (and other associated fittings) available to those parties at its contract prices.

#### **4. THE COLLECTION SYSTEM**

The collection system is the term that describes those pipelines that collect the wastewater from each property and transport it to a designated discharge policy. They are to be laid in the road reserve and will include the boundary kits on each property, isolating valves, air valves, non-return valves, etc as per Council's Engineering Standards. These systems are to be designed by persons with relevant experience and skills with pressure sewerage and handed over to Council where Council was not itself directly responsible for the construction of the collection system.

Such handovers will meet the requirements of Council's Pressure Sewerage Engineering Standards. Council will then operate and maintain the collection system from that point forward.

Council will need to approve any pressure sewerage collection system before it is constructed or it will not accept handover. Council defines this sewerage collection system as extending to, and including the boundary kit on each property.

Any residential connection to the boundary kit will be automatically permitted, where a boundary kit has been provided to the property. Any non residential connection, whose discharge requirements are outside of those parameters for a standard connection as defined in the Council Pressure Sewerage Engineering Standards, will require prior Council approval. The exception to this approval requirement will be for any collection system that has been specifically designed for those non residential connections.

If the property is not connected to the collection system then prior Council approval will be required before such a connection is made and Council will then organise such a connection and a boundary kit to be placed on the property. The property owner will meet all costs of providing this connection.

## **5. OWNERSHIP OF THE ON PROPERTY SYSTEM**

The residential pumping unit, the electrical connections and the property service line connecting the pumping unit to the boundary kit will become the property of Council, after installation, and the successful handover of that system to Council. No resident on the property is thereafter to interfere with the unit, nor attempt to gain entry to the unit, or attempt to conceal the unit.

Any non residential connection that does not comply with the definition of a standard connection, as set out in the Council Pressure Sewerage Engineering Standards (but has been allowed to discharge into the collection system), will remain the property of the property owner.

Pumping units on public land are to be sealed such that it is not possible for these to be reasonably accessed by members of the public.

No easement will be pursued for the 'on property' systems on private land, unless problems arise on a particular property, which may require this action to be taken at a later date.

## **6. OPERATION AND MAINTENANCE OF THE PRESSURE SEWERAGE SYSTEM**

For standard residential applications the pumping unit, the property service line and the pressure sewerage common collection mains will all be maintained by Council, in response to community /individual calls for assistance should any part of the system fail.

Council will in this role be responsible for:

- The perpetual maintenance and repair of the pumping units and property service line (on the property).
- The collection systems into which they discharge, including the boundary kits.
- Supporting this maintenance with a 24 hour a day call centre.
- Holding sufficient spare pumps and parts, to allow for the maintenance of these units to occur in acceptable time frames.
- The eventual replacement of the pumps, when they wear out.
- Holding all property drawings for subsequent reference by property owners.
- Providing the resident with a Home Owner's Manual and supporting that with other general advice as required.

The property owners will be expected to enter into a specific Customer Service Agreement in relation to the provision of these maintenance services, in which the full details of the service provided will be set out in accordance with the above general directions.

For non-residential connections based upon a standard pressure sewerage installation, Council will also provide the above listed services excepting that it will not be responsible to augment such systems to meet increased loads that may be generated on the site, and are beyond the capacity of a standard connection. Any such augmentation will be the responsibility of the property owner but the revised

system may be handed over to Council providing it is based on Council supported technology. Prior Council approval to such augmentations will be required. The owners of these properties may elect to enter into a more commercial service arrangement than the standard residential arrangement, with Council.

For large private applications where a separate internal pressure sewerage system is involved, Council will only maintain the internal pressure sewerage system where that owner/governing body has entered into a specific Customer Service Agreement for that application. Where such an agreement has not been signed then the owner will be solely responsible for the operation and maintenance of these internal systems.

The services provided by Council under any such arrangement will be in accordance with the specific Customer Service Agreement applicable to that property.

For non-residential (non-standard) applications the property owners can engage another qualified body to carry out this maintenance but at minimum such systems must be maintained by a recognised expert body if they are to be connected to Council sewers. Council will require a copy of the maintenance arrangements be submitted to it as part of the Development Application, along with copies to the NSW Health Department and the Department of Environment and Climate Change. In this manner Council will ensure that appropriate long term maintenance arrangements exist before such a system can be connected to its collection system.

If any of these different regulators are not satisfied with the proposed maintenance procedures, then the proponent will need to revise their proposal.

In carrying out its maintenance obligations Council will, in general, endeavour to mirror the maintenance services provided for its more traditional sewerage services, particularly during business hours. However, for after hour's service, it will specifically provide the following additional services:

- Next day repairs or replacement of the pumps for after-hours responses to high level alarms, to minimise the inconvenience to residents.
- As soon as possible response to any emergency situation with the potential for an overflow.

Individual (or groups) of properties may require isolation for short periods for the maintenance of the common collection mains. The property systems will, therefore, be designed to accommodate this short term interruption.

## **7. POWER TO THE PUMPING UNIT**

The pumping unit will be connected into the property electrical power board and will not be metered separately. The residents on the property will meet the power costs for the operation of the pressure sewerage pumping unit on that property, as part of their normal power bill. There will be no Council contribution towards these costs.

## **8. REQUIREMENTS OF PROPERTY OWNERS AND RESIDENTS**

The Property Resident is required to:

- Notify Council immediately if the pumping unit alarm sounds, or the system overflows, or displays any other fault.
- Not discharge into the pumping unit any of those substances identified as inappropriate in the Pressure Sewerage Home Owner's Manual.
- Read and comply with the other requirements set out in the Home Owner's Manual.
- Not interfere with the operation of the pumping units in accordance with what is detailed in the Pressure Sewerage Home Owner's Manual.
- Act responsibly with these systems and in particular not seek to gain access to these systems.
- Pay the power bills by the due dates.
- Provide reasonable access to Council maintenance crews when required.
- Contact the property owner if there is a problem in the private sewerage system upstream of the pumping unit and then ensure the repairs are carried out appropriately.

The Property Owner is required to:

- Ensure the resident (if different from the property owner), understands that the property is serviced by a pressure sewerage system and that they have a copy of the Pressure Sewerage Home Owner's Manual.
- Ensure their systems are being appropriately maintained for those non-residential systems that are not being maintained by Council.
- When contacted by a property resident that there is a problem with the private sewerage system, have a licensed plumber attend to this problem in the shortest possible timeframe.
- Understand the limitations of the sewerage system if the application is for a non-residential application and not seek to operate outside those limits.
- Pay the annual sewer rates.
- Ensure that there are no works carried out on the site that might interfere with the operation and maintenance of the pumping unit.
- Ensure that any proposed modifications to the site that may impact on the pressure sewerage system are communicated to Council, before any such works are carried out.
- Ensure there are no inappropriate discharges from the site particularly for non residential applications.
- Enter into a formal Maintenance Agreement with Council where appropriate.

## **9. ACCESS FOR COUNCIL MAINTENANCE PERSONNEL**

It will be a condition of being connected to any Council pressure sewerage collection system that the property owner's consent will be given to allow Council, or its agents, to enter the property and undertake any repairs to the pressure sewerage unit. These repairs should be able to be done in a timely and safe manner.

Details of the Council requirements in relation to access will be detailed in the Home Owner's Manual. Where the resident has not provided reasonable access or fails to

secure pets, or modifies the property to make access difficult, etc, then Council may refuse to provide the service call in accordance with this policy. In these instances the property owner/ resident may be charged the additional costs incurred by Council in having to return to the site or for unnecessary work done by Council in repairing the unit.

#### **10. IDENTIFICATION OF COUNCIL MAINTENANCE PERSONNEL**

Any Council employee (or contractor) entering private property must have photographic identification and appropriate authorisation to enter that property. There will not generally be a need for a Council presence on the property except in response to a resident's request for maintenance work to be carried out on the pumping unit or connecting pipeline.

If some unforeseen event requires investigation, then Council will endeavour to provide prior written notice, before coming onto the property to ensure the resident has the ability to confirm that the activities are being undertaken by Council. Where it is impossible to provide such prior warning Council officers will provide the resident with some means of reassuring themselves that the maintenance personnel are on site for appropriate reasons. This verification will be carried out on a case by case basis.

#### **11. NEW SUBDIVISIONS (DEVELOPER POLICY)**

Developers wishing to utilise pressure sewerage systems to service their particular development in the Richmond Valley Council Area must first gain Council concurrence to the use of this or any other sewage technology. Assuming that such approval is granted, the Developer will thereafter be responsible for:

- Meeting all costs to provide the pressure sewerage system for the specific development they have applied for. This includes meeting any augmentation required to downstream systems that results from accommodating the development.
- Ensuring the design of that system meets Council's Pressure Sewerage Engineering Standards and that the design work is carried out by suitably qualified and experienced personnel.
- Physically supplying and installing any collection mains to the properties and the Council designated discharge point. This includes the supply and installation of the boundary kit at the property boundary and connecting them to the collection mains.

For minor subdivisions no additional downstream collection main capacity may be required but this must be verified by a qualified system designer, unless otherwise designated by Council.

- Installing only the materials and technology that Council will maintain. A copy of the Council Pressure Sewerage Engineering Standards will be provided to the Developer on request to assist with their Development Application.
- Formally handing over the pressure sewerage assets to Council through the designated handover process in the Engineering Standards. These assets must be fit for purpose (as defined in those standards).

- Meeting any headwork's contributions required by Council for downstream infrastructure.
- Paying the Property Levy as defined in Council's Fees and Charges.
- Providing all information required by Council on the pressure sewerage system they have installed including any drawings required.

The pressure sewerage system for Developers is defined by Council as including the on property works of supplying and installing the pumping unit, as well as the property service line connecting the property boundary kit to the pumping unit. As this work cannot be carried out until each dwelling on the new subdivision is effectively ready for occupancy, the Developer will be required to pay a Property Levy directly to Council as part of their development application. This will be to cover the on property work being carried out at a latter date. Council will then take responsibility for organising this property installation work with the property owner when it is required.

Once that Levy is paid and all of the collection system works successfully handed over to Council, approval will be given by the same, for the properties to be released for sale. This assumes that all other works associated with the development have also been successfully completed.

The costs of that Levy will be formally advised to the Developer when they lodge their development application but these will also be listed in Council's annual Fees and Charges. Council will then administer that Levy and ensure that each property is serviced when the dwelling is nearing occupancy. The property owner will be responsible for the installation of the pumping unit and property service line and any other unique requirements that they may have. These costs are not to be included in the Property Levy.

New subdivisions have an extensive formal design requirement placed on the Developer with the need for a review of the impacts that any such subdivision may place on downstream infrastructure (including any required augmentation). This is over and above any headworks charges also required. For minor subdivisions to existing systems where no new collection mains are required or only minor mains work is required then this design verification requirement can be overlooked, as being an inappropriate cost burden to the Developer.

Where the subdivision is minor in nature Council would carry out any main laying required and the Developer would make a contribution towards these works in accordance with the nature of their particular Development. The Developer will still be required to pay any Section 64 Headworks charges, as well as the Property Levy.

