



RICHMOND VALLEY COUNCIL

Minutes

Ordinary Meeting

Tuesday, 17 May 2011

Table of Contents

PRESENT		1
1	PRAYER AND NATIONAL ANTHEM	1
2	PUBLIC ACCESS	1
3	APOLOGIES	1
4	MAYORAL MINUTE	1
5	CONFIRMATION OF MINUTES	1
6	MATTERS ARISING OUT OF THE MINUTES	2
	6.1 Declaration of Interests - 15 March 2011 (Ordinary Meeting 19 April 2011 - Page 2)	2
7	DECLARATION OF INTERESTS	2
	7.1 Declaration of Interests - Ordinary Meeting 19 April 2011	2
8	NOTICES OF MOTION	2
	8.1 Notice of Motion (Cr Robert Mustow) - Casino Police Station	2
9	MAYOR'S REPORT	3
10	DELEGATES' REPORTS	3
	10.1 Delegates' Reports submitted to May 2011 Ordinary Meeting	3
11	MATTERS DETERMINED WITHOUT DEBATE	6
12	MATTERS FOR DETERMINATION	6
	12.1 Council's Code of Meeting Practice - Community Question Time	6
	12.2 Ordinary Meeting - January 2012	8
	12.3 Applications for Section 356 Financial Assistance	9
	12.4 Office Operations (Christmas/New Year) and Council End of Year Function	10
	12.5 Financial Analysis Report - April 2011	12

12.6	Review of Richmond Valley Council Management Plan 2010/2013 as at 31 March 2011	16
12.7	Compliance with Goods and Services Tax (GST) 2010/2011 ...	18
12.8	Organisation Structure - Works Directorate Review of Asset Sections	21
12.9	Australian Livestock Markets Association - Annual General Meeting and Conference.....	23
12.10	Banner Pole Hire Erection and Dismantling Fee.....	25
12.11	Local Heritage Assistance Fund 2011/2012.....	27
12.12	Beef Week - Suspension of Alcohol Free Zone	31
12.13	Correspondence Submitted to May 2011 Ordinary Meeting	33
13	MATTERS FOR INFORMATION.....	36
13.1	Request Action Management System (RAMS) Report and Statistics - 1 July 2010 to 31 March 2011	36
13.2	Grant Application Information - April 2011	36
13.3	Livestock Exchange Statistics for April 2011.....	38
13.4	Contract Bridgework and Component Orders for the month of April 2011.....	39
13.5	Status of Engineering Works for the month of April 2011.....	41
13.6	Status of Works for Water and Sewer Section for the month of April 2011.....	43
13.7	Concrete Products/Bridge Construction Operations Business Plan 2011	47
13.8	Roads and Traffic Authority (RTA) - Natural Disaster Funding Advice	51
13.9	Woodburn Ferryman's Cottage Lease - Status Update.....	53
13.10	Development of Film Policy.....	54
13.11	Development Applications Determined under the Environmental Planning and Assessment Act for the period 1 April 2011 to 30 April 2011	56
14	QUESTIONS FOR NEXT MEETING (IN WRITING).....	57
15	MATTERS REFERRED TO CLOSED COUNCIL.....	57
15.1	2011/2012 Revenue Policy - Quarry Product Prices.....	58
16	RESOLUTIONS OF CLOSED COUNCIL.....	59

**MINUTES OF THE ORDINARY MEETING OF RICHMOND VALLEY COUNCIL,
HELD IN THE COUNCIL CHAMBERS, CNR WALKER STREET AND
GRAHAM PLACE, CASINO, ON TUESDAY, 17 MAY 2011 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 (Annette Phelps) were also in attendance.

1 PRAYER AND NATIONAL ANTHEM

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

2 PUBLIC ACCESS

Nil.

3 APOLOGIES

Nil.

4 MAYORAL MINUTE

Nil.

5 CONFIRMATION OF MINUTES

170511/ 1 RESOLVED (Cr. Wheatley/Cr. Morrissey)

That the Minutes of the Ordinary Meeting, held on 19 April 2011, 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

6.1 DECLARATION OF INTERESTS - 15 MARCH 2011 (ORDINARY MEETING 19 APRIL 2011 - PAGE 2)

Cr. Mustow directed a question to Cr. Kinnish enquiring if the issue raised at the 15 March 2011 Ordinary Meeting regarding a declaration of interest had been finalised.

Cr. Kinnish stated that communications with the General Manager regarding the 'blackened out' sections of the letter were still continuing.

7 DECLARATION OF INTERESTS

7.1 DECLARATION OF INTERESTS - ORDINARY MEETING 19 APRIL 2011

Cr. Morrissey declared a non-pecuniary (insignificant conflict) interest in Item 12.10 - Banner Pole Hire Erection and Dismantling Fee (Member of the Neighbourhood Watch Steering Committee).

Cr. Sullivan declared a non-pecuniary (insignificant conflict) interest in Item 12.12 - Beef Week - Suspension of Alcohol Free Zone (Life Member of Beef Week Committee).

Cr. George declared a pecuniary interest in Item 12.12 - Beef Week - Suspension of Alcohol Free Zone (President of Beef Week).

170511/ 2 RESOLVED (Cr. Wheatley/Cr. Jeffery)

That the declarations of interest of the Mayor, Cr. Morrissey and Cr. George be noted.

FOR VOTE - All Council members voted unanimously.

8 NOTICES OF MOTION

8.1 NOTICE OF MOTION (CR ROBERT MUSTOW) - CASINO POLICE STATION

Background

Cr. Mustow submitted the following Notice of Motion on 9 May 2011.

Notice of Motion

That Richmond Valley Council over the coming months, present to the Minister for Police, a submission calling for Casino Police Station to be upgraded to a 24 hour, seven days a week, fully staffed Police Station.

170511/ 3 RESOLVED (Cr. Mustow/Cr. Kinnish)

That Richmond Valley Council over the coming months, present to the Minister for Police, a submission calling for Casino Police Station to be upgraded to a 24 hour, seven days a week, fully staffed Police Station.

FOR VOTE - All Council members voted unanimously.

Cr. Mustow had given notice of his intention to foreshadow a Motion during debate on the above motion.

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

That Council liaise with the Richmond River Express Examiner in regard to having community support on this matter via a standard letter to Council.

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

170511/ 4 RESOLVED (Cr. Mustow/Cr. Wheatley)

That Council liaise with the Richmond River Express Examiner in regard to having community support on this matter via a standard letter to Council.

FOR VOTE - All Council members voted unanimously.

9 MAYOR'S REPORT

Nil.

10 DELEGATES' REPORTS

10.1 DELEGATES' REPORTS SUBMITTED TO MAY 2011 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. Cox

Subject Matter of Attendance: Richmond River County Council Meeting held at Lismore on Wednesday, 13 April 2011 (in company with Cr. Crawford).

Precis/Summary of Issues Discussed/Considered:

- Financial Review as at 31 March 2011; forecast result increased by \$18,000 to \$22,700 surplus due to higher interest on investments, slower take up on unspent subsidies 2009/2010, additional funding received related to Newtrain Levee works.
- Investment Report; rates have come off slightly. Mixing terms policy to continue. Credit Unions doing better than the Big Four Banks.
- Draft Management Plan 2011/2014; confirmed for public advertisement. Richmond River County Council General Manager to arrange separate visit to each constituent Council.
- Lismore Flood Gauge; resiting of the standard gauge to the levee overflow point at Browns Creek (AHD 10.95) is recommended as the logical point of reference. Proposal to be discussed with all services. Target date prior to the 2012 flood season.
- Mechanical Weed Harvester; matter is still be considered.
- Lismore Levy; delay in settling the Newtrain building sale is of concern given the need to carry out works prior to the flood season.
- Floodplain Management Authorities 51st Annual Conference, Tamworth; Councillors and Floodplain Services Manager attended. It was an informative and well organised conference providing a different view of flood mitigation from an inland perspective as opposed to coastal flooding.

Outcomes/Actions Required by Council: --

Submitted by Cr. George

Subject Matter of Attendance: Rous Water Meeting held at Lismore on 20 April 2011 (in company with Cr. Sullivan)

Precis/Summary of Issues Discussed/Considered:

Items on the Agenda included:

- Investment Report; Council received and noted the record of investments for the month of March 2011.

- March 2011 Quarterly Review of Management Plan; Council noted the contents of the report.
- Draft Management Plan 2011/2014; Council confirmed the 2011/2012 Budget Estimates and Revenue Policy which produces an operating surplus of \$20,300; authorised the public advertisement of the draft Management Plan, and received a revised 2011/2014 Management Plan with Budget Estimates and Public Submissions at Council's June Meeting for formal adoption.
- Acquisition of Land for Proposed Dunoon Dam; Council resolved that:
 1. Rous Water complete the assessment of the viability of the proposed Dunoon Dam
 2. Rous Water only acquire land for the proposed Dunoon Dam where the landholder is able to demonstrate "hardship" in accordance with the relevant legislation.
 3. Rous Water advise landholders of Rous Water's intentions to acquire land only where hardship can be demonstrated.
 4. All landholder requests for voluntary land acquisition are reported to Council for determination of hardship.
- Demand Management Progress Report January - March 2011; Council received and noted the information in the Progress Report for 1 January to 31 March 2011.
- Regional Development Australia Fund - Funding Submission; Council resolved to lodge an application to the Regional Development Australia Fund for 50% funding of the cost of Knockrow Reservoir.
- Council received and noted the following Information Reports:
 - Outstanding Reports/Resolutions
 - Monthly Statistics to March 2011
 - Future Water Strategy Project Reference Group Update
 - Infrastructure Australia: Report on the review of regional water quality and security.