## **12. SERVICING EXISTING AREAS OR PROPERTIES**

Where a pressure sewerage system is to be installed in an area that has previously been unsewered, then Council will be responsible to design and deliver such a system. This will include the provision of the pumping units to the existing developed properties within that area, at the time the system is installed, with the termination point normally being the upstream connection to that pumping unit. Council will

advise residents at the time of any costs they are likely to bear as a result of proceeding with these works.

Vacant lots with a building entitlement that are within that area to be serviced, will be provided with a boundary kit, and it will be the responsibility of the property owner to organise the installation of the pumping unit at a latter date through Council, when their building is nearing occupancy. The property owner will meet any costs advised to them by Council.

Those property owners of unsewered properties that are already in a defined urban area that is in close proximity to an existing sewerage system (conventional or alternative technology), may approach Council to explore the feasibility of a connection to that system, using pressure sewerage. Council will within a reasonable timeframe, investigate that option and if the scheme is subsequently deemed viable, then such a connection will be made, subject to the property owners agreeing to meet the costs incurred. In these instances the property owner will be responsible to meet the costs advised to them by Council for the construction of the collection system, discharge point, boundary kit etc to service the property/properties. They will also be responsible to meet Council's costs to have the pumping unit and property service line installed. The property owner will need to organise their own plumber to have their own domestic plumbing connected to the pumping unit.

For those properties that have their own private pump up system, they may retain their existing system or convert to a Council pressure sewerage system. The property owner will bear all costs associated with the change over from their existing system to the pressure sewerage system, but Council will then accept handover and maintain the unit, as it does all other pressure sewerage systems in the Richmond Valley Council Area.

This pressure sewerage policy does not otherwise cover private pump up arrangements, which will remain unique to their particular application.

For existing properties that have been developed, the electrical and sanitary plumbing services to the as constructed buildings on those properties will need to be inspected prior to the installation of any pressure sewerage system. Where it is determined that these services need to be repaired or brought up to industry standards, the cost of doing this will be met by the property owner and the works must be carried out in the timeframe identified by Council for the work to proceed.

### **13. INSTALLATION OF THE PUMPING UNITS (RESIDENTIAL)**

The actual installation of the pumping unit and the property service line on the residential property are to be carried out in accordance with the Technology Supplier's Installation instructions and the Council Pressure Sewerage Engineering Standards. The basis of these standard residential connections will be that only one standard pumping unit is to be installed per residential property. Any exception to this rule will require that permission be given by Council for a specific variation.

All such residential installations must only be carried out by Installers who have been appropriately accredited by the Technology Supplier to carry out such an installation.

Council will maintain a listing of these Accredited Installers and will organise with the property owner the installation of these units on the residential property, using such an Installer.

Where the installations occur as part of sewerage a particular area (and only at the time of that sewer construction program) or part of a new subdivision that has been designed specifically for being serviced by pressure sewerage then the property owner's costs in relation to these installations will be minimised. Actual costs to the property owner will be those such as upgrading their existing connections for the new system (where applicable) or the costs to connect to the pumping unit (where applicable) or any additional work specifically requested by the property owner.

Council will advise the resident of the specific costs involved in these instances. In all other applications the property owner will be required to meet the full costs of installing the pumping unit and property service line including the supply of those assets.

#### **14. INSTALLATION OF THE PUMPING UNITS (NON-RESIDENTIAL)**

Most non-residential installations will still have a standard connection and will be treated identically as for the residential applications. However, those non-residential applications that require a non-standard connection will need to demonstrate that the proposed unit has been designed by a specialist in pressure sewerage systems to meet the following requirements:

- The property loads likely to be generated.
- The likely impacts on the downstream (existing) collection system.

The unit should be based upon a pumping unit that falls within the range of products from Council's Technology Supplier. In these instances Council will endeavour to provide the unit under its supply contract where possible, after it has had time to get a response from its Technology Supplier. Council will not be held liable for any delays in achieving delivery of the unit by the Technology Supplier as it is a non-standard unit. If the requirements of the property design lie outside of the product range then the supply of the unit will be the responsibility of the property owner, but still subject to Council concurrence that it is able to maintain that unit.

The property owner will be responsible for the installation of these non-standard units and for meeting all of the costs involved. The only exceptions to that would be for a new subdivision that had been specifically designed for an industrial estate or where there is a dedicated sewerage backlog program. In those instances the property owner would pay either those costs over and above the Property Levy paid by the Developer applicable for that subdivision or what is advised to the property owner in the case of a backlog program.

All non standard units must be tested at flow rates similar to those of the proposed application to confirm the impacts of these connections on the downstream infrastructure is in accordance with the specialist design for that application. If the downstream infrastructure is found to be inadequate as a result of these tests, (over and beyond any allowances made in the specialised design), then these inadequacies will need to be rectified. This will need to occur before the unit can be

commissioned and be handed over to Council. These additional costs will also be met by the property owner.

#### **15. TRADE WASTE APPLICATIONS**

For non residential applications where the waste water being discharged is different in nature to domestic sewerage they will be required to obtain a trade waste license.

If it is deemed by Council officers that a particular trade waste discharge may be deleterious to the Council pressure sewerage or other downstream systems, then approval to the application will be refused.

#### **16. HOME OWNER'S MANUAL**

Council will ensure all property owner's receive a manual that guides them on what they need to do with their pressure sewerage pumping unit (particularly if the alarm were to activate) and what is expected of them. Council will also ensure that this manual is kept up to date, based on its experience with pressure sewerage over time.

#### **17. MODIFICATIONS TO THE PRESSURE SEWERAGE SYSTEM OR HOUSEHOLD ADDITIONS**

Building over the pressure sewerage system will not generally be allowed but if the property owner wishes to relocate the "on property" pipeline or the pumping unit, Council will permit such relocations subject to it being technically feasible as set out in the Pressure Sewerage Engineering Standards. The property owner will meet all costs of such a relocation, which will be organised by Council, with the costs advised to the owner before work commences.

A formal submission for any such modification must be made to Council before any such work is contemplated and Council will indicate if the modifications can proceed and the conditions applicable to those modifications. Council will take punitive action against any party that modifies their on property system without prior approval.

#### **18. PRESSURE SEWERAGE COSTS TO THE INDIVIDUAL PROPERTY RESIDENT OR PROPERTY OWNER**

Properties serviced by a pressure sewerage system will pay an annual sewerage rate that is set by Council as part of its annual fees and charges. All normal repairs and even the eventual replacement of the pumps will be covered by this annual rate.

Residents may be separately charged in relation to their pressure sewerage systems where their negligence has resulted in damage to the system and/ or additional costs to Council in the carrying out of its normal maintenance.

#### **VARIATION**

Council reserves the right to review, vary and/or revoke this Policy from time to time.

Cr. Mustow returned to the meeting, the time being 5.46 p.m.

**12.10 EVANS HEAD AQUATIC CENTRE CONSTRUCTION TENDER 160.09**

**Reference:** Council Properties - Contracting, Design and Construction; Parks and Reserves - Design and Construction; P40630; DA2008/188

**Prepared by:** Administration Engineer

---

**Background**

On 4 May this year the Minister for Youth and Sport, officially announced that Richmond Valley Council was successful in the Federal Community Infrastructure Grant application for the Evans Head Aquatic Centre.

This report now explores the procurement of construction of the Evans Head Aquatic Centre.

**Report*****Issues***

Tenders have been called and have closed for the construction of the Evans Head Aquatic Centre. Unfortunately, due to the time constraints of the Federal Community Infrastructure Grant, an expression of interest period to short list suitable contractors did not proceed as previously reported to Council. Instead Council undertook a two envelope tender system which required the tenders to address the non price selection criteria before the tender price was considered.

Council had originally set a tender period of four weeks. The tenders were called for as of Tuesday, 23 June 2009 and closed at 2.00 p.m., Wednesday 5 August 2009. The Tender period was extended by two weeks at the request of tenderers due to the complex nature of the Aquatic Centre construction.

Council received ten tenders for the construction of the Evans Head Aquatic Centre. With the exception of Taylor Homes (received after tenders closed), all tenders were submitted on time and generally conformed to the tender brief. The evaluation was undertaken in accordance with the tender evaluation plan which was structured in accordance with the NSW Government Code of Practice for Procurement 2005. As a part of the tender evaluation process, a tender evaluation report is prepared. Due to the Commercial-in-Confidence or otherwise confidential information contained within the report, the report is not tabled for public information. The tender evaluation plan and report, including the tender brief, is available for perusal by Councillors.

The following is a summary of the tenderers base price without factoring qualification and departures:

---

Southern Cross Constructions	\$5,664,000
Glenzeil Pty Ltd	\$4,960,154
AMFM Constructions	\$3,638,682
Ontrac Constructions Australia Pty Ltd	\$5,218,074
Kane Construction Qld. Pty Ltd	\$5,685,096
Xception Pty Ltd	\$5,123,856
Wade Building Pty Ltd	\$4,811,000
Queensland Concrete and General Construction	\$5,560,997
Multispan Australia Pty Ltd	\$5,209,748
Taylor Homes	(not received in time)

The tender evaluation plan ranks Multispan and Glenzeil within three points of each other and, in accordance with the tender evaluation plan, both are considered equal. Where two or more tenders are equal, the equal tender with the lowest price will be identified as the preferred tender.

Council reviewed the qualification and departures for both and sought further information from both contractors. Once the information was received and the qualification and departures assessed, Glenzeil was selected as the preferred tenderer with an amended tender price of \$4,972,309 inclusive of GST.

### ***Consultation***

No further consultation has been undertaken by Council as a part of the tender process. The evaluation of tenderers is an operational issue and the NSW Government Code of Practice for Procurement required that Council not disclose tender information received that is intellectual property, proprietary, Commercial-in-Confidence or otherwise confidential.

### ***Financial Implications***

The amended tender amount (tender amount including the cost for qualification and departures) is less than the budgeted estimate. However, it is noted that variations will be required to the tender design to meet recent changes in standards and amend errors in tender design. These amendments are not considered significant.

### ***Common Seal***

It is recommended that Council delegate the General Manager to be authorised to sign and to affix the Common Seal of Council to the contract documents if required.

### ***Conclusion***

Based on the tender evaluation report, it is recommended that the tender be awarded to Glenzeil Pty Ltd.

**RECOMMENDATION**

Recommended that:

1. the Evans Head Aquatic Centre construction tender (Tender 160.09) be awarded to Glenzeil Pty Ltd for the lump sum price of \$4,972,309 inclusive of GST, subject to a satisfactory financial audit of Glenzeil Pty. Ltd.
2. the General Manager be authorised to sign and to fix the Common Seal of Council to the contract documents, if required.
3. the Extraordinary Meeting scheduled for 1 September 2009 be cancelled if no further action on this tender process is required.

**180809/ 16 RESOLVED** (Cr. Kinnish/Cr. Wheatley)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

Note: Cr. Cox requested advice in regard to the involvement of community groups in the proposed works.

The Director Works indicated that he would follow up the matter.

**12.11 CASINO FLOODPLAIN RISK MANAGEMENT PLAN - POLICY VARIATION FOR COMMUNAL HALL AT CASINO PUBLIC SCHOOL**

**Reference:** Sewerage and Drainage - Policy; P5138; DA2010.002

**Prepared by:** Senior Administration Engineer

---

**Background**

The Casino Flood Study was commenced in early 1997 with the final report issued in late 1998. The Casino Floodplain Risk Management Study and Plan was then undertaken with the final Plan adopted by Council in 2002. The Risk Management Plan was able to update the original modelling with the latest 2D flood modelling available, thereby defining flood hazard ratings based on both depth of flow and velocity over a 20 metre grid.

Development Application 2010.002 seeks to obtain development consent for the construction of a new Communal Hall with associated Covered Outdoor Learning Area at the Casino Public School in Walker Street Casino.

**Report****Issues**

Council's adopted Casino Floodplain Risk Management Plan (2002) sets condition requirements for various types of development dependent on the flood

hazard area category. The hazard category is based on a combination of flow depth and velocity as set out in the NSW Government's *Floodplain Development Manual - the management of flood liable land*.

The Casino Public School was established in 1861 with development of many buildings over the subsequent years. The site options for the new hall were, therefore, extremely limited. The site has been chosen to minimise the impacts of flooding in the area as the majority of the school open areas are affected by higher depths.

Floor level requirements for a school building in Flood Hazards areas Rare Low and Low are detailed in Condition FL3b - *If practical, some or all floor levels to be greater than or equal to the PMF flood level, so that these buildings will be available for accommodation/storage during and after a flood emergency. (Mid-Richmond: If no site exists that can practically fulfil the above Probable Maximum Flood requirement, the 500 year flood level plus 0.5m may substitute.)*

Flood and proposed floor level information for this development site on the Casino Public School grounds are as follows:

<b>Description</b>	<b>Flood/Floor level m AHD</b>	<b>Velocity m/sec</b>
1 in 50 year	23.4	0.3
1 in 100 year	24.0	0.4
1 in 500 year	24.6	0.6
<b>Proposed floor level</b>	<b>25.7</b>	-
Probable Maximum Flood	25.9	0.9

The proposed floor level of the hall is RL 25.7 metres AHD, i.e. approximately 1.7 metres above the 1 in 100 year design flood level. The proposed hall floor level has been raised a considerable amount to meet the intent of the condition that floor levels of school buildings be as close to the Probable Maximum Flood as possible. Site constraints of existing ground levels around existing buildings and the need to include stairs and ramps into the design have limited the ability to reach the PMF level.

The site of the proposed hall covers a range of hazards, from Rare Low to Low to High Depth to Rare High Floodway. A school building is permitted within the Rare Low and Low Hazard areas. Under the adopted condition matrix, development of school buildings is not permitted in High Depth and Rare High Floodway Hazard areas. Part of the building is within these higher flood hazard areas (Refer separate flood hazard plan, Q100 velocity plan, and Urban Condition Matrix). As only part of the building is within these hazard areas, and the building is angled to the flood flows, no impact on the flood characteristics is anticipated. Flood velocities during a Q100 event are estimated at 0.4 m/s at the site, and 3.7 m/s in the main channel.

A copy of the Hazard Plan, Q100 Velocity Plan, and Condition Matrix has been circulated separately to each Councillor.

***Policy***

In order to allow the Casino Public School Hall to be constructed partly within the High Depth and Rare High Floodway Hazard areas as proposed, a variation to Council's adopted Casino Floodplain Risk Management Plan (2002) is required.

***Social***

The construction of the hall will benefit the social aspects of the school.

***Statutory/Policy Implications***

The approval of construction of a school building partly within the High Depth and Rare High Floodway areas is a specific variation to Council's adopted Casino Floodplain Risk Management Plan (2002) and is for this development only.

**Conclusion**

The location of the Casino Public School Hall has been selected as meeting the constraints of the existing school infrastructure and the flood hazards of the site. The floor level has been raised to provide a suitable refuge in major flood events, with only part of the building extending into the areas not normally permitting construction of a school building. Construction of the hall as proposed has merit on the basis that it is a major improvement in the school infrastructure and is only partly affected in major flood events.

**RECOMMENDATION**

Recommended that:

1. Council approve the proposed location of the new Casino Public School Hall partly within the High Depth and Rare High Floodway Hazard areas as a specific variation to the High Depth and Rare High Floodway area restrictions as contained in the adopted Casino Floodplain Risk Management Plan (2002).
2. All other flood related requirements remain applicable to the development.

**180809/ 17 RESOLVED** (Cr. Cox/Cr. Wheatley)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

**12.12 SHEPPARD STREET, CASINO - DRAINAGE**

**Reference:** Sewerage and Drainage - Design and Construction, Maintenance; Development and Building Controls - Inspections; Sheppard Street, Shoesmith Close

**Prepared by:** Engineering Assistant - Assets

---

**Background**

A drainage issue exists between adjoining properties located on Sheppard Street and Shoesmith Close, Casino. During recent storm and flood events, property owners in Shoesmith Close notified Council that the stormwater from properties located on Sheppard Street is discharging directly onto the Shoesmith Close properties. A number of owners have made several representations to Council and have requested action to ameliorate the issue. Currently there are no drainage easements between these properties and stormwater run-off is directly affecting the properties in Shoesmith Close.

A meeting was convened with Council staff from each Directorate to discuss the issue and determine the appropriate course of action. It was determined that Council's Works Directorate would undertake preliminary investigation, design and costing in order to be able to discuss the proposed measures with those affected and address the issue.

**Report****Issues**

A site investigation has been carried out with a number of properties having stormwater pipes discharging out the rear of the properties, which historically was farmland at the time of construction of the dwellings. There are a variety of approvals for managing stormwater from these properties. There is currently no drainage easement at the rear of the Sheppard Street properties.

A solution has been found that involves creating a drainage easement to link the affected properties to Rosewood Avenue. This will require the agreement (to have land title encumbered by an easement) of affected properties in Shoesmith Close. Sheppard Street property owners will be required to contribute financially to the project; the developer will construct the drainage line. Council will purchase the pipe and undertake the survey/legal process of creating the easement. The easement will be in favour of those that benefit from the stormwater line and will be for inter-allotment drainage, i.e. it will not become Council's asset.

Council has the option of implementing a solution at a reasonable cost, or becoming involved in a legal argument regarding responsibility for the drainage problem that exists. It is proposed to seek contributions towards the costs of the drainage solution from all the parties involved as per the solution proposed above.

**Asset**

Construction of the stormwater line will be inspected by Council staff to meet Council requirements. On completion of works, the asset will become the responsibility of the land owners. Council will hold no responsibility towards the maintenance of the stormwater line.

**Consultation**

A letter has been sent to property owners from 20 to 40 Sheppard Street notifying them of the issue. Verbal consultation has been carried out with property owners and the developer of the Coolibah Estate, with an informal agreement reached between all parties with a formal agreement to be finalised as soon as possible. Ongoing consultation will be carried out by Council's Works Directorate. Prior to commencement of works, a formal agreement will be reached between all parties.

**Financial Implications**

The installation of the proposed stormwater line and associated legal works is estimated to cost \$10,000. It is proposed that the funding for the construction of the stormwater line be sourced from Council's Casino Drainage - Stormwater Network and Catchment Investigation. This will reduce the program from \$30,000 to \$20,000.

A contribution of \$400 from Sheppard Street property owners will be required by Council, to make a connection to the new stormwater line.

**Conclusion**

Council has been advised of a drainage issue between adjoining properties located on Sheppard Street and Shoemith Close, Casino. During recent rain events, it has become evident that particular properties along Sheppard Street discharge their stormwater onto properties to the rear, which are located on Shoemith Close.

Consultation has been carried out with the affected property owners and the developer, with all parties coming to an informal verbal agreement of works to be carried out.

Council will be required to provide funding of \$10,000 which can be sourced from the Casino Drainage - Stormwater Network and Catchment Investigation program. A contribution of \$400 from Sheppard Street property owners will be requested by Council to connect to the new stormwater line. Council's normal hardship arrangements will apply to financial contributions.

## RECOMMENDATION

Recommended that Council resolve to:

1. undertake the works to arrange for the creation of the easement and construction of inter-allotment drainage as proposed.
2. utilise funding of \$10,000 from the Casino Drainage Stormwater Network and Catchment Investigation.
3. charge a contribution of \$400 from Sheppard Street property owners to connect to the new drainage line.

**180809/ 18 RESOLVED** (Cr. Morrissey/Cr. George)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

### 12.13 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS

**Reference:** Governance - Councillors; Corporate Management - Policy

**Prepared by:** Director Corporate Services

---

#### Background

In December 2008, Council adopted a Policy in respect of Payment of Expenses and Provision of Facilities to Councillors following public exhibition and invitation for public submissions. As part of the Policy, Council is to determine its allowances for meals based on Australian Taxation Office Determination Table 2 and CPI increase each year. (The same allowances also apply to staff).

#### Report

#### *Issues*

The CPI increase for the March 2009 quarter is 1.5% and accordingly it would be appropriate to increase the meal allowances as follows:

	2008/2009	2009/2010
Breakfast	\$22.50	\$22.85
Lunch	\$31.75	\$32.25
Dinner	\$44.70	\$45.35

The amendment to Council's Policy will be of a minor value only and accordingly it will not need to be advertised to seek public submissions prior to adoption.

In addition, it is necessary for Council to review the subject Policy in accordance with Section 252 of the Local Government Act, i.e. it needs to be reviewed annually. At this time there are no proposed changes to the existing policy (other than the update of Meal Allowances).

### ***Policy***

The proposed increase to the meal allowance is in accordance with Council's Payment of Expenses and Provision of Facilities to Councillors Policy and will satisfy the requirements of the Policy.

### ***Financial Implications***

The current budget allows for an increase in Councillors fees and allowances and will have minimal financial implications.

### **Conclusion**

Determination of the report will satisfy Council's requirements under its existing Policy.

### **RECOMMENDATION**

Recommended that Policy 1.1.2 - Payment of Expenses and Provision of Facilities to Councillors be amended to incorporate the amended meal allowances (2009/2010) as detailed in the report and that Council confirm the adoption of the Policy.

**180809/ 19 RESOLVED** (Cr. Mustow/Cr. Crawford)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

### **12.14 CULTURAL PLAN 2009-2011**

**Reference:** Recreation and Cultural Services - Planning

**Prepared by:** Events and Cultural Liaison Officer

---

### **Background**

In 2006 the NSW State Government through legislation directed all NSW Councils to undertake Cultural Planning for their local government area.

Local Council are one of the largest contributors to cultural development, through the resourcing of libraries, sporting fields, art galleries, museums, events and other services. It is recognised that the delivery of cultural services by Councils can be strengthened by integrating cultural strategies more closely with their broader priorities and objectives.