Outcomes/Actions Required by Council: --

RECOMMENDATION

Recommended that the Delegates' Reports be received and noted.

170511/ 5 RESOLVED (Cr. Cox/Cr. George)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

11 MATTERS DETERMINED WITHOUT DEBATE

170511/ 6 RESOLVED (Cr. Wheatley/Cr. Cox)

That Items 12.1, 12.2, 12.4, 12.5, 12.7, 12.11, 12.12, and 12.13 be determined without debate.

FOR VOTE - All Council members voted unanimously.

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

12 MATTERS FOR DETERMINATION

12.1 COUNCIL'S CODE OF MEETING PRACTICE - COMMUNITY QUESTION TIME

Reference: Governance - Council Meetings, Councillors

Prepared by: General Manager

Background

At the February 2011 Meeting of Council it was resolved "*That Council in the future receive a report on the implementation of a Community Question Time in Council's Code of Meeting Practice.*"

Report***Issues***

In preparing this report, reference has been made to the various processes and procedures undertaken by other NOROC Councils in regard to public access and question times as part of Meeting processes. In considering the matter, Council also needs to take account of the need for a question time at Council Meetings, given that written questions, etc. are and can be asked through the General Manager (and staff) on a day to day basis.

Legal

The Local Government Act 1993 provides requirements in regard to questions asked by Councillors at Meetings. Those provisions are covered by the Code of Meeting Practice and accordingly provisions in regard to questions from the public need to be controlled via the Code of Meeting Practice.

The Department of Local Government Practice Note on Council Meeting processes states that "*There is no automatic right under the Act or the Regulation for the public to participate in a council meeting, either by written*

submission or oral presentation. This includes being able to ask questions or address council meetings, or to comment on matters during meetings."

Accordingly, it is up to Council as to whether they provide public access and/or a question time as part of their Meeting processes. As indicated in the Practice Note, if provision is included such things as how and when questions will be tabled, the number and timeframes, and the conditions of question time should be included in the Code of Meeting Practice.

Consultation

Amendments or changes to Council's Code of Meeting Practice have to be publicly exhibited in accordance with the provisions of the Local Government Act.

The recent community strategic planning and associated processes undertaken by Council has indicated that the community are seeking to increase community engagement opportunities. The introduction of a question time (if appropriately structured) can add to community engagement processes.

Staff

There will be no specific staff issues resulting from a question time being implemented as part of Council's Code of Meeting Practice.

Strategic Links

The implementation of a question time will link to the recent community strategic planning processes and outcomes undertaken by Council.

Financial Implications

No financial implications will arise from the implementation of a question time at Council Meetings.

Conclusion

As indicated earlier in this report, reference has been made to the practices/processes of other NOROC Councils in respect to public access and question time. The processes vary between the Councils; however, in general, provision is made for both a public access time and a question time. The question times are structured on the following basis:

- a time limit of five minutes for each question and each person
- the Chair has the right to refuse any question and/or terminate the session
- a response to the question is not required to be provided at the meeting (i.e. written response provided)
- there is no debate on the answers
- there is a maximum time for the question session
- the process is for a question not a statement
- the right is reserved to request the question to be submitted in written form.

Given the above, it is proposed that a further report be provided to Council incorporating proposed changes to the Code of Meeting Practice to provide for a Community Question Time.

RECOMMENDATION

Recommended that a further report be provided to Council which proposes changes to Council's Code of Meeting Practice to provide for a Community Question Time.

170511/ 7 RESOLVED (Cr. Wheatley/Cr. Cox)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

12.2 ORDINARY MEETING - JANUARY 2012

Reference: Governance - Council Meetings

Prepared by: General Manager

Background

In previous years Council has resolved not to conduct an Ordinary Meeting in January.

Report

Issues

There have not been any issues created from the lack of a January Meeting in previous years.

Accordingly, it is proposed that Council consider the non-conduct of a January Meeting in 2012.

Conclusion

The proposal to not conduct a meeting in January 2012 will not impact on Council operations. Should circumstances necessitating a meeting prevail, the option of an Extraordinary Meeting is available.

RECOMMENDATION

Recommended that Council not conduct an Ordinary Meeting in January 2012.

170511/ 8 RESOLVED (Cr. Wheatley/Cr. Cox)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

12.3 APPLICATIONS FOR SECTION 356 FINANCIAL ASSISTANCE**Reference:** Grants and Subsidies - Applications, Programs**Prepared by:** General Manager

Background

In March 2010 Council adopted a revised Policy (1.4.5) in regard to Guidelines for Section 356 Financial Assistance. The Policy provides for the allocation of 80% of the financial vote for financial assistance in August/September each year (as part of an advertising process) with the remaining 20% to be allocated in May/June based on additional one off applications received throughout the year.

In September 2010 \$8,800 was allocated to 21 community groups and organisations. Therefore, the remaining funds (\$2,200) are available for allocation.

Report**Issues**

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

- Evans River K-12 School - development assessment charges for Cool Cubby Project - \$500. This "application" accords with the policy criteria.
- Northern Rivers Science and Engineering Challenge - seeking sponsorship of \$1,000 for the 2011 challenge. The Rotary Club of Alstonville and Southern Cross University combine with Newcastle University to run this educational challenge for Year 9 and Year 10 students in the Northern Rivers region. It is a two day program with 400 students involved. Council's Policy states that "*assistance with funding for events is subject to another process; accordingly, funding related to the conduct of events will only be funded under Section 356 Contributions if they are one off community based events that provide a social benefit to the community.*" Due to the educational component of the program (which has been conducted since 2007), it is considered that same is not specifically an event, however, as it meets the overall criteria of Council's Section 356 Policy, could be considered in this circumstance. Should Council approve same, it would be appropriate that Council clearly communicate that this is a one off support only and any future request would need to be part of the annual Section 356 process.

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

Policy

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

Social

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

Financial Implications

The funds proposed to be allocated via this report are available within the current budget. Although the Northern Rivers Science and Engineering Challenge have sought \$1,000 (which will make Council eligible for sponsorship rights), it is considered that \$500 should be made available as the event has been run previously and is not specific to the Richmond Valley Council area.

Conclusion

This report provides information in regard to additional financial assistance requests received by Council. It is proposed that unallocated funds will be used as savings in the 2010/2011 budget.

RECOMMENDATION

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

- Evans River K-12 School - \$500 for Cool Cubby Project.
- Northern Rivers Science and Engineering Challenge - \$500.

170511/ 9 RESOLVED (Cr. Crawford/Cr. Jeffery)

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

- Evans River K-12 School - \$500 for Cool Cubby Project

FOR VOTE - All Council members voted unanimously.

12.4 OFFICE OPERATIONS (CHRISTMAS/NEW YEAR) AND COUNCIL END OF YEAR FUNCTION

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

Prepared by: General Manager

Background

On an annual basis Council considers the issues of 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) 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 2011.
- (b) 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 2011 at a location to be determined.

Financial Implications

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

Conclusion

This report provides information and proposed progression of arrangements for the Christmas/New Year Office Closure and End of Year Function.

RECOMMENDATION

Recommended that Council:

1. Close its Casino and Evans Head Offices over Christmas and New Year 2010/2011 (from 28 December 2011 to 2 January 2012 inclusive).
2. Authorise the 2011 End of Year Function for Councillors and Staff to be held on Thursday, 15 December 2011.

170511/ 10 RESOLVED (Cr. Wheatley/Cr. Cox)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

12.5 FINANCIAL ANALYSIS REPORT - APRIL 2011**Reference:** Financial Management - Investments**Prepared by:** Manager Finance

Background

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

Report***Issues***

The Financial Analysis Report for April 2011, included with this report, aims to disclose information regarding Council's investment portfolio.

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

During the month of April 2011, the Reserve Bank of Australia made no change to the cash rate in Australia, so it remained steady at 4.75% per annum at month end. In terms of investment yields, interest rates available for investments during the month have remained fairly steady to the previous month. Council has continued to pursue term deposit investments whenever cash flow estimates provide.

Total new term deposits made during April 2011 included:

- National Australia Bank, \$1,000,000.00 maturing on 4 July 2011 at 5.76% per annum for ninety one days.
- Suncorp Bank, \$1,000,000.00 maturing on 4 July 2011 at 5.98% per annum for ninety one days.
- Newcastle Permanent Building Society, \$1,000,000.00 maturing on 8 July 2011 at 5.91% per annum for ninety one days.
- ING Direct, \$1,000,000.00 maturing on 11 July 2011 at 5.80% per annum for ninety one days.

The total term deposit maturities during April 2011 included returning principal (in full) and interest were:

- Newcastle Permanent Building Society, \$1,000,000.00 maturing on 8 April 2011 (interest rate was 6.05% for the investment period). Interest received for this investment was \$19,724.66.

- Suncorp Bank, \$1,000,000.00 maturing on 4 April 2011 (interest rate was 5.67% per annum for the investment period). Interest received for this investment was \$9,786.58.
- Qantas Staff Credit Union, \$1,000,000.00 maturing on 1 April 2011 (interest rate was 5.90% per annum for the investment period). Interest received for this investment was \$9,698.63.
- ING Direct, \$1,000,000.00 maturing on 11 April 2011 (interest rate was 5.73% for the investment period). Interest received for this investment was \$9,419.18.
- Savings and Loans Credit Union, \$1,000,000.00 maturing on 15 April 2011 (interest rate was 5.89% for the investment period). Interest received for this investment was \$9,682.19.
- Police and Nurses credit Union, \$1,000,000.00 maturing on 15 April 2011 (interest rate was 5.79% for the investment period). Interest received for this investment was \$9,517.81.

The BlackRock Care and Maintenance Fund during the month of April 2011 provided a positive return of 0.008% for the month. Council is gradually withdrawing from this fund as the manager permits, given the fund is to be closed by the manager when the underlying securities have been realised. Distributions from the fund are being paid when able.

In terms of Council's Fixed Interest Securities, there is no further news on the outcome of unwinding the Esperance 2 CDO. This investment has been written down to a nil value in Council's 2009/2010 Financial Statements. Council's investment advisors, Denison Financial have advised that a value of \$33 per unit should be realised (or a value of \$330,000), when the CDO is eventually wound up Council will record any proceeds as a fair value gain. All other CDO investments at this time remain with a positive outlook in terms of coupon payment and probability of reaching maturity with full return of principal. Council's Independent Investment Advisors are also investigating potential switch options for other investments that whilst liquid are no longer providing any income stream. Any switch option under consideration would only be undertaken if it is financially advantageous to Council over the life of the investment.

As additional information, the following table below provide what amounts are currently outstanding on sundry debtors, rates and charges, and water/sewerage debtors as at 30 April 2011:

Debtor Type	Outstanding \$ 30 April 2011
Sundry Debtors	847,420.78
Rates and Charges	2,919,977.82
Water and Sewerage Charges	3,372,794.58
Total	7,140,193.18

The following table also outlines an analysis of the collection of rates and charges (excluding water and sewerage) during the course of the 2010/2011 financial year as at 30 April 2011:

	Balance \$ 30 April 2011
Rates and Charges Arrears 1 July 2010	960,222.73
Add: Levies to 30 April 2011	10,809,241.81
Total Outstanding	11,769,464.54
Less: Collections to 30 April 2011	8,849,486.72
Balance Outstanding at 30 April 2011	2,919,977.82

Percentage Collected

75.19%

The following table outlines an analysis of the collection of rates and charges arrears as at 1 July 2010, during the course of the 2010/2011 financial year as at 30 April 2011.

	Balance \$ 30 April 2011
Rates and Charges Arrears 1 July 2010	960,222.73
Less: Arrears Collected to 30 April 2011	386,889.34
Arrears 30 April 2011	573,333.39

Legal

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

Policy

Council has adopted Policy 1.4.3 regarding investments.

Conclusion

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

RECOMMENDATION

Recommended that Council adopt the Financial Analysis report for April 2011 detailing balances of outstanding rates/charges, water/sewerage charges, sundry debtors, bank account balances and investments.

170511/ 11 RESOLVED (Cr. Wheatley/Cr. Cox)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

RICHMOND VALLEY COUNCIL FINANCIAL ANALYSIS REPORT AT 30 APRIL 2011															
Investment Name	Investment Source	Investment Type	Rating	Investment Date	Maturity Date	Interest Basis	Interest Frequency	Current Interest Rate for Month	Original Investment Value	Current Investment Fair Value	Fair Valuation Date	% of Total Portfolio	Capital Guarantee Maturity		
Cash at Call															
CBA Business Online Saver	Commonwealth Bank	At Call	AA	At Call	Variable		Monthly	0.38%	N/A	2,055,000.00	30/04/2011	8.67%	No		
Total Cash at Call										2,055,000.00		8.67%			
Term Deposits															
Transferable Certificate of Deposit	Commonwealth Bank	TCD	AA	24/06/2008	24/06/2011	3mth BBSW + 0.80%	Quarterly	0.47%	N/A	1,000,000.00	30/04/2011	4.22%	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	30/04/2011	1.78%	Yes		
Term Deposit	Credit Union Australia	Term Deposit	N/A	8/11/2010	9/05/2011	Fixed for Term	Maturity	0.52%	N/A	500,000.00	30/04/2011	2.11%	No		
Term Deposit	Members Equity Bank	Term Deposit	BBB	1/02/2011	2/05/2011	Fixed for Term	Maturity	0.51%	N/A	1,000,000.00	30/04/2011	4.22%	Yes		
Term Deposit	Southern Cross Credit Union	Term Deposit	N/A	23/02/2011	24/05/2011	Fixed for Term	Maturity	0.50%	N/A	1,000,000.00	30/04/2011	4.22%	Yes		
Term Deposit	IMB Building Society	Term Deposit	BBB	2/03/2011	1/05/2011	Fixed for Term	Maturity	0.48%	N/A	1,000,000.00	30/04/2011	4.22%	Yes		
Term Deposit	AMP	Term Deposit	A1/A	2/03/2011	31/05/2011	Fixed for Term	Maturity	0.50%	N/A	1,000,000.00	30/04/2011	4.22%	Yes		
Term Deposit	Credit Union Australia	Term Deposit	N/A	18/03/2011	16/06/2011	Fixed for Term	Maturity	0.49%	N/A	1,000,000.00	30/04/2011	4.22%	Yes		
Term Deposit	Defence Credit Union	Term Deposit	N/A	21/03/2011	20/06/2011	Fixed for Term	Maturity	0.49%	N/A	1,000,000.00	30/04/2011	4.22%	Yes		
Term Deposit	Community CPS	Term Deposit	N/A	25/03/2011	23/06/2011	Fixed for Term	Maturity	0.51%	N/A	1,000,000.00	30/04/2011	4.22%	No		
Term Deposit	Westpac Bank	Term Deposit	AA	25/03/2011	23/06/2011	Fixed for Term	Maturity	0.48%	N/A	1,000,000.00	30/04/2011	4.22%	Yes		
Term Deposit	National Australia Bank	Term Deposit	AA	4/04/2011	4/07/2011	Fixed for Term	Maturity	0.48%	N/A	1,000,000.00	30/04/2011	4.22%	Yes		
Term Deposit	Suncorp Bank	Term Deposit	A	4/04/2011	4/07/2011	Fixed for Term	Maturity	0.50%	N/A	1,000,000.00	30/04/2011	4.22%	Yes		
Term Deposit	Newcastle Permanent	Term Deposit	BBB+	8/04/2011	8/07/2011	Fixed for Term	Maturity	0.49%	N/A	1,000,000.00	30/04/2011	4.22%	Yes		
Term Deposit	ING Direct	Term Deposit	1A	11/04/2011	11/07/2011	Fixed for Term	Maturity	0.48%	N/A	1,000,000.00	30/04/2011	4.22%	Yes		
Total Term Deposits										13,922,000.00		58.73%			
Managed Funds															
Blackrock Care & Maintenance Fund	Blackrock	Managed Fund	Aaf	At Call	Variable		Monthly	0.01%	N/A	2,078,528.55	10/05/2011	8.77%	No		
Total Managed Funds										2,078,528.55		8.77%			
Fixed Interest Securities															
Aphex Pacific Capital - (Phoenix)	RBS Morgans Ltd	FRN	AA+	14/08/2007	10/11/2011	3mth BBSW + 2.05%	Quarterly	0.58%	500,000.00	490,000.00	30/04/2011	2.07%	No		
Averon CPP Limited - (Averon II)	ANZ Investment Bank	CPPI - Fund	AAA	13/07/2007	13/07/2014	BBSW + 1.50%	Quarterly	0.00%	500,000.00	396,450.00	30/06/2010	1.67%	Yes		
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	0.53%	1,000,000.00	926,700.00	31/03/2011	3.91%	No		
Octagon PLC (EMU Note)	FIG Securities	CPPI - Hedge	AAA	25/10/2005	25/10/2015	50% performance	Yearly	0.00%	500,000.00	386,950.00	31/03/2011	1.63%	Yes		
AB Svensk Exportkredit - (All Seasons)	FIG Securities	CPPI - Hedge	AA+	29/06/2006	29/08/2014	8.00%	Yearly	0.00%	500,000.00	414,300.00	31/03/2011	1.75%	Yes		
Magnolia Finance Ltd 2005-14 (Flinders)	Lehman Brothers	CDO2	BB-	10/02/2005	20/03/2012	3mth BBSW + 1.50%	Quarterly	0.52%	1,500,000.00	1,312,500.00	31/03/2011	5.54%	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	0.00	n/a	0.00%	No		
Nexus 4 Topaz Notes (Nexus 4)	Lehman Brothers	Listed CDO	A+	11/07/2005	23/06/2015		Half Yearly	0.00%	997,900.00	688,650.79	30/04/2011	2.91%	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	415,075.00	30/04/2011	1.75%	Yes		
Series 33 - STIRM 2	Longreach	Capital Protect Note	A+	31/03/2008	10/05/2013	Variable	Maturity	N/A	500,000.00	619,150.00	30/04/2011	2.61%	Yes		
Total Fixed Interest Securities										7,497,900.00		5,649,775.79	23.83%		
Bank Accounts															
		Balance \$													
Account Name		30-Apr-11													
General Fund Bank Account		334,585.43		Overall Average Interest Rate for month - Portfolio 0.36%											
Trust Fund Bank Account		106,484.87													
NAB Business Cash Maximiser A/c		2,379,710.73													
Total		2,820,781.03		One Month Bank Bill Index 0.41%											
									Total Investment Portfolio at Face Value		25,553,428.55				
									Total Investment Portfolio at Fair Value		23,705,304.34				

12.6 REVIEW OF RICHMOND VALLEY COUNCIL MANAGEMENT PLAN 2010/2013 AS AT 31 MARCH 2011

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 2010/2013 Management Plan incorporating a review of the 2010/2013 budget as at 31 March 2011 for Richmond Valley Council has been circulated separately to each Councillor.