The community is becoming increasingly aware that cultural amenities and programs must not be seen as something remote or apart from everyday life but fundamental to the health of the community and thus the business of local government.

Council resolved in December 2008 to place the draft Richmond Valley Council Cultural Plan 2009-2011 on public exhibition.

## **Report**

### ***Issues***

Under State Government legislation it is a requirement for Local Government to develop and implement such a plan for the development of cultural activities and programs for the Richmond Valley area.

### ***Environmental***

The Cultural Plan will assist in the further development of the local identity and through this will come a stronger appreciation and respect for the local environment that is an essential ingredient to local culture.

### ***Social***

A diverse and vibrant culture can have social benefits of cohesion, tolerance and engagement for the community. A community with a strong identity and a sense of place is a healthy and innovative community.

The Cultural Plan will assist in formally recognising social outcomes through Council's pro-active involvement and encouragement of the arts and broader cultural activities.

### ***Consultation***

The Draft Cultural Plan was placed on public exhibition for a period of three weeks. No submissions were received in that regard.

A copy of the proposed Cultural Plan has been circulated separately to each Councillor.

### ***Economic***

The Cultural Plan will assist Council and the community to identify and raise additional funding through other levels of government for cultural development, facilities and projects. An engaging and accessible cultural program will have economic benefits through increased cultural tourism and lifestyle amenity to the area.

Council will be required to consider budget allocations to Projects given priority in the Cultural Plan in the third and fourth quarters of 2009/2010. These considerations will be itemised within the quarterly reviews. Further budgetary

considerations will be required in the 2010/2011 and 1011/2012 Management Plans.

### **Conclusion**

Adopting and integrating cultural planning across all Council programs will have many benefits for the community such as strengthening social identity, developing a strong sense of place and offering opportunities to the community to engage and participate. Cultural activities whether they be art, sport or another creative activity deliver positive outcomes that have influence across the community both directly and indirectly.

### **RECOMMENDATION**

Recommended that the proposed Cultural Plan 2009-2011 be adopted.

**180809/ 20 RESOLVED** (Cr. Wheatley/Cr. Kinnish)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

### **12.15 DRAFT CRIME PREVENTION PLAN**

**Reference:** Community Services - Planning

**Prepared by:** Community Projects Officer

---

### **Background**

At the Ordinary Meeting of Council held on 16 June 2009, Council received and noted a report regarding the Richmond Valley Council Crime Prevention Plan. The amount allocated for the development of this plan was \$20,000 and this Plan was to be completed for public display by July 2009.

### **Report**

#### ***Issues***

The Richmond Valley Council Crime Prevention Plan is now completed in draft form. A copy of the Draft Plan has been circulated separately to each Councillor. The completion of this plan involved:

1. Collection, review and analysis of various crime statistics of Richmond Valley LGA and specific areas and population within it.
2. Consultation with the Community through one-on-one survey through all the various council Community Engagement Committees, Neighbourhood Watch Groups, Liquor Accord and Domestic Violence Liaison Committee. Councillors were also contacted for their opinions on the Crime Prevention Plan. In all 294 surveys were completed as a result of this consultation.

A Draft Crime Prevention Plan was formulated as a result of this survey.

There are two items that have not been completed that would value-add to the Draft Crime Prevention Plan. These items are as follows:

1. Crime Prevention Through Environmental Design Audit. The audit will be undertaken by the NSW Police Force in conjunction with the Council. This audit will identify areas where crime is likely to occur because of environmental factors such as lighting, graffiti etc. The Police have been contracted to complete this task, however they were unable to complete it before 1 July 2009 because of the short time frames involved. The Audit has been scheduled for September 2009 and accordingly will link to the completion of the consultation processes for the Crime Prevention Plan.
2. A number of Community Groups have expressed an interest in being surveyed for the Crime Prevention Plan or otherwise having an input who have so far not received an opportunity to do so.

Despite these items not being completed, it is considered that the Crime Prevention Plan is ready to be displayed in accordance with the Children (Protection and Parental Responsibility Act 1997) which specifies that a Crime Prevention Plan must be displayed for 28 days and that comments must be accepted for 42 days from the first day of displaying the plan). The items listed above that have not been completed can be undertaken in conjunction with the advertising/consultation period.

Three staff were employed casually to complete the Crime Prevention Plan. Those staff ceased work on 1 July 2009 and at the moment the Community Projects Officer has carriage of this document. As there are a number of new strategies in the Crime Prevention Plan, and as Council has previously endorsed the position of a Crime Prevention Officer as a future position in Council's Organisation Structure (subject to funding), further consideration to same will need to be undertaken on completion of the Crime Prevention Plan process.

### ***Financial Implications***

Upon endorsement of the final plan from Richmond Valley Council and the NSW Attorney General's Department, Council can apply to the NSW Attorney General's Department for funding of \$50,000. It is proposed that the majority of this funding could be utilised to create position of a Crime Prevention Officer at Richmond Valley Council and that the remainder of the costs be utilised for projects identified in the plan.

### ***Consultation***

It is proposed that Consultation with the community continue during the public exhibition of the Draft Richmond Valley Council's Crime Prevention Plan. Consultation for this plan will take the following steps:

- Public Notice in the local paper and Council's website that the Crime Prevention Plan is available for comment.
- Letters and emails of the same notification to the Social Planning Advisory Committee's of Council, Community Network Groups, Liquor Accord, Domestic Violence Liaison Committee and State Government Agencies as Represented by the Crime Prevention Partnership.

### **Social**

Crime related issues clearly impact on the wellbeing of the community and have been identified in previous Social Plans. The completion of this plan will enable better development of future Community Strategic Plans as required by the new Integrated Planning and Reporting requirements for Local Government. It will also assist the Community Safety Advisory Committee in the development of its plans.

### **Conclusion**

The Draft Richmond Valley Council Crime Prevention Plan is now ready for public display and the authorisation from Council for such process is sought.

### **RECOMMENDATION**

Recommended that Council authorise the public exhibition of the Draft Richmond Valley Council Crime Prevention Plan for a period of forty two (42) days.

**180809/ 21 RESOLVED** (Cr. Wheatley/Cr. Morrissey)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

Note: Cr. Kinnish requested information in regard to actions proposed on Page 14 of the Draft Crime Prevention Plan and also whether the White Ribbon celebration needed to be a breakfast. Cr. Cox requested further information in regard to the correlation details of Police statistics.

The Director Environmental Development Services indicated that these matters would be followed up and advice provided.

## **12.16 CORRESPONDENCE SUBMITTED TO AUGUST 2009 ORDINARY MEETING**

---

### **Background**

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

**Acting Director General Department of Local Government** - (DWS 366395) - Replying to Council's letter of 9 April 2009 reporting on implementing the recommendations of the Promoting Better Practice Review Report as follows:

*"I have noted the progress that Council has made in implementing the review recommendations.*

*I encourage Council to continue the progress the matters necessary to fully implement the remaining recommendations and note that you have taken substantial steps along this path.*

*I commend the Council for taking positive steps to implement the recommendations of the review and I advise that Council is no longer required to provide further progress reports on the implementation of any remaining recommendations.*

*I would like to take the opportunity to thank Council for participating in the Promoting Better Practice program."*

**Chairman, Country Mayors Association of NSW** - (DWS 368942) - Forwarding the Minutes of the Country Mayors Association Meeting held in Sydney on Friday, 19 June 2009. (A copy of the Minutes is available for perusal by Councillors.)

**Chairperson, Community Relations Commission** - (DWS 369862) - Forwarding a copy of the Community Relations Report 2008, which has been prepared under the Community Relations Commission and Principles of Multiculturalism Act 2000 and was tabled in Parliament by the Hon Virginia Judge MP, Minister for Fair Trading, and Minister for Citizenship and Minister Assisting the Premier on the Arts. (The Report is available electronically through the Commission's website at [www.crc.nsw.gov.au](http://www.crc.nsw.gov.au).)

**Mayor, Coffs Harbour City Council** - (DWS 370739) - Forwarding the Minutes of the Meeting of the Pacific Highway Taskforce held in Sydney on Friday, 19 June 2009, as well as the Structure and Terms of Reference of the Taskforce. (A copy of the Minutes and associated documentation is available for perusal by Councillors.)

**General Manager, Department of Infrastructure, Transport, Regional Development and Local Government** - (DWS 371918) - Forwarding a copy of the 2006/2007 Local Government National Report tabled in Federal Parliament on 8 July 2009 in accordance with the Local Government (Financial Assistance) Act 1995. The report records the distribution of Australian Government Financial Assistance Grants to Local Government for 2006/2007, and provides an account of various initiatives that seek to improve the efficiency and effectiveness of local government in providing its services. The report has been prepared by the Department of Infrastructure, Transport, Regional Development and Local Government with the co-operation of all spheres of government and is available on the Department's website at [www.infrastructure.gov.au](http://www.infrastructure.gov.au).

**Deputy Director General, Department of Local Government - (DWS 373581)**  
- Forwarding Circular 09-29 advising of the release of Practice Note No. 9 - Complaints Management in Councils, as follows:

*"Practice Note No. 9 - Complaints Management in Councils has been prepared by the Department of Local Government and the NSW Ombudsman to assist councils in the management and handling of complaints. It has been designed for use by councils to develop and implement effective complaints management systems.*

*An effective complaints management system is an essential part of the provision of quality service in local government. It is one method of measuring community satisfaction and provides a useful source of information and feedback for improving a council's services. Complaint handling is also a key component of sound corporate governance and is fundamental to ensuring an appropriate level of accountability in the exercise of council functions.*

*This publication provides an analysis of the reasons people complain, and outlines how complainants should be treated. It also provides a model approach to complaint handling and sets out the essential features of a complaints management system. It also addresses the issue of dealing with unreasonable conduct by complainants.*

*The information in this practice note is based on the 2004 edition of the NSW Ombudsman's Effective Complaint Handling Guidelines. This is consistent with the Australian Standard, Customer Satisfaction - Guidelines for Complaints Handling in Organisations (IS) 10002:2006, MOD). The practice note also incorporates research recently undertaken by the NSW Ombudsman on managing the impact of unreasonable conduct of complainants on complaint handling agencies, as contained in their Unreasonable Complainant Conduct Practice Manual 2009. This information has been adapted to specifically address the needs of councils.*

*Councils are strongly encouraged to develop complaint handling policies and procedures that incorporate the essential features of an effective complaints management system described in the Practice Note. Where councils have an existing complaints management system, they are encouraged to review it to ensure that it is consistent with best practice as described in the Practice Note."*

**Chief Executive Officer, Regional Arts NSW - (DWS 372131)** - Forwarding a copy of the Regional Arts NSW 2008 Annual Report containing information which is reflective of the work being undertaken by the State peak body to support the network of thirteen local Regional Arts Boards in their vital role for delivering cultural and social outcomes for communities and the important link to Councils' Strategic and Community Plans. Regional Arts NSW recognises the partnerships with councils as integral practice in assisting councils to deliver community planning and well-being outcomes through arts and community development projects.