The 2010/2013 Management Plan Review document as at 31 March 2011 has been prepared on the basis of an analysis of the financial aspects with an incorporation of the review of Council's strategies, actions and performance indicators.

The Budget Review for the third quarter of the 2010/2011 financial year has seen the estimated budget result improve to a projected deficit of \$76,300 compared to the revised budget position as at December 2010 of a deficit of \$135,400. In overall cash terms, the estimated deficit in cash has improved by \$1,534,100. The cash deficit as per 30 December 2010 review of \$8,311,115 to an estimated cash deficit of \$6,777,015 as at the 31 March 2011 Budget Review.

The revised estimates for Council are summarised in the table below with detailed explanations contained in the document circulated with the Business Paper.

2010/2011 Budget Review Statement as at 31 March 2011	Revised Estimate 31/12/2010	Revote	Revised Estimate 31/03/2011
Operating Revenue	44,772,810	801,320	45,574,130
Operating Expenditure	57,668,728	982,178	58,670,906
Operating Result – Surplus/(Deficit)	(12,915,918)	(180,858)	(13,096,776)
Add: Capital Revenue	8,091,000	286,300	8,377,300
Change in Net Assets	(4,824,918)	105,442	(4,719,476)
Add: Non-Cash Expenses	14,393,600	0	14,393,600
Add: Non-Operating Funds Employed	12,910,400	158	12,910,558
Subtract: Funds Deployed for Non-Operating Purposes	30,790,197	(1,428,500)	29,361,697
Estimated Funding Result - Surplus/(Deficit)	(8,311,115)	1,534,100	(6,777,015)
Restricted Funds – Increase/(Decrease)	(8,175,715)	1,475,000	(6,700,715)
Working Funds – Increase/(Decrease)	(135,400)	59,100	(76,300)

From a cash perspective, the projected cash deficit for 2010/2011 had risen substantially from \$3,187,200 to an estimated deficit as at September 2010 of \$10,115,915, this was reduced as at December 2010 to a deficit of \$8,311,115. As mentioned earlier, this has improved again but still shows an estimated deficit of \$6,777,015. This represents 23.2% of total available cash reserves in one financial year. Whilst some of the decline in cash is in relation to unexpended grants and contributions provided for specific projects, clearly this is not sustainable on an ongoing basis and needs to be addressed and monitored in future budgeting processes. The size of the capital works program also exacerbates the reduction in cash and so if the capital works budget is reduced or not completed, this should also reduce the utilisation of cash reserves.

The other issue that must be addressed during the remainder of the 2010/2011 financial year is to bring the budget back to a balanced result. Whilst the March Budget Review has seen the deficit improve from \$135,400 to \$76,300, there are still further additional revenue sources or expenditure savings to be found over the remainder of the 2010/2011 financial year to achieve a balanced result. The financial situation of Council will continue to be closely monitored over the remaining quarterly budget reviews for 2010/2011.

Conclusion

As indicated earlier in this report, detailed explanations of the required budget adjustments are included in the Management Plan 2010/2013 Review documents as at 31 March 2011. The documents also include progress on implementation of 2010/2013 Management Plan objectives in relation to the 2010/2011 financial year. Adoption of the 2010/2011 Management Plan Review and Quarterly 2010/2013 Budget Review as at 31 March 2011 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 31 March 2011.

RECOMMENDATION

Recommended that Council adopt the revised 2010/2013 Management Plan and 2010/2013 Budget Estimates as at 31 March 2011 and approve the variations thereto.

A **Motion** was moved by Cr. Kinnish and seconded by Cr. Crawford

That Council adopt the revised 2010/2013 Management Plan and 2010/2013 Budget Estimates as at 31 March 2011 and approve the variations thereto. Further, that a report be presented to Council on RTA Natural Disaster Funding approvals for the December 2010/January 2011 events upon completion of claims.

An **Amendment** was moved by Cr. Mustow and seconded by Cr. Wheatley

That Council adopt the revised 2010/2013 Management Plan and 2010/2013 Budget Estimates as at 31 March 2011 and approve the variations thereto. Further, that a balanced budget be actively pursued.

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

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

170511/ 12 RESOLVED (Cr. Mustow/Cr. Wheatley)

That Council adopt the revised 2010/2013 Management Plan and 2010/2013 Budget Estimates as at 31 March 2011 and approve the variations thereto. Further that a balanced budget be actively pursued.

FOR VOTE - All Council members voted unanimously.

Note: A copy of the adopted revised 2010/2013 Management Plan and 2010/2013 Budget Estimates as at 31 March 2011 was attached to the archived Minutes of this Meeting.

12.7 COMPLIANCE WITH GOODS AND SERVICES TAX (GST) 2010/2011

Reference: Financial Management - Tax

Prepared by: Manager Finance

Background

Goods and Services Tax (GST) was introduced on 1 July 2000. At the conclusion of each financial year up until 30 June 2005, Council was required to have its GST systems externally audited on an annual basis. From 1 July 2006, the requirement to have Council's GST systems externally audited is no longer required however, Council must now provide certification itself about compliance with Goods and Service Tax. This change was advised by the Department of Premier and Cabinet (Division of Local Government) by circular 05/26. Council is now required to provide certification by way of resolution that adequate GST systems are in place, voluntary GST during the period has been paid and no compliance issues have been raised and submit this annually to the Department of Premier and Cabinet (Division of Local Government).

Report

Issues

Council is now required to provide certification to the Department of Premier and Cabinet (Division of Local Government) relating to the 2010/2011 financial year, specifically for the period 1 May 2010 to 30 April 2011.

Council is required to certify the following:

- Voluntary GST has been paid by Richmond Valley Council for the period 1 May 2010 to 30 April 2011.

- Adequate management arrangements and internal controls were in place to enable Council to adequately account for its GST liabilities and recoup all GST input tax credits eligible to be claimed.
- No GST non compliance events by Council were identified by or raised with the Australian Taxation Office.

For the benefit of Councillors, the processes involved in managing Council's GST obligations, not in any particular order, include:

- Lodgement of monthly Business Activity Statements that are reconciled to Council's financial records. On each Business Activity Statement, the financial transactions relevant are date stamped by Council's financial software so they only ever appear once in a Business Activity Statement.
- Ensuring Council suppliers provide a valid tax invoice. Where no GST is charged on a supply that would normally attract GST, a check on the ABN as recorded by the Australian Business Register to verify GST status is made. If a tax invoice is not valid the supplier is asked to provide one that is.
- Annual review of the Federal Treasurer's determination in relation to GST applicability to Government fees and charges as issued under Section 81-5 of a New Tax System. This impacts upon what types of Council revenue are subject to GST and those that are not.
- Reasonableness checking of each Business Activity Statement before lodgement with the Australian Taxation Office to ensure transactions are listed in the correct section of the Business Activity Statement.
- Verification of GST input tax credits upon signing each of the weekly/monthly cheque/EFT runs.
- Ongoing review of the GST coding within the general ledger for both revenue/expenditure streams.
- Ongoing training and review of GST interpretations by Finance staff.

During the last twelve months since the last certification provided by Council, the following table demonstrates the GST activity in dollars by Council as per the lodged Business Activity Statements:

Business Activity Statement Month	GST Payable \$	GST Input Tax Credits \$	Business Activity (Refund) \$
April 2010	269,968	251,551	18,417
May 2010	175,183	364,779	(189,596)
June 2010	220,908	332,878	(111,970)
July 2010	196,703	355,111	(158,408)
August 2010	98,046	228,095	(130,049)
September 2010	59,239	227,037	(167,798)
October 2010	101,196	327,956	(226,760)
November 2010	174,267	285,306	(111,039)
December 2010	101,627	348,993	(247,366)
January 2011	173,137	256,635	(83,498)
February 2011	135,824	279,746	(143,922)
March 2011	117,545	232,528	(114,983)
Total	1,823,643	3,490,615	(1,666,972)

Council has had some delays in lodgement of Business Activity Statements throughout the reporting period; these were due to difficulties with the Australian Taxation Office electronic lodgement system (AUSKey). Council staff and staff from the Australian Taxation office are working together to fix these issues, and because of these issues, some Business Activity Statements have been lodged after the due dates through a manual system. The Division of Local Government has been advised of the issues Council staff have faced in regard to this.

Part of the certification requirements relates to no GST non compliance events by Council were identified by or raised with the Australian Taxation Office. During this period of certification, there were no GST non compliance issues raised by Council with the Australian Taxation Office or raised by the Australian Taxation Office with Council.

The April 2011 Business Activity Statement is not included by virtue its lodgement is due on 21 May 2011, outside the certification period.

Conclusion

Council has maintained adequate documentation to support GST payable and GST input tax credits during the period of certification for 2010/2011. It is suggested the required certification be signed and returned to the Department of Premier and Cabinet (Division of Local Government) prior to 31 May 2011 outlining the certification above.

RECOMMENDATION

Recommended that:

1. Council certify for the period 1 May 2010 to 30 April 2011 that:
 - Voluntary GST has been paid by Richmond Valley Council for the period 1 May 2010 to 30 April 2011.
 - Adequate management arrangements and internal controls were in place to enable Council to adequately account for its GST liabilities and recoup all GST input tax credits eligible to be claimed.
 - No GST non compliance events by Council were identified by or raised with the Australian Taxation Office.
2. Council authorise the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to sign such certification on Council's behalf.

170511/ 13 RESOLVED (Cr. Wheatley/Cr. Cox)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

12.8 ORGANISATION STRUCTURE - WORKS DIRECTORATE REVIEW OF ASSET SECTIONS

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

Prepared by: Manager Strategic Planning

Background

The management of the large range of infrastructure assets within the Works Directorate has traditionally been managed by two groups.

The Asset Engineer supported by an Engineering Assistant with significant input also from a part time North Coast Workforce Engineering Assistant and considerable use of consultants, is responsible for the development and management of the Asset Management System.

The management and development of long term programs for the assets has always fallen under the control of the Asset Administrator, supported by an Engineering Assistant and Engineering Support Officer.

With the increased emphasis on the management of assets and also with the recent departure of Council's Asset Engineer, it is necessary to review that area to ensure that the assets are maintained appropriately and deadlines are met.

This report discusses the proposed restructure within that area.

Report

Issues

With the current structure, the Asset Engineer manages the asset management system to provide long term information on the renewal and maintenance of assets to feed into the long term works program developed and managed by the Asset Administrator.

Given the importance of developing advanced asset management plans those two functions are very much intertwined and need to be combined within the one group, and managed by one Team Leader.

It is proposed that with a Team Leader being in charge of the overall Asset Management area, this position which is currently graded at Grade 15, with reassessment needs to be in the order of a Grade 17 position.

With the recent resignation of the former Asset Engineer, the position has been advertised twice at Grade 15 and Council has been unable to attract suitable applicants, possibly due to the high demand and need for Asset Engineers in Local Government. This restructure would offer a competitive remuneration that would hopefully attract a suitable range of applicants.

The restructure would therefore provide for the following structure in the Asset area.

- Senior Asset Engineer - Grade 17 (pending job evaluation)
- Asset Administrator - Grade 14
- Engineering Assistant - Assets - Grade 11
- Engineering Assistant - Asset Systems - Grade 11
- Engineering Support Officer - Grade 9

Legal

Award compliance will be required for staff notice. Council determines its structure as per the Local Government Act provisions.

Asset

The proposed structure will allow for a more efficient and effective management of the overall asset cycle.

Consultation

The Consultative Committee will need to be advised of the proposed changes.

Financial Implications

There will be a minor impact on the proposed cost as a result of the possible regrading of the Asset Engineer position from Grade 15 to Grade 17.

Given that this position will manage assets with an annual budget of approximately \$20M dollars, it is considered that this will have a minor impact. This variation will be included in the planning documents before final adoption. The additional cost will be absorbed in the asset program by reallocation of funds.

Conclusion

The revised structure as proposed will provide a greater efficiency in that the management of the assets will be controlled by the one group. It is considered that the review of the grading of this position will also allow for a better opportunity to attract a larger range of suitable candidates to fill the Asset Engineer position.

It is considered that given the large range of assets and the budget managed by the Asset Engineer's position, that the financial impact will be minimal. Adjustment will be made as part of planning documents to reallocate funds within the asset program so as to not impact on Council's overall financial result.

RECOMMENDATION

Recommended that Council adopt a staffing structure for the Asset Section as follows:

1. Senior Asset Engineer - Grade 17 (pending job evaluation) -
2. Asset Administrator - Grade 14
3. Engineering Assistant - Assets - Grade 11
4. Engineering Assistant - Asset Systems - Grade 11
5. Engineering Support Officer - Grade 9

170511/ 14 RESOLVED (Cr. Mustow/Cr. Wheatley)

That Council adopt a staffing structure for the Asset Section as follows:

1. Senior Asset Engineer - Grade 17 (pending job evaluation) -
2. Asset Administrator - Grade 14
3. Engineering Assistant - Assets - Grade 11
4. Engineering Assistant - Asset Systems - Grade 11
5. Engineering Support Officer - Grade 9

Further, that Council receive a follow up report advising of the outcome of the Senior Asset Engineer position and grade.

FOR VOTE - All Council members voted unanimously.

12.9 AUSTRALIAN LIVESTOCK MARKETS ASSOCIATION - ANNUAL GENERAL MEETING AND CONFERENCE

Reference: Commercial Activities - Service Provision - Casino
Regional Livestock Exchange; Governance - Conferences

Prepared by: Saleyards Administrator

Background

In previous years, Council has supported the Australian Livestock Markets Association (previously Saleyard Operators Australia) Annual General Meeting (AGM) and Conference as it is informative and relevant to Casino Saleyards.

Report***Issues***

The 2011 Australian Livestock Markets Association AGM and Conference will be held on 27 and 28 July 2011 at Dubbo, NSW.

The Conference speakers and presenters put together an informative presentation, with speeches relating to the red meat industry and associated industries. Topics presented and discussed are relevant to the day to day and long term operations of the saleyards, and keep the industry up to date with current trends.

Staff costs for the conference will be funded through the current Saleyard budget.

In previous years, two Councillors from the Saleyard Advisory Committee have attended representing Richmond Valley Council – Casino Saleyards.

Financial Implications

Estimated cost for two Councillor attendees at the Conference is detailed below:

Registration	\$800.00
Accommodation and breakfasts	\$800.00
Travel	(Council vehicle)

Conclusion

The 2011 Australian Livestock Markets Association AGM and Conference will be held on 27 and 28 July 2011 in Dubbo, NSW. Attendance of elected representatives from the Saleyard Advisory Committee is appropriate.

RECOMMENDATION

Recommended that Council authorise two elected representatives from the Saleyard Advisory Committee to attend the 2011 Australian Livestock Markets Association Conference to be held in Dubbo on 27 and 28 July 2011.

170511/ 15 RESOLVED (Cr. Jeffery/Cr. Mustow)

That Council authorise two elected representatives from the Saleyard Advisory Committee to attend the 2011 Australian Livestock Markets Association Conference to be held in Dubbo on 27 and 28 July 2011.

FOR VOTE - All Council members voted unanimously.

170511/ 16 RESOLVED (Cr. Jeffery/Cr. Mustow)

That Cr. George and Cr. Morrissey be authorised to attend the 2011 Australian Livestock Markets Association Conference to be held in Dubbo on 27 and 28 July 2011.

FOR VOTE - All Council members voted unanimously.

12.10 BANNER POLE HIRE ERECTION AND DISMANTLING FEE

Reference: Economic Development - Policy; Roads - Design and Construction; Community Relations - Signs; Traffic and Transport - Signs; Financial Management - Fees and Charges

Prepared by: Director Corporate Services

Background

Council considered a report in regard to Banner Pole Hire Erection and Dismantling Fee at its Meeting of 15 February 2011 and resolved as follows:

"That the proposed fee of \$500.00 for the erection and dismantling of street banners be advertised for a period of 28 days seeking public submissions, and should no submissions be received, that the fee be incorporated into Council's Revenue Policy."

Report**Issues**

The submission period has now closed and two submissions were received from Casino Neighbourhood Watch and The Village Players.

Casino Neighbourhood Watch advised that *"we oppose such a fee and consider that amount unsustainable for the not-for-profit voluntary community groups"*.

The Village Players advised that *" these expenses would financially affect all of our productions to such an extent that, being a not-for-profit organisation, we would not be able to make use of the banners..... We propose that RVC erect the banners for free as an 'in kind' contribution. In return The Village Players would credit the RVC with their kindness and community spirit in our publicity and programs."*

Consultation

Any proposed changes to Council's Revenue Policy requires that any fees proposed be advertised and submissions invited from the public, and this has been undertaken.

Financial Implications

The matters raised deal, with fees being paid on the basis that some organisations are not-for-profit. There is a current budget allocation of \$3,000 which can be utilised to assist organisations that meet the criteria based on the guidelines developed under the Banner Pole Hire and Banner Design Policy and this will most likely address the concerns that have been raised.

Conclusion

Consideration of this report will enable the proposed fee for banner erection to be incorporated in Council's Revenue Policy.

RECOMMENDATION

Recommended that:

1. The proposed fee of \$500.00 for Banner Pole Hire Erection and Dismantling be adopted by Council and included in the 2011/2012 Revenue Policy.
2. Casino Neighbourhood Watch and The Village Players be advised that financial assistance may be available, based on the Banner Pole Hire and Banner Design Guidelines.