**Chief Executive, North Coast Area Health Service - (DWS 373683) -** Responding to Council's letter of 14 July regarding the need for a replacement Doctor in Coraki in order to maintain services at the Campbell Hospital, advising as follows:

*"I can inform you that during the period of Dr. Craig's leave, arrangements are in place for Dr. Wallace to cover Dr. Craig's general community practice so Coraki will have a General Practitioner (GP) service.*

*As Dr. Wallace does not wish to provide a Medical Service to the hospital the following arrangements have been put in place.*

*The Emergency Department (ED) will be staffed with experienced Nurses who will assess patients and if required refer them to the Casino Hospital ED or Lismore Base Hospital ED. The Nursing Home patients in the Hospital will be reviewed on a weekly basis by a Visiting Medical Officer (VMO) from Casino. Should a Nursing Home patient's condition deteriorate they will be transferred to either Casino or Lismore Hospitals."*

## **RECOMMENDATION**

Recommended that the above correspondence be received and noted.

**180809/ 22 RESOLVED** (Cr. Crawford/Cr. George)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

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

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

That Council acknowledge and congratulate the General Manager and staff on their efforts in implementing the recommendations of the Better Practice Review.

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

**180809/ 23 RESOLVED** (Cr. Mustow/Cr. Cox)

That Council acknowledge and congratulate the General Manager and staff on their efforts in implementing the recommendations of the Better Practice Review.

FOR VOTE - All Council members voted unanimously.

## **13 MATTERS FOR INFORMATION**

---

### **13.1 REQUEST ACTION MANAGEMENT SYSTEM (RAMS) REPORT AND STATISTICS - 1 JULY 2008 TO 30 JUNE 2009**

**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 2008 to 30 June 2009.

During the period requests have been received by a variety of methods, with 60% received via the telephone, 12% being lodged at the front counter, 9% received via the After Hours Call service, 15% via Environmental Development Services administration processes, with the balance being received by a variety of other methods, e.g. facsimile, email and letter. The majority of requests received (94%) had been recorded as requests for work to be carried out, with 5% being recorded as a complaint and 1% as an enquiry or thank you.

Of the total of 5,746 requests received during the July 2008 to June 2009 period, 92% had been completed, with 1% outstanding, 6% overdue and 1% referred for further action.

A copy of the RAMS Report and Statistics Summary (1 July 2008 to 30 June 2009) can be provided to Councillors if required.

#### **Conclusion**

The RAMS statistical information is provided to Council for notation.

### **13.2 GRANT APPLICATION INFORMATION**

**Reference:** Grants and Subsidies - Applications

**Prepared by:** Manager Finance

---

#### **Background**

At the 19 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*

As indicated at the 21 July 2009 Ordinary Council Meeting, subsequent reports regarding grants would relate to grant activity for the previous month. On this basis, this reports aims to provide information on grant applications submitted, grants that have been received and/or approved and grant applications that were unsuccessful for the month of July 2009.

### **Grants applications submitted**

There were no grant applications submitted during the month of July 2009.

### **Grants that have been approved and/or received**

Project ID	N/A
Funding Body	NSW Department of Health
Funding Name	N/A
Government Level	State
Project Name	Fluoridation of Casino Water Supply
Project Value (excl GST)	\$134,104.09
Grant Amount (excl GST)	\$134,104.09
Council/Other (excl GST)	\$ 0.00
Date Application Submitted	13 August 2008
Comment (if required)	Grant funding received by Council from the Department of Health.
Date Approved/Received	30 July 2009

### **Unsuccessful grant applications**

Project ID	N/A
Funding Body	NSW Department of Planning
Funding Name	NSW Coastline Cycleway – 2008/2009 Grant Funding
Government Level	State
Project Name	Evans Head to Woodburn Cycleway
Project Value (excl GST)	\$513,000.00
Grant Amount (excl GST)	\$256,000.00
Council/Other (excl GST)	\$257,000.00
Date Application Submitted	19 December 2008
Date Advised Unsuccessful	20 July 2009

Project ID	N/A
Funding Body	Department of Local Government
Funding Name	Local Government Playground Grants Program – Round 2
Government Level	State
Project Name	Upgrade Crawford Square Playground
Project Value (excl GST)	\$40,000.00
Grant Amount (excl GST)	\$20,000.00
Council/Other (excl GST)	\$20,000.00
Date Application Submitted	24 November 2008
Date Advised Unsuccessful	7 July 2009

Project ID	N/A
Funding Body	Department of Primary Industries
Funding Name	Recreational Fishing Trust
Government Level	State
Project Name	Shark Bay Area Access Track
Project Value (excl GST)	\$10,000.00
Grant Amount (excl GST)	\$10,000.00
Council/Other (excl GST)	\$ 0.00
Date Application Submitted	March 2009
Date Advised Unsuccessful	22 June 2009

Project ID	N/A
Funding Body	Department of Environment, Heritage and the Arts
Funding Name	2009/2010 Indigenous Programs Funding Round
Government Level	Federal
Project Name	Connecting the People and Places of Richmond Valley
Project Value (excl GST)	\$25,000.00
Grant Amount (excl GST)	\$25,000.00
Council/Other (excl GST)	\$25,000.00
Date Application Submitted	March 2009
Date Advised Unsuccessful	6 July 2009

## Conclusion

This report provides information to Council regarding grants applied for, grants approved and/or received and unsuccessful grant applications during July 2009.

### 13.3 IPART DRAFT REPORT - REVENUE FRAMEWORK FOR LOCAL GOVERNMENT

**Reference:** Financial Management - Fees and Charges, Financial Management – Reporting, Financial Management – Rates and Valuations

**Prepared by:** Manager Finance

## Background

For a long period of time there have been concerns raised by local government in New South Wales regarding their ability to provide adequate services and maintain infrastructure under a rate pegging regime. The NSW State Government has responded and in May 2008 asked the Independent Pricing and Regulatory Tribunal of NSW (IPART) to assist the Department of Local Government by conducting a review of the regulation of Council rates and charges. This review has taken place under Section 9 of the Independent Pricing and Regulatory Tribunal Act 1992.

## Report

### *Issues*

IPART released a draft report on the future revenue framework for local government during July 2009. The report is now open for consultation on the draft recommendations with submissions invited up until 18 September 2009. IPART are also proposing to conduct a number of workshops throughout NSW being as follows:

- Coffs Harbour – 18 August 2009
- Sydney – 2 September 2009
- Wagga Wagga 8 September 2009
- Dubbo – 9 September 2009

IPART are proposing to make a final report to the Minister for Local Government during November 2009.

When commencing the investigation into local government revenue, IPART were given the following terms of reference by the NSW State Government for investigation and to make recommendations:

- An appropriate inter-governmental and regulatory framework for the setting of rates and charges that facilitates the effective and efficient provision of local government services in NSW.
- A role for IPART in setting of local government rates and charges in future years.
- A framework for setting of charges by certain public authorities such as the Sydney Harbour Foreshore Authority, Redfern Waterloo Authority, Sydney Olympic Park Authority, and the Growth Centres Commission to enable these authorities to recover costs for the provision of services that are normally provided by local government.

As part of conducting the investigation, IPART have assessed the impact of rate pegging and found as follows:

- Overall revenue and expenditure growth has been strong in NSW; debt levels of most Councils has been contained; and the average financial position of Councils in NSW is not worse than in other States.
- Capital expenditure by NSW Councils on new infrastructure assets is lower and has grown more slowly than that of Councils in other States and there appears to be a backlog of Council infrastructure works. However, backlogs also exist in other States and the evidence suggests this is no worse in NSW than elsewhere.
- Councils in NSW have generated larger surpluses and have tended to accumulate less debt (on a per capita basis) than Councils in most other States. This may suggest some scope for debt financing of infrastructure programs within the current rate pegging framework.

- There is significant variation between Councils and their financial capacities, specifically, rural and remote Councils have a lower capacity to generate revenues and have less flexibility than metropolitan Councils.

From its investigations, IPART have made some draft recommendations to improve the current revenue framework for local government. IPART supports the recent introduction of the NSW State Government Integrated Planning and Reporting Framework. In this view, IPART's recommendations improve the link between rate setting and the strategic planning and reporting framework. It is suggested the current rate pegging arrangements should be improved by:

- Adopting a multi-year approach to revenue raising, as has been adopted for strategic planning with the Integrated Planning and Reporting Framework.
- Linking the revenue framework to Council's strategic planning process.
- Adopting a more independent, rigorous and transparent approach to rate setting.
- Using an explicit and independently calculated input price index, to link revenue requirements to movement in costs from year to year.
- Adopting productivity adjustment factors to encourage efficiency gains.

IPART is also proposing a revised framework for regulating local government rate increases through the following two options being Option A and Option B.

Option A is the minimum default option for all Councils under the framework. It maintains the essential ratepayer protection elements of the current system whilst improving the rigour, transparency and independence of the rate pegging process by introducing:

- A local government cost index (adjusted for productivity).
- A new, multi-year medium term rate path (eligibility based on Council compliance with the Integrated Planning and Reporting Framework).

Option B is to operate in conjunction with Option A. Option B provides greater Council flexibility, but with higher standards of accountability. Councils would seek autonomy in setting revenue requirements and annual rate increases above the regulated rate of annual increase. However, Councils would need to earn their independence by demonstrating a track record of sound financial management and a community mandate for Council's proposed medium term revenue plan.

IPART are suggesting that if the above proposals were to be introduced, it is recommended introduction occur over a number of years as follows:

- The proposed methodology under Option A for the local government cost index based annual rate increase should come into effect for the financial year 2010/2011.
- The proposed medium term (special variations) under Option A and Option B should come into effect following the conclusion of the 2011/2012 financial year, prior to Council elections.

- IPART should commence a survey of Council's costs during 2009/2010 to determine the weightings for the cost index model to apply from 2010/2011.
- Councils with existing special variation applications or approvals may continue to implement these beyond the starting point for the new framework.
- For the years 2010 and 2011/2012, the cost index methodology will be used to inform the rate capping process and will operate in conjunction with the current special variation system.
- Following conclusion of the 2011/2012 financial year, the current special variation system will be abolished and replaced by the medium term revenue path outlined under Options A and B of the proposed framework.

### **Conclusion**

Based on the draft report prepared by IPART regarding the future revenue framework for local government, two things are likely to be certain:

- Rate pegging in one form or another will stay in New South Wales.
- Revenue raising by Councils in terms of rates will be contingent upon the implementation of the Integrated Planning and Reporting framework.

Given Council has commenced work on the Integrated Planning and Reporting framework it is clear Council must take this opportunity to assist its future revenue raising ability. It is also pleasing that whilst rate pegging appears will be retained at least there will be a recognition of cost impacts faced by local government when establishing the rate peg via the local government cost index. This on its own should at least provide a better outcome than the current system where it is not clear how the rate peg is determined.

Additionally the potential of a Council to have some autonomy in setting rates based on a defined future plan with community support is also a positive step.