A **Motion** was moved by Cr. Kinnish and seconded by Cr. Jeffery

That:

1. The proposed fee of \$500.00 for Banner Pole Hire Erection and Dismantling be adopted by Council and included in the 2011/2012 Revenue Policy.
2. Casino Neighbourhood Watch and The Village Players be advised that financial assistance may be available, based on the Banner Pole Hire and Banner Design Guidelines.
3. That consideration be given to 'not for profit' community groups to erect and dismantle their banners only if they can demonstrate that the work will be done under approved OHS standards, covered by insurance and with Council approval.

An **Amendment** was moved by Cr. Wheatley and seconded by Cr. Mustow

That:

1. The proposed fee of \$500.00 for Banner Pole Hire Erection and Dismantling be adopted by Council and included in the 2011/2012 Revenue Policy.
2. Casino Neighbourhood Watch and The Village Players be advised that financial assistance may be available, based on the Banner Pole Hire and Banner Design Guidelines.

The **Amendment** was **lost**.

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

170511/ 17 RESOLVED (Cr. Kinnish/Cr. Jeffery)

That:

1. The proposed fee of \$500.00 for Banner Pole Hire Erection and Dismantling be adopted by Council and included in the 2011/2012 Revenue Policy.
2. Casino Neighbourhood Watch and The Village Players be advised that financial assistance may be available, based on the Banner Pole Hire and Banner Design Guidelines.
3. That consideration be given to 'not for profit' community groups to erect and dismantle their banners only if they can demonstrate that the work will be done under approved OH&S standards, covered by insurance and with Council approval.

FOR VOTE - All Council members voted unanimously.

Cr. Cox had given notice of his intention to foreshadow a Motion during debate on the above Motion.

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

That Council send correspondence to the Casino Neighbourhood Watch that details the conditions for erection, dismantling and display of banners, and also point out that unfortunately incorrect information has been conveyed to the media and printed in the newspaper.

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

170511/ 18 RESOLVED (Cr. Cox/Cr. Mustow)

That Council send correspondence to the Casino Neighbourhood Watch that details the conditions for erection, dismantling and display of banners, and also point out that unfortunately incorrect information has been conveyed to the media and printed in the newspaper.

FOR VOTE - All Council members voted unanimously.

12.11 LOCAL HERITAGE ASSISTANCE FUND 2011/2012

Reference: Grants and Subsidies - Applications, Programs

Prepared by: Senior Strategic Planner

Background

The 2011/2012 round of the Local Heritage Assistance Fund was announced during March and April this year with 13 applications being received. This round has a budget of \$24,000 to be awarded in grants, which includes a contribution of \$8,500 from the Heritage Branch.

Report

Issues

This report summarises the 13 applications received, discusses eligibility, and makes recommendations on the awarding of grants.

Application Summaries

Application No.	Applicant	Item Type / Address	Project Description	Project Budget	Amount Requested	Recommended Grant
2011-01	Withdrawn					
2011-02	Mr J & Mrs H Robinson	Woodburn Post Office, 85 River Street, Woodburn	Remove old verandah floor and replace with new boards, a post and any rotten bearers	\$2,294.50	\$1,147.00	\$1,147.00
2011-03	Rileys Hill Dry Dock Heritage Reserve Trust	Rileys Hill Dry Dock, Dock Road, Rileys Hill	Undertake maintenance of Byron Bay Jetty shed by: replacing roof truss and part of floor and wall damaged by termites; paint exterior of building; and construct shutters for damaged windows	\$1,950.00	\$597.50	\$597.50
2011-04	The Trustees of the Roman Catholic Church for the Diocese of Lismore	St Mary's Presbytery, 126 Canterbury Street, Casino	Remove existing broken down mortar and repoint	\$9,000.00	\$2,000.00	\$2,000.00
2011-05	Koinonia Ministries Limited	Camp Koinonia, 29-41 Terrace Street, Evans Head	On-going maintenance including restumping, flooring repair and polishing, wall repairs and painting, internal wiring repairs.	\$3,000.00	\$3,000.00	\$1,500.00
2011-06	The Trustees of the Roman Catholic Church for the Diocese of Lismore	St Mary's Church, 128 Canterbury Street, Casino	1) Repairs to bell tower, replacement of steel lintel bar, repairs to brickwork, waterproofing, and 2) Render and painting of rising damp at base of bell tower	\$6,600.00	\$2,000.00	\$2,000.00
2011-07	Miss Casey Leeson	Residence, 64 Barker Street, Casino	Replace rotten deck and steps at rear of dwelling with hardwood timber decking.	\$8,500.00	\$2,000.00	\$2,000.00
2011-08	RJ, SA & PJ Graham	Disputed Plains Homestead, 1480 Bentley Road, Bentley	Replacement of verandah floor	\$8,000.00	\$2,000.00	\$3,000.00

Application No.	Applicant	Item Type / Address	Project Description	Project Budget	Amount Requested	Recommended Grant
2011-09	Mr D Mulherin	Residence, 85 Lennox Street, Casino	Repair and sand verandah floorboards where exposed and beneath. Repolish floorboards in dining room and lounge room. Pull up existing coverings to back entrance and kitchen and re sand and polish floor boards.	\$6,407.00	\$2,000.00	\$2,000.00
2011-10	School of Arts Trustees	School of Arts, Cnr Walker and Barker Streets, Casino	Add metal ridge capping to parapet in Walker Street to reduce future maintenance.	\$20,000.00	\$2,000.00	\$3,000.00
2011-11	Susan Code	Residence (former Oddfellows Hall), 20 Cedar Street, Woodburn	Replace front and rear steps	\$8000.00	\$2000.00	\$2000.00
2011-12	David Cowgill & Alannah Hovard	Residence (former Broadwater Catholic Church), Cnr Pacific Highway and Pine Lane, Broadwater	Paint exterior and installation of new timber windows	\$25,000.00	\$2,000.00	\$2,750.00
2011-13	Richmond Valley Council	Memorial tree planting, Nandabah Street, Rappville	Plant avenue of 18 fig trees as a succession planting for existing camphors that may need removal as a noxious weed in the future. Establishment of a memorial plaque.	\$5,000.00	\$2,000.00	\$2,000.00
		TOTALS		\$103,751.50	\$22,744.50	\$23,994.50

Eligibility

All projects received within the round are for heritage listed items, or draft heritage items. The only exception is for the withdrawn project #2011-01 which is located within the Coraki Conservation Area, under the *North Coast Regional Environmental Plan*.

Project #2011-13 was a last minute submission by Council for a succession planting of figs behind the existing avenue of memorial camphor laurel street trees in Nandabah Street, Rappville. Unfortunately, it appears that NSW State Rail own the land on which the new trees would be planted and owners consent has not yet been obtained for the project. Council funds the maintenance of this land and will be contacting State Rail with details of the project. It is recommended that the project be funded on condition that the owners consent is obtained.

Financial Implications

In the 2011/2012 round there will be \$24,000 available to be granted, on a dollar-for-dollar basis with applicants. Included in this grant fund is a contribution by the Office of Environment and Heritage (formerly Heritage Branch within the Department of Planning) to a maximum of \$8,500 (on a dollar-for-dollar basis with Council).

Statutory/Policy Implications

Local Heritage Grants are made available for projects involving the maintenance or reinstatement of local heritage items. Each project must satisfy the eligibility criteria that were available with application forms. The most important criteria being the property must be listed as a heritage item (or a draft heritage item) within the Richmond Valley Council area.

Projects will be funded on a dollar-for-dollar basis with successful applicants. The projects must be for the maintenance of the item, must be completed by 30 April 2012, and will be paid upon completion of the project.

Conclusion

The 2011/2012 funding round has a budget of \$24,000. It is proposed to offer grants to the value of \$23,994.50 based on the recommended amounts contained within the table above.

Delegation to the General Manager is sought to:

- distribute unallocated grant funds, and
- redistribute awarded funds, from offers that are declined,

to new applications if any are received, or to 'top up' existing applications by providing additional funds to larger projects.

Funding of all projects will be conditional on:

- the applicant agreeing to complete the project by 30 April 2012;
- payment of grant occurring following completion of the project and presentation of evidence (submission of receipts, photographs etc.); and
- grant being matched at least dollar-for-dollar.

RECOMMENDATION

Recommended that:

1. Eleven applications (HER#2011-02 to 2011-13) received during the 2011/2012 Local Heritage Grants Scheme be offered grants as recommended in the table contained within the report, and having a value of \$23,994.50; and

2. the General Manager be granted delegation to distribute surplus grant funds from this round towards projects that may arise during the financial year, or to 'top up' existing grants for larger projects.

170511/ 19 RESOLVED (Cr. Wheatley/Cr. Cox)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

12.12 BEEF WEEK - SUSPENSION OF ALCOHOL FREE ZONE

Reference: Environmental Management - Licensing; Recreation and Cultural Services - Event Management

Prepared by: Manager Environment Health and Regulatory Control

Background

In early April 2011 Richmond Valley Council received a notification of an application for Liquor Limited Licence (single function) being made by Casino Beef Week Promotions Committee Inc. for a food and wine event in Barker Street, Casino as part of the Beef Week activities on the main parade day Saturday.

The proposed activity is a fenced off area in Barker Street which in conjunction with the Italian Theme of Beef Week will serve freshly cooked Italian food and provide beer and wine with the meals served. There will also be a one man band playing Italian music as part of the atmosphere.

Report

Issues

Richmond Valley Council regularly received copies of such applications being made to the Casino Liquor and Gaming Control Authority for single function limited licenses.

Council has an opportunity to comment on such applications if they consider that there are appropriate conditions that need to be applied to ensure the amenity of the area and/or can, if so desired, lodge objections to the issuing of any such limited licence.

If Council does have concerns with regard to a licence being granted it is generally discussed with the local Licensing Police and a joint submission is made to the Authority.

With regard to this application, it is not considered that granting of a limited licence on 28 May 2011 between the hours of 11am and 6.00pm will have any adverse effect on the amenity of the community and/or is a request of such a nature that Council could object.

Discussions with the local Liquor Licensing Police have concurred with this view and therefore it is not proposed to make any comment and/or objection to the application.

The area however that the limited licence application relates to is part of Council's Alcohol Free Zone network in the Casino CBD. Under the requirements of the Local Government Act however, Council does have the ability to suspend an Alcohol Free Zone at the request of any person or body or of its own motion.

It is considered that the suspension of the Alcohol Free Zone in Barker Street during the hours of operation of the Italian theme restaurant, bar and entertainment area for the Beef Week celebrations is not inappropriate.

Again this matter has been discussed with the local Police who concur that the suspension of the zone for this activity is not unreasonable.

The Local Government Act allows for Council to resolve for an Alcohol Free Zone being suspended and requires notification of such a suspension to be provided by publishing notice of this suspension in a newspaper circulating in the area that the zone includes.

Conclusion

The granting of a limited Alcohol Licence to the Beef Week Committee to allow the operation of an Italian themed licensed restaurant in Barker Street is consistent with both the Beef Week theme and atmosphere of the event. It is also therefore appropriate for Council to suspend the Alcohol Free Zone in Barker Street for the period of the limited licence application to allow the event to occur.

Both Council officers and the local Liquor Licensing Police agree that the effect of issuing a limited licence and suspension of the Alcohol Free Zone will not have any adverse impact on the community and will therefore be appropriate within the confines of the Beef Week event.

RECOMMENDATION

Recommended that:

1. Council raise no objection in relation to the issuing of a limited Liquor Licence (single function) to the Beef Week Promotions Committee Inc. for an Italian themed restaurant on 28 May 2011 between the hours of 11.00am and 6.00pm.
2. Council resolve to suspend the Alcohol Free Zone in Barker Street between street numbers 117 and 125 inclusive between the hours of 11.00am and 6.00pm on 28 May 2011.
3. Council advertise the suspension of the Alcohol Free Zone in accordance with the requirements of the Local Government Act in the local newspaper.

170511/ 20 RESOLVED (Cr. Wheatley/Cr. Cox)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

12.13 CORRESPONDENCE SUBMITTED TO MAY 2011 ORDINARY MEETING

Background

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

Steve Cansdell MP, Member for Clarence - (ECM 625078) - Writing in regard to regional transport issues advising as follows:

"A NSW Liberals and Nationals Government is committed to increasing funding for Community Transport.

Community Transport is vital for seniors, the ill, people with disability and people who live in isolated communities. It provides non-emergency transport to members of the community who do not have access to transport. This includes assisting transport-isolated people to get to medical appointments, social and recreational activities, grocery shopping and access to social services.

Community transport groups estimate they refuse 90,000 requests for transport to health services every year.

The NSW Liberals and Nationals will make access to Community Transport a priority as follows:

- *Provide an additional \$12 million to the Community Transport Program through the Ministry of Transport. This will extend services to thousands of transport-disadvantaged people.*
- *Establish a "one stop shop" for Community Transport providers within the Ministry of Transport to improve communication, efficiency and reduce unnecessary administration costs.*
- *Establish an appropriate driver accreditation framework to ensure Community Transport providers can enhance their services and ensure utmost safety of volunteers, employees and clients.*
- *The NSW Liberals and Nationals believe we owe it to those with disability, those in remote communities and our seniors the ability to get around.*

In respect to extending the transport information service (131500) provided through the NSW Ministry of Transport to cover rural and regional NSW, I have sought the consideration of this request from the Minister for Transport, Gladys Berejiklian.

I will contact you again when I hear back from the Minister."

Manager, Northern Region, NSW Sport and Recreation - (ECM 619549) - Thanking Council for hosting the North Coast Local Government Sport and Recreation Forum at Evans Head on 6 April 2011 and the kind hospitality shown to representatives from north coast Councils and industry organisations, saying that the welcome and opening comments by the Mayor, the General Manager's attendance and the co-ordination efforts of Joanne Petrovic and Kerrie Exley were greatly appreciated by all attendees.

Steve Cansdell MP, Member for Clarence - (ECM 625058) - Responding to Council's request for support towards an application by the Casino Neighbourhood Centre Inc under the HACC Capital Strategy Funding Round 2 to complete the fit out of the Casino Community and Cultural Centre complex, advising that he has been pleased to advocate in support of this application for funding by approaching the Minister for Ageing and Disability Services and would keep Council informed of any developments in this regard.

Don Page MP, Member for Ballina, Minister for Local Government and Minister for North Coast - (ECM 625061) - Thanking Council for the message of congratulations on his appointment as Minister for Local Government and Minister for the North Coast in the NSW State Liberals and Nationals State Government, saying that he is honoured to be given the opportunity to contribute to the betterment of the people of NSW.

Dean Draper - (ECM 627058) - Writing to Council in regard to Coal Seam Gas Mining as follows:

"I believe Richmond Valley Council should ask the State Government for a moratorium on Coal Seam Gas Mining until we can find out what dangers this industry presents to our farms, our water, our community.

As of this afternoon [19 April 2011], Byron and Richmond Valley Council are the only councils in the Northern Rivers not to ask for a moratorium on Coal Seam Gas Mining. I hear that Byron will be going this way soon. But what about Richmond Valley?

I believe that when the damage we are being warned about is done by this industry, the community will be looking to those who helped to push this through without due diligence and consideration of the community views."

The Hon Tony Abbott MHR, Leader of the Opposition - (ECM 623998) - Thanking Council for its letter regarding constitutional recognition of local government advising as follows:

"The Coalition supports the constitutional recognition of local government. A referendum will not be successful, though, unless the various levels of government and a majority of the public understand and support it.

As you would be aware, the previous two attempts at constitutional recognition for local government failed, with only New South Wales agreeing to the proposition in 1974 and all states rejecting the proposal in 1988, In fact, only a third of votes at the 1988 referendum were in favour of constitutional recognition of local government.

If a future referendum of this kind is to succeed, the Australian Local Government Association will have to work to ensure that there is strong community support.

I appreciate Council's concerns with the High Court's decision in 'Pape v Commissioner of Taxation', which raises questions about federal government payments to local councils. The effectiveness of local councils and their ability to meet community needs will require the federal government to address the funding uncertainty highlighted by the High Court's decision.

The Coalition is committed to building a new, stronger partnership between federal and local government across Australia."

The Hon David Ipp AO QC, Commissioner, Independent Commission Against Corruption (ICAC) - (ECM 626252) - Enclosing the Commission's report on its *Investigation into alleged corrupt conduct involving Burwood Council's General Manager and others*, which was furnished to the Presiding Officers on 20 April 2011.

The ICAC advised that it has made 31 corruption prevention recommendations; some of the recommendations are made to Burwood Council, while others are made to the NSW Government to help improve systems in local government across the state. The Commission's findings and recommendations are contained in the report, which is available on the ICAC's website at www.icac.nsw.gov.au.

Mayor Genia McCaffery, President, Australian Local Government Association - (ECM 626940) - Writing to invite Council to attend the Australian Local Government Association's 2011 Regional Co-operation and Development Forum to be held in Canberra on 19 June, immediately preceding the 2011 National General Assembly of Local Government.

Mayor McCaffery advises that the 2011 Regional Co-operation and Development Forum is an important part of local government's efforts to shape regional development policy so that it meets the needs of regional communities rather than political parties.

(Note: As the date of the Forum/National General Assembly, clashes with Council's June Ordinary Meeting, Council will not be represented.)

RECOMMENDATION

Recommended that the above correspondence be received and noted.

170511/ 21 RESOLVED (Cr. Wheatley/Cr. Cox)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

13 MATTERS FOR INFORMATION

13.1 REQUEST ACTION MANAGEMENT SYSTEM (RAMS) REPORT AND STATISTICS - 1 JULY 2010 TO 31 MARCH 2011

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 2010 to 31 March 2011.

During the period requests have been received by a variety of methods, with 62% received via the telephone, 13% via Environmental Development Services administration processes, 13% being lodged at the front counter, 11% received via the After Hours Call service, and 1% being submitted by letter. The majority of requests received (98%) had been recorded as requests for work to be carried out, with 1% being recorded as a complaint and 1% as an enquiry or thank you.

Of the total of 4,307 requests received during the July 2010 to March 2011 period, 94% had been completed, with 4% being overdue and 2% referred for further action.

A copy of the RAMS Report and Statistics Summary (1 July 2010 to 31 March 2011) can be provided to Councillors if required.

Conclusion

The RAMS statistical information is provided to Council for notation.