A further report will be provided to Council once IPART determine their final report and if this is accepted by the NSW State Government as the future process for establishing rate peg increases for Councils in NSW.

### **13.4 COUNCILLOR EXPENSE CLAIMS FOR THE 2008/2009 FINANCIAL YEAR**

**Reference:** Councillors - Governance

**Prepared by:** Manager Finance

---

### **Background**

Council at its Ordinary Meeting held on 16 June 2009 resolved to adopt the remuneration payable to the Mayor and Councillors for 2009/2010 based on recommendations established by the NSW Local Government Remuneration

Tribunal. As part of this resolution, Council also resolved the following additional resolution:

*"That at the end of each financial year a report be provided to Council on expenses claimed by each individual Councillor."*

The determination applied to Council's resolution is that only expenses relating to the current elected Council as at 30 June 2009 has been disclosed.

## Report

### Issues

The 2008/2009 financial year concluded on 30 June 2009. Council's records have been finalised in relation to payments of expenses to Councillors during this period and to comply with Council's request, the table below outlines payment of expenses to individual current Councillors as claimed during the 2008/2009 financial year.

All claims paid have been in accordance with Council's adopted Policy No. 1.1.2 - Payment of Expenses and Provision of Facilities to Councillors. It needs to be noted that there are reasons for some of the variances, i.e. the figures shown; these include the following (and need to be considered as part of any interpretation of the information shown):

- Not all Councillors live in the same location. Accordingly, claims reflect the place of residence of Councillors and the need to travel to Meetings (which are predominantly held at Casino).
- In some instances Council vehicles have not been available for various meeting/training/other requirements and Councillor vehicles have been used.
- Conference and related expenses also vary due to specific travel arrangements and also representation on external Committees, e.g. Summerland Way Promotional Committee, Regional Library Committee, etc.
- Attendance at functions where meal costs are incurred, etc.

<b>Councillor</b>	<b>Vehicle Expenses</b> \$	<b>Phone Expenses</b> \$	<b>Conference and Related Expenses</b> \$	<b>Total Expenses</b> \$
Col Sullivan	0.00	0.00	0.00	0.00
Stuart George	435.06	0.00	38.85	473.91
Steve Morrissey	0.00	0.00	0.00	0.00
Shirley Wheatley	814.72	327.27	581.60	1,723.59
Charlie Cox	117.00	408.91	309.45	835.36
Owen Crawford	694.23	592.60	206.40	1,493.23
Barbara Jeffrey	462.08	0.00	0.00	462.08
Robert Mustow	0.00	0.00	147.10	147.10
Donella Kinnish	2,319.21	0.00	0.00	2,319.21

The allowance as part of the standard remuneration to the Mayor and Councillors as set by the NSW Local Government Remuneration Tribunal have been excluded as this allowance is automatically paid by Council monthly and is not subject of a specific claim by Councillors for reimbursement whereas other expenses included in the table above are.

### Conclusion

This report discloses expenses claimed by the current elected Councillors of Richmond Valley Council during the course of the 2008/2009 financial year.

### 13.5 LIVESTOCK EXCHANGE STATISTICS AS AT JULY 2009

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

**Prepared by:** Saleyards Administrator

### Background

Saleyard throughput information (which is collected on a monthly basis) is used as a comparison of throughput for previous years.

### Report

#### Issues

The following is a summary of Saleyard statistics:

<u>Grown Cattle</u>	<u>2009/10</u>	<u>2008/09</u>	<u>2007/08</u>	<u>2006/07</u>
July	12,703	10,978	14,382	9,666
August		9,254	10,348	9,770
September		7,152	5,901	6,075
October		9,022	5,236	2,568
November		7,432	8,064	5,641
December		4,615	6,388	2,267
January		9,795	11,659	8,162
February		9,861	15,174	11,189
March		15,488	17,167	20,095
April		9,959	11,001	8,591
May		9,364	10,323	14,351
June		9,539	10,076	14,487
<b>TOTAL</b>	<b>12,703</b>	<b>112,459</b>	<b>125,719</b>	<b>112,862</b>

<u>Bobby Calves</u>	<u>2009/10</u>	<u>2008/09</u>	<u>2007/08</u>	<u>2006/07</u>
July	112	168	264	183
August		174	247	290
September		146	151	213
October		189	187	145
November		127	108	195
December		80	83	105
January		143	219	384

February		165	199	280
March		166	220	280
April		138	295	168
May		145	168	340
June		118	132	167
<b>TOTAL</b>	<b>112</b>	<b>1,759</b>	<b>2,273</b>	<b>2,750</b>

## Conclusion

This report provides information on Saleyard throughput. Budgeting for the Saleyards is based on a throughput of 115,000 mature cattle and 2,800 calves. As any additional revenue is placed in Reserves and generally spent on Capital Improvements, these numbers may need to be revised in future budget reviews to ensure annual operating costs are recovered as a minimum in any financial year.

### 13.6 CONTRACT BRIDGEWORK AND COMPONENT ORDERS FOR THE MONTH OF JULY 2009

**Reference:** Commercial Activities - Contracting, 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 July 2009.

## Report

### Issues

#### Doolan Decks

Flowers Bridge (4 units	Kyogle SC	Complete awaiting delivery
Duffus Road Bridge (2 Units)	Coffs Harbour CC	Complete awaiting delivery
Morpeth Bridge (20 Units)	RTA	In Progress (16 completed)
Roys Road Bridge	Sunshine Coast RC	In Program

#### Precast/Prestressed Products

Prestressed Piles	BBA	In Progress (approx 77%)
Sommervilles Bridge(17)	Lismore CC	Complete awaiting delivery
O'Briens Bridge Planks (48)	Tweed SC	Complete awaiting delivery
Washpool Bridge	Scenic Rim Regional Council	Complete awaiting delivery
Chinaman's Bridge	Scenic Rim Regional Council	Complete awaiting delivery

#### In-situ Construction

Supervision of Washpool Bridge	Scenic Rim Regional Council	In Program
Supervision of Chinamans Bridge	Scenic Rim Regional Council	In Program

Construction of Casino Pool Amenities Building	Richmond Valley Council	In Progress
--	-------------------------	-------------

### Design

Design of Yellow Creek Bridge	Ballina SC	Complete
Design of Chinamans Bridge	Scenic Rim Regional Council	In Progress
Design of Cutbank Creek Bridge	Bellingen SC	In Progress
Design of Happy Creek Bridge	Somerset Regional Council	In Program
Design of Sandy Creek(Kilcoy) Bridge	Somerset Regional Council	In Progress
Design of Tweed River Bridge No.2433	Tweed Shire Council	In Program
Design of Brewer Charles Bridge	Tweed Shire Council	Complete
Design of Snake Creek Bridge	Tweed Shire Council	In Program

### Jobs Tendered For

- Nelmac Pty Ltd - Supply of PSC Octagonal Piles for Ballina Shire Council Bridges (various options priced, value range \$749,887.50 to \$849,822.31 including GST) - Awaiting Decision.
- Vibropile Aust Pty Ltd - Supply of PSC Octagonal Piles for Ballina Shire Council Bridges (various options priced, value range \$749,887.50 to \$849,822.31 including GST) - Awaiting Decision.
- Nelmac Pty Ltd - Supply of PSC Planks for Ballina Shire Council Bridges (\$205,779.20 including GST) - Awaiting Decision.
- Coffs Harbour City Council – Design of Bridge, Supply of PSC Planks and Precast Headstocks for Eves Creek Bridge (\$205,779.20 including GST) - Awaiting Decision.
- Lismore City Council – Supply of PSC Planks for Cullen’s Bridge (\$389,297.37 including GST) - Awaiting Decision.
- Lismore City Council – Supply of PSC Planks for Southwell’s Bridge (\$345,818.88 including GST) - Awaiting Decision.
- Wagstaff Piling Pty Ltd – Supply of PSC Octagonal Piles for Origin Alliance Project (various options for multiple bridges up to total of \$1,486,521.32 including GST) - Awaiting Decision.

### **Conclusion**

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

**13.7 STATUS OF ENGINEERING WORKS FOR THE MONTH OF JULY 2009****Reference:** Corporate Management - Planning**Prepared by:** Operations Engineer – Roads/General Services

---

**Background**

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

**Report*****Issues*****A. State Roads Maintenance and Construction Works**

Routine maintenance was undertaken on the State Highway network, including the removal of light tree growth in roadside table drains.

**B. Regional Roads – Block Grant**

Routine maintenance was undertaken on the Regional Road network.

Heavy patching was undertaken on MR 145 (Casino-Woodburn Road), just east of the Casino town boundary and also to repair a section of the road in the vicinity of Codrington, that was damaged as a result of the May 2009 flood and from excessive traffic that had been diverted off the Pacific Highway whilst the pavement was still saturated. The Roads and Traffic Authority (RTA) provided natural disaster funding to carry out the works at Codrington.

**C. Local Roads**

Council staff have completed about 60% of the joint inspection with the RTA to determine and agree on appropriate natural disaster funding to undertake repairs following the May 2009 flood. Council has been notified of about 30% of the approved works and programming of restoration works is now in progress.

Routine maintenance was undertaken on the local road and drainage network.

A large piped culvert was renewed on Rambaldinis Road. These works were carried over, and undertaken during the school holidays, so as to not have any impact on the school bus service that utilises this road.

The timber bridge, known as JTR Small Bridge on Old Tenterfield Road was replaced, works included new timber girders, cross planks, a full deck of running boards and new timber kerb logs.

Routine grading of the unsealed road network was undertaken on:

Benns Road	Rutherfords Road
Busbys Flat Road	Crawfords Road
Blue Pool Road	Golf Links Road
Williams Road (Trustum Hill)	Sharpes Road
Whites Road	

Emergency repair works for road safety reasons were undertaken on:

Old Tenterfield Road	Myall Creek Road
----------------------	------------------

#### D. Urban Works

Routine street cleaning, toilet cleaning, town, park and reserve mowing continues as per agreed service levels.

Roadworks including all restoration works have been completed in McDougal Street, Casino.

Pavement rehabilitation works have been completed in North Street, adjacent to the hospital in Casino.

The pavement at Settlers Subdivision that got saturated as a result of the excessive wet weather in May and June 2009, has been removed, dried and reinstated. It is anticipated that the primer seal and the asphaltting will be completed in mid August 2009.

Preparation works for the asphaltting of the footpaths behind the new retaining walls in Coraki is in progress.

#### **Conclusion**

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

#### **13.8 STATUS OF WORKS FOR WATER AND SEWER SECTION FOR THE MONTH OF JULY 2009**

**Reference:** Water Supply – Reporting; Sewerage and Drainage – Reporting

**Prepared by:** Engineering Assistant - Services

---

#### **Background**

This report provides an update on the works undertaken in the water and sewer section for the month of July 2009.

## **Report**

### ***Issues***

#### Construction Activities

The Lower River construction crew is continuing a 270m water main replacement in Elm Street, Evans Head. Several junction repairs have been completed in Seamist Lane.

The Casino construction crew has commenced works replacing the septic system at the Casino Showground. Several junction repairs have also been completed. The Hare Street water main replacement is awaiting approval to undertake an underbore under the railway line; works can be completed once approval has been given.

#### Maintenance Activities

Hydrant flushing and maintenance programs are continuing on a regular basis.

Council's CCTV crew has been completing routine sewer inspections and private works as requested.

Smoke testing is continuing in Casino identifying illegal connections into Council's sewer mains.

#### Private Works – Completed:

Dibbs Street – Water Service Upgrade  
Woodburn Evans Head RSL – Water Service Repair  
Sunderland Street – Water Service Connection  
Fea Place – Water Service Connection

#### Upcoming Private Works:

Elm Street – Water Service Upgrade  
Sextonville Road – Water and Sewer Connection  
74 Barker Street – Water Service Upgrade  
42 Farley Street – Water and Sewer Connection

#### Casino Water Treatment Plant

Charts showing the updated volume of water produced for July at the Casino Water Treatment Plant (WTP) are available for perusal by Councillors. These charts are also available on Council's web page.

#### Sewerage Treatment Plant

Graphs 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 web page.

All environmental protection licence limits have continued to be met.

## **Conclusion**

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

### **13.9 EVANS HEAD SEWERAGE TREATMENT PLANT POLLUTION REDUCTION PROGRAMS**

**Reference:** Environmental Management - Monitoring, Programs;  
Parks and Reserves - Design and Construction;  
Sewerage and Drainage - Meetings, Monitoring

**Prepared by:** Water and Sewer Planning Development Engineer

---

## **Background**

Previous reports to Council on the Pollution Reduction Programs (PRPs) attached to the Evans Head Sewerage Treatment Plant licence have given monthly updates on the progress of work made to date associated with the PRPs.

In December 2008 the Department of Environment and Climate Change (DECC) issued amendments to PRP6 and PRP11 on the licence. This report updates the progress to date for the month of July 2009 on the PRPs attached to the Evans Head STP licence.

This report will also be forwarded to the DECC to meet the requirements of PRP 11 – Effluent Reuse, which requires monthly updates to be submitted on the progress of implementing the scheme.

## **Report**

### ***Issues***

The following PRPs are attached to the Evans Head STP licence:

*PRP6 - Stage 2 Reclaimed Water Release Point Investigation - The licensee must submit a Concept and Feasibility Report confirming the following:*

- *NSW Planning requirements for the offshore reclaimed water release point.*
- *An investigation of the geophysical environment to ascertain the technical feasibility for the design of the pipeline and release point.*

*Submission date: 31 July 2009*

*Following on from the above Report, a further assessment must be prepared to outline the:*

- *Cost and viability of designing and implementing the reclaimed water release point.*

- *A timeframe for stages of implementation (including pre-commissioning studies).*

*Submission date: 30 October 2009*

*PRP10 – Salty Lagoon Monitoring Program - The licensee must submit interim Salty Lagoon Ecosystem Recovery Monitoring Program Reports to the EPA as follows:*

- *30 September 2008,*
- *31 March 2009, and*
- *30 September 2009.*

*The licensee must submit the final Salty Lagoon Ecosystem Recovery Monitoring Report.*

*Compliance date: 31 March 2010.*

*PRP11 - Effluent Re-use - The licensee must review the disposal options listed in Stage 1 of the effluent irrigation scheme and submit to the DECC an assessment of the following issues:*

- *Evaluation of the amount of effluent disposed per unit of cost of installation.*
- *Prioritise the list to ascertain achievable disposal options and the timeframe required for implementation.*
- *Consideration of any agricultural based land disposal options that may be applicable should there be any budget constraints.*

*Review Submission date: 1 May 2009.*

*The Licensee must complete Stage 1 of the Effluent Irrigation Scheme. The licensee must provide monthly updates to the DECC Regional Office on the progress of implementing this scheme.*

*Compliance Date: 30 June 2010.*

Works to Date:

PRP6 - Stage 2 Reclaimed Water Release Point Investigation

Council has now written to DECC addressing the requirements of this PRP, well in advance of the submission dates of 31 July and 30 October 2009.

NSW Department of Planning has advised that it has no statutory role under State Legislation in regards to the proposed pipeline route and offshore release location (Site C1).

Connell Wagner (now Aurecon) have now completed the addendum to the original Stage 2 Effluent Release Investigation Report. The addendum addresses the additions needed to the original report, assessing the discharge of the peak wet weather flow, looking at the constructability of the pipeline and diffuser structure (by assessing engineering considerations such as wave impact and sediment movement), and providing a revised cost estimate for the project.

A timeframe for the implementation of the project has also been developed and is shown below:

<b>Task</b>	<b>Expected completion date</b>
DECC consultation	May/June 2009
ADCP and water quality monitoring and ecological surveys	December 2011
Detailed design	December 2011
Approvals (including EIA)	June 2012
Appoint construction contractor	September 2012
Construction/Commissioning	December 2013
Post-commissioning monitoring	Ongoing

DECC has now responded to Council's submission on this PRP and a copy of the letter (dated 4 June 2009) was circulated separately to Councillors at the June 2009 meeting. The DECC's response was as follows:

- Council has addressed both parts of the PRP.
- DECC has commended Council for complying with the PRP well before the due dates of 31 July 2009 and 30 October 2009.
- DECC considers that the cost of the proposed offshore deep sea release option (2.3km offshore at a depth of 15m, estimated cost of \$23.8 million) does not appear to be economically viable.
- DECC considers that the cost and funding of this option is a major factor in determining the appropriateness of any further investigation into the deep sea release option, given Council's budget commitments for the other sewerage systems within the LGA area (Broadwater, Woodburn, Rileys Hill, Coraki and Casino).

#### PRP 10 - Salty Lagoon Monitoring Program

Council must submit Interim Salty Lagoon Ecosystem Recovery Monitoring Program Reports to the DECC as follows:

30 September 2008	Completed
31 March 2009; and	Completed
30 September 2009	

Council must submit the final Salty Lagoon Ecosystem Recovery Monitoring Program Report - completion date 31 March 2010.

A nine (9) point plan for the rehabilitation of Salty Lagoon was adopted by Council at the August 2006 Council Meeting.

The following table provides a summary of Council's progress with the rehabilitation project.

Task	Progress
1. Implement dry weather reuse.	Construction of the Stage 1 irrigation schemes commenced in January 2008 by Think Water. Geolink have completed the review of the re-use scheme. Council has written to DECC addressing the requirements of PRP11.
2. Develop and implement an ecosystem monitoring program	The first and second interim reports have been completed and received by the DECC
3. Implement STP augmentation	The augmentation of the Evans Head STP is now completed.
4. Consider reed harvesting	This will be considered for implementation after Tasks 1 and 3 have been completed, depending on the outcome of Task 2.
5. Consider implementing revegetation	This will be considered for implementation after Tasks 1 and 3 have been completed, depending on the outcome of Task 2.
6. Implement the preferred wet weather release option	Council adopted the preferred wet weather release strategy at the October 2006 meeting. The stage 2 reclaimed water release point investigation has been completed. Connell Wagner (now Aurecon) have now completed the addendum to the report. Council has written to DECC addressing the requirements of PRP 6.
7. Review the monitoring program	To be conducted throughout the monitoring period.
8. Consider closure of the artificial channel	This will be considered for implementation after Tasks 6 and 7 have been completed.
9. Re-assess after 5 years of monitoring	This is scheduled for 2012.

### PRP 11 – Effluent Re-Use

Geolink have now completed the review of the effluent re-use scheme and Council has written to DECC addressing the requirements of the first part of the PRP, required by 1 May 2009.

The Geolink report evaluated a number of scheme scenarios, summarised as follows:

Option	Irrigation Area (ha)	Irrigation /Reuse Volume (ML)	% of total flow reused (%)	Capital Cost (\$m)	Operating Cost (\$k pa)	Cost (including financing) (\$/ML)	Effluent disposed per unit cost (L/\$)	Priority <sup>1</sup>
<i>Open Space Irrigation</i>								
1. Woodburn Golf Course (WGC)	12.9	85	9%	8.2	111	9,052	110	2
2. WGC, aerodrome	22.9	129	14%	9	122	6,585	152	2*
3. WGC, Woodburn Oval, Woodburn Public School	18.1	119	13%	10.5	140	8,222	122	6
4. WGC, Stan Payne Oval (SPO)	18.65	123	14%	9.6	131	7,325	137	5

5. WGC, Evans River School (ERS)	15.85	105	12%	9.2	125	8,253	121	3
6. WGC, SPO, ERS	21.6	143	16%	9.4	128	6,213	161	4
7. SPO, ERS	8.7	57	6%	3.9	51	6,329	158	1
8. SPO, ERS, aerodrome	18.7	101	11%	4.7	61	4,369	229	1*
9. All sites excl. aerodrome	26.8	177	20%	11.6	157	6,193	161	7

<sup>1</sup> - Priorities are based on capital cost only.

\* - Assuming aerodrome irrigation is approved.

In order to address the agricultural based land disposal options in the PRP the Water and Carbon Group were commissioned to investigate the feasibility of a wetland/forest based effluent management system. This option involves re-use and management of the effluent in constructed wetlands and a wetlands carbon sink forest. Further investigation and evaluation of this option may be carried out once DECC respond to Council's submission.

The timeframe for the implementation of the various options is given below:

Option/Task Completion Date	Open Space irrigation (except Aerodrome)	Irrigation of Aerodrome	Wetland Forest
DECC consultation	May/June 2009	May/June 2009	May/June 2009
Concept design, technical investigations and consultation	Sept 2009	Sept 2009	Aug 2010 (land acquisition, water quality, ecosystem response etc)
Approvals	Nov 2009	Nov 2010	Aug 2011 (EIA, approvals)
Detailed design	Feb 2010	Feb 2011	Feb 2012
Stage 2 grant approval	Aug 2010	Aug 2011	Aug 2012
Tendering	Nov 2010	Nov 2011	Nov 2012
Stage 3 grant approval	May 2011	May 2012	May 2013
Appoint construction contractor	Jul 2011	Jul 2012	Jul 2013
Construction/ Commissioning	Feb 2012	Feb 2013	May 2014
Post-commissioning monitoring	Ongoing	Ongoing	Ongoing

DECC has now responded to Council's submission on this PRP. DECC has noted that Council has submitted the required reports addressing the PRP and that the monthly updates are being submitted as required.

DECC has reviewed the nine effluent re-use options in the Geolink report. It has also reviewed the wetland/forest based effluent management system option proposed in the Water and Carbon Group report.

### Next Steps

The DECC has acknowledged the commitment that Council has made towards investigating and reviewing the options for effluent disposal and effluent re-use at Evans Head.

It has also acknowledged that:

- The new Evans Head Sewage Treatment Plant (STP) is performing well and the quality of effluent being discharged to Salty Lagoon has improved greatly.
- The adopted disposal option for an offshore deep sea release is not economically viable
- The Salty Lagoon Ecosystem Recovery Monitoring Program is progressing as required by the PRP
- DECC also notes that there is a broad range of options, driven by environmental, community, policy and economic imperatives including aquifer injection, Evans River ebb tide discharge, off shore pipeline release and discharge to the Evans River after a wetland and forest irrigation scheme, many of which bring with them significant obstacles to their adoption.

Council Officers met with representatives from the DECC on 5 August 2009 to discuss the pros and cons of each option to identify a process which will lead to the development and implementation of an appropriate re-use and/or effluent disposal option. DECC has acknowledged that the final option or combination of options for effluent re-use and disposal will be considered within Council's budget constraints ie affordability.

The outcomes of this meeting will be reported separately to the August 2009 Council meeting.

### ***Financial Implications***

The Connell Wagner (Aurecon) addendum to the original Stage 2 Effluent Release Investigation Report estimates the capital cost of the project to be \$23.8 Million. To fund this project, the typical residential bill for sewerage would need to increase from \$775/assessment to around \$1,300/assessment.

The review of the effluent re-use scheme by Geolink has estimated that the capital cost of the various scheme scenarios ranges from \$3.9 million to \$11.6 million (not including the wetland/forest option). The various re-use options still require a wet weather release system. Therefore, to fund these 2 schemes (wet weather release and effluent re-use) the typical residential bill for sewerage would need to be increased from \$775/assessment to between \$1,350 to \$1,500/assessment.

### **Conclusion**

The augmentation of the Evans Head Sewerage Treatment Plant and sewerage reticulation systems are progressing in accordance with the directions of the Department of Environment and Climate Change and the PRPs attached to the Evans Head Sewerage Treatment Plant Environmental Protection Licence.

The reclaimed water release point and effluent reuse options are intricately linked in relation to volume and impact as well as cost implications. It is, therefore, necessary to consider both when determining the preferred option. DECC has also acknowledged that budget considerations will be a factor in determining the preferred option for effluent re-use and disposal.

Given the assessed financial impact on the typical residential bill, the outcomes of the meeting with DECC will need to be comprehensive in its assessment of cost and thus address the community's capacity to pay for the selected preferred options. Further consultation with the community may be required to address disposal and re-use options based on the typical residential bill. Communication will also be required with DECC in this regard (and has commenced).

### **13.10 ROADS AND TRAFFIC AUTHORITY REVIEW OF ROAD CLASSIFICATIONS**

**Reference:** Roads - Planning, Programs

**Prepared by:** Engineering Assistant - Assets

---

#### **Background**

The Roads and Traffic Authority (RTA) has conducted an independent review of the classification of State and Regional Roads in New South Wales with the aim of benefiting the wider community by focusing available funds on the more economically and socially significant roads throughout the State.

Implementation of the review from 1 July 2009 will result in a net reduction of 5 kilometres of State Roads and a net reduction in Regional Roads of 230 kilometres throughout the State. There will be no reclassification of State or Regional Roads within the Richmond Valley Council area.

The Government will provide an additional \$10.5 million over three years to support implementation of the reclassification, including provision of transitional safety net arrangements as sought by Local Government. These funds will be in addition to maintaining the current overall level of funding assistance to councils for Regional Roads.

#### **Report**

##### ***Issues***

The RTA has advised Council that there are no road reclassifications recommended in the Richmond Valley Council area at this time. To assist affected councils, additional funding has been allocated during the transitional three year period. As this is additional funding to that already allocated, there will be no change to Council's Regional Roads funding.

#### **Conclusion**

The RTA has undertaken a review of the State and Regional roads throughout NSW and has confirmed to Council that there are no road reclassifications recommended in the Richmond Valley Council area at this time. As a result there will be no change to the Regional Roads funding Council has already been allocated.

**13.11 WOODBURN BOTANICAL GARDENS****Reference:** Parks and Reserves - Maintenance; P40371**Prepared by:** Manager Strategic Planning

---

**Background**

Council, at its meeting on 21 April 2009, further considered the proposal by the Woodburn Garden Club to construct a Botanical Garden at "Sand Park" at Woodburn.

In light of the report indicating high levels of contamination, Council resolved to:

- "1. advise the Department of Lands of the contamination resulting from its former use as a tailing site by a mining company.*
- 2. advise the Department of Lands that as the property owner they are responsible for providing fencing and signage as a first response to protect and inform the general public.*
- 3. advise the Woodburn and District Garden Club of the situation.*
- 4. invite the Department of Lands to meet with them, the Woodburn Garden Club and Envite, to determine a way forward to establish the botanical gardens and deal with the contamination issue."*

A meeting was held on site with Council staff and representatives from the Department of Lands to discuss the issue. The Department of Lands Officers advised that they had made contact with the Department of Environment and Climate Change to notify of the potential for contamination at this site. They advised that the Department was considering the information and would advise Lands and Council shortly of its requirements in relation to the possible securing of the site and further actions in relation to possible contamination investigation and remediation. It was hoped that this information would be conveyed to Council within the month.

Council Officers then met with representatives from the Woodburn Garden Club and Envite and conveyed this information to them.

At this stage, no further action can be taken until the advice is received from the Department of Environment and Climate Change.

**Conclusion**

Following the meeting with Officers from the Department of Lands, Council will need to wait until advice is received from the Department of Environment and Climate Change regarding possible further action in relation to securing of the site, future contamination investigation and possible remediation.

**13.12 GENERAL MANAGER'S CONTRACT - PERFORMANCE MONITORING REVIEW****Reference:** Personnel - Performance Appraisal**Prepared by:** Director Corporate Services

---

**Background**

Under the terms of the General Manager's Contract with Council, a Performance Monitoring Review is undertaken six monthly and an Annual Review every twelve months.

**Report*****Issues***

The Performance Review Committee met on Tuesday, 4 August 2009, to undertake the six monthly Monitoring Review. The Review Committee ranked the General Manager's performance for the six monthly period from 27 January 2009 as 'satisfactory to more than satisfactory'.

***Legal***

In undertaking the review, the Contract of Employment conditions have been complied with.

**Conclusion**

The consideration of this report will meet the requirements of the Contract of Employment with Mr. Wilkinson.

**13.13 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 JULY 2009 TO 30 JULY 2009****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 July 2009 to 30 July 2009.

### **Conclusion**

The total value of Development Applications determined by Council for the period 1 July 2009 to 30 July 2009 is \$1,787,099.

## **13.14 CUSTOMER SERVICE - FACT SHEETS**

**Reference:** Customer Service - Reporting

**Prepared by:** Customer Service Coordinator

---

### **Background**

As part of Council's Management Plan activities, Customer Service staff have co-ordinated the development of 45 Fact Sheets for use as an information resource; the Fact Sheets have been made available to the public. This resource is a work activity undertaken by Customer Service to improve on the quality and consistency of information provided to its customers.

### **Report**

### *Issues*

Customer Service staff, with information provided by Council Directorates, have compiled a resource of 45 Fact Sheets for staff to refer to and to assist with enquiries and also provide information to the public. The Fact Sheets are a valuable source of information and provide consistency in the provision of customer service and information. The Fact Sheets are stored on Council's internal computer system, the intranet and some are available on Council's Web site. Fact Sheets are currently being reviewed as a continuous improvement process of the Business Excellence Framework.

### **Conclusion**

This report is an update of the status of work activities undertaken by the Customer Service Section of the Environmental Development Services Directorate with regard to Fact Sheets.

## **RECOMMENDATION**

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

**180809/ 24 RESOLVED** (Cr. Morrissey/Cr. George)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

---

**14 COUNCILLORS' QUESTIONS (IN WRITING)**

---

The following question had been presented to the General Manager in accordance with Council's Code of Meeting Practice.

**14.1 CASINO CBD UPGRADE - DRAFT CRIME PREVENTION PLAN**

Cr. Mustow - "As reported in Item 12.15 Draft Crime Prevention Plan that an audit by NSW Police Force is scheduled for September 2009, have there been discussions held with NSW Police regarding the current CBD Upgrade?"

The General Manager advised that there had been discussions with Michael Hogan following the most recent Council Information Session.

---

**15 MATTERS REFERRED TO CLOSED COUNCIL**

---

**Set out below is section 10A(2) of the *Local Government Act 1993* in relation to matters which can be dealt with in a closed part of a meeting.**

The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than councillors)
- (b) the personal hardship of any resident or ratepayer
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret
- (e) information that would, if disclosed, prejudice the maintenance of law
- (f) matters affecting the security of the council, councillors, council staff or council property
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.

In accordance with the *Local Government Act 1993* and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following

business is of a kind as referred to in section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

## **15.1 PROPOSED SALE OF PART EVANS HEAD MEMORIAL AERODROME (FOR AGED CARE PURPOSES)**

### **Reason for Confidentiality**

This matter is classified CONFIDENTIAL under section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

The proposed sale of the land is subject to a range of factors. There is a clear need for Council's position on the matter to not be made available in relation to the proposed purchase until negotiations have been finalised.

### **RECOMMENDATION**

Recommended that:

1. Council resolve into Closed Council to consider business identified, together with any late reports tabled at the meeting.
2. Pursuant to section 10A(1)-(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
3. The correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993*.

*Section 10A(4) of the Local Government Act 1993 provides that members of the public be allowed to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.*

- *Motion to close meeting - moved and seconded.*
- *Any written representations to be read by the General Manager. (Details to be recorded in minutes.)*
- *Verbal representations made in accordance with the Supplementary provisions of the Code of Meeting Practice. (Acknowledgement of process [and time, etc.] to be recorded in minutes.)*

*Pursuant to section 10A(4), the public invited to make representations to the council meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed.*

The General Manager reported that no written representations had been received in respect to the items listed for consideration in Closed Council.

The Mayor called for verbal representations from the gallery.

One member of the public made representations on issues associated with Item 15.1 - Proposed Sale of part Evans Head Memorial Aerodrome (for Aged Care Purposes) being considered in Closed Council.

**180809/ 25 RESOLVED** (Cr. Cox/Cr. Morrissey)

That:

1. Council resolve into Closed Council to consider business identified, together with any late reports tabled at the meeting.
2. Pursuant to section 10A(1)-(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
3. The correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993*.

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

Council closed its meeting at 6.08 p.m. The public and media left the Chamber.

Open Council resumed at 6.20 p.m.

---

**16 RESOLUTIONS OF CLOSED COUNCIL**

---

The following resolution of Council, while the meeting was closed to the public, was read to the meeting by the General Manager.

**PROPOSED SALE OF PART EVANS HEAD MEMORIAL AERODROME (FOR AGED CARE PURPOSES)**

That Council recommence negotiations in regard to the possible sale of part of the Evans Head Memorial Aerodrome for purposes of an Aged Care Facility. Further, that the negotiations be commenced by the Mayor and General Manager on the basis outlined in the report provided to Council.

The Meeting closed at 6.21 p.m.

**CONFIRMED - 15 September 2009**

**CHAIRMAN**