13.2 GRANT APPLICATION INFORMATION - APRIL 2011

Reference: Grants and Subsidies - Applications, Programs

Prepared by: Management Accountant

Background

At the May 2009 Ordinary Meeting of Council it was resolved that at each monthly Meeting details be provided about all submitted grant applications, inform of grants that have been approved and/or received and advise of any unsuccessful grant applications since the previous Meeting.

Report***Issues***

This report aims to provide information on grant applications submitted, grants that have been approved and/or received and grant applications that were unsuccessful for the month of April 2011.

Grant Applications Submitted

Project ID Funding Body Funding Name Government Level Project Name Project Value (excl GST) Grant Amount (excl GST) Council/Other (excl GST) Date Application Submitted Comment (if required)	10083 Attorney General's Department Safer Suburbs Program 2010-11 to 2012-13 Federal Richmond Valley Crime Prevention Projects – Youth Engagement \$107,200.00 \$ 28,000.00 \$ 79,200.00 11 April 2011
Project ID Funding Body Funding Name Government Level Project Name Project Value (excl GST) Grant Amount (excl GST) Council/Other (excl GST) Date Application Submitted Comment (if required)	10084 Attorney General's Department Safer Suburbs Program 2010-11 to 2012-13 Federal Richmond Valley Crime Prevention Projects – Graffiti Clean up \$42,000.00 \$42,000.00 \$ 0.00 11 April 2011
Project ID Funding Body Funding Name Government Level Project Name Project Value (excl GST) Grant Amount (excl GST) Council/Other (excl GST) Date Application Submitted Comment (if required)	10086 NSW Sport and Recreation Sport and Recreation Facility Grant Program State Coraki Youth Skate Park \$50,000.00 \$25,000.00 \$25,000.00 13 April 2011
Project ID Funding Body Funding Name Government Level Project Name Project Value (excl GST) Grant Amount (excl GST)	10087 NSW Sport and Recreation Sport and Recreation Facility Grant Program State Evans Head Surf Club Construction of New Roof \$40,000.00 \$20,000.00

Council/Other (excl GST)	\$20,000.00
Date Application Submitted	13 April 2011
Comment (if required)	

Grants that have been approved and/or received

Project ID	10003
Funding Body	Department of Regional Australia, Regional Development and Local Government
Funding Name	Better Regions
Government Level	Federal
Project Name	Casino Community and Cultural Centre (Stage 1)
Project Value (excl GST)	\$3,010,000.00
Grant Amount (excl GST)	\$3,000,000.00
Council/Other (excl GST)	\$ 10,000.00
Date Application Submitted	30 January 2009
Comment (if required)	Instalment 5 received (1 instalment remaining)
Date Approved/Received	\$467,615.45 received 29 April 2011

Unsuccessful Grant Applications

No grant applications were advised as being unsuccessful during April 2011.

Conclusion

This report provides information to Council regarding grants applied for, grants approved and/or received and unsuccessful grant applications during April 2011.

13.3 LIVESTOCK EXCHANGE STATISTICS FOR APRIL 2011

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

Prepared by: Saleyards Administrator

Background

This report provides an update of Saleyard throughput up to and including April 2011.

Report

Issues

The following is a summary of Saleyard statistics:

<u>Grown Cattle</u>	<u>2010/11</u>	<u>2009/10</u>	<u>2008/09</u>	<u>2007/08</u>
July	9,879	12,703	10,978	14,382
August	8,568	7,312	9,254	10,348
September	9,425	7,850	7,152	5,901

<u>Grown Cattle</u>	<u>2010/11</u>	<u>2009/10</u>	<u>2008/09</u>	<u>2007/08</u>
October	6,214	5,976	9,022	5,236
November	7,473	6,898	7,432	8,064
December	8,867	4,793	4,615	6,388
January	10,240	8,687	9,795	11,659
February	12,240	13,680	9,861	15,174
March	20,270	22,841	15,488	17,167
April	10,947	14,183	9,959	11,001
May		11,068	9,364	10,323
June		13,423	9,539	10,076
TOTAL	104,123	129,414	112,459	125,719

<u>Bobby Calves</u>	<u>2010/11</u>	<u>2009/10</u>	<u>2008/09</u>	<u>2007/08</u>
July	63	112	168	264
August	102	135	174	247
September	159	153	146	151
October	50	131	189	187
November	71	77	127	108
December	80	76	80	83
January	52	114	143	219
February	127	108	165	199
March	131	138	166	220
April	113	165	138	295
May		98	145	168
June		128	118	132
TOTAL	948	1,435	1,759	2,273

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.

13.4 CONTRACT BRIDGEWORK AND COMPONENT ORDERS FOR THE MONTH OF APRIL 2011

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 April 2011.

Report

Issues

- Doolan Decks

Kippenduff Bridge	Richmond Valley Council	Forming up and preparing reinforcing steel
-------------------	-------------------------	--

Flowers Bridge (4 units)	Kyogle Shire Council	Complete - awaiting delivery
Richards Bridge	Somerset Regional Council	Complete - awaiting delivery

- Precast/Prestressed Products

Kippenduff Bridge	Richmond Valley Council	Forming up wing walls and abutments - 50% complete
Hunter Bridges - Timor - Scotts Creek - Barsham	Upper Hunter Shire Council	100% complete and installed 100% complete 40% complete

- In-situ Construction

Hunter Bridges - Timor - Scotts Creek - Barsham	Upper Hunter Shire Council	Bridge complete and ready for handover Piles installed and constructing scour protection gabion blocks Demolition complete and piles 50% installed
Richmond Valley Council	Kippenduff Bridge	Design complete - side track and temporary bridge installed
Richmond Valley Council	Clearfield Bridge	Design complete

- Design

Design of Jacks Creek Bridge	Kempsey Shire Council	10% complete
Design of Cutbank Creek Bridge	Bellingen Shire Council	In Progress - External
Design of Happy Creek Bridge	Somerset Regional Council	In Progress - External 75% complete
Richards Bridge	Tweed Shire Council	In Progress - External

- Jobs tendered for

Client	Project	Work	Status
Abigroup	Banora Point Upgrade	Supply of planks	Tender submitted
Bellingen Shire Council	Deep Creek Bridge	Supply of planks	Tender awarded to Richmond Valley Council
Kempsey Shire Council	Jacks Crossing Bridge	Design and supply	Tender awarded to Richmond Valley Council
Kyogle Council	Boomi Creek Bridge	Design and construction	Tender submitted - Unsuccessful
Port Stevens Council	Supplier registration of interest	Supply bridge components	Documentation submitted
Port Macquarie-Hastings Council	Saltwater Creek Bridge	Design and supply	Tender submitted

Conclusion

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

13.5 STATUS OF ENGINEERING WORKS FOR THE MONTH OF APRIL 2011

Reference: Corporate Management - Planning

Prepared by: Operations Engineer – Roads and General Services

Background

This report provides an update on the works undertaken within the month of April 2011.

Report

Issues

A. State Roads Maintenance and Construction Works

Council staff have jointly inspected the State Highway network with the Roads and Traffic Authority (RTA), to scope up restoration works required and to finalise the funding required to carry out the work. At this time no advice has been received from the RTA.

Routine maintenance activities were undertaken on the State Highway network.

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

The replacement of the concrete kerb on the roundabout at Centre and Barker Street has been completed.

Shoulder widening on a section of the Summerland Way, just south of Whiporie has continued and, however, has been significantly delayed and impacted by ongoing wet weather.

Heavy patching in preparation for next years reseal program, on various sections of the Summerland Way and the Bruxner Highway, is currently being investigated and planned and is anticipated to be undertaken in May 2011.

B. Regional Roads – Block Grant

Routine maintenance was undertaken on the Regional Road network.

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

Stabilisation works to repair areas of saturated and damaged pavement is currently being planned and is programmed for early June 2011.

C. Local Roads

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

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

Stage 2 of the 2010/2011 reseal program has been completed.

A program of works has been developed based on damage done to the roads, the category of the road and when a road is normally due to be graded and with the use of additional contract resources, it is anticipated that works will be basically back on schedule by December 2011

Works have continued on the restoration of the unsealed road network. Due to the further wet weather in April, Council is still at least four months behind on the routine grading schedule. Council staff are regularly inspecting the unsealed road network to address areas that are considered to be a significant safety concern.

It is Council's intention to adhere as best as possible to the developed program of restoration works.

Grading of the unsealed gravel road network to attend to safety issues only was undertaken on parts of:

Upper Stratheden Road

Main Camp Road

Restoration works as a result of the January 2011 natural disaster event have continued and grading works have been undertaken on:

Old Tenterfield Road

Busbys Flat Road (to Mt Pikapene)

Moonem New Italy Road

Myall Creek Road (from Avenue Road)

D. Urban Works

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

Routine street cleaning and toilet cleaning has continued as per agreed service levels, and town, park and reserve mowing has been undertaken when the weather has permitted.

Stormwater drainage works in Jersey Street and Loco Lane, Casino have been completed.

Works continued in Settlers Subdivision:

- Base Course gravel was imported.
- Restoration of all disturbed areas behind the new kerb and gutter has been carried out.

- A primer seal was applied to the road pavement prior to asphaltting.
- The asphalt final wearing surface was placed over about 60% of the job.
- The installation of the water mains has continued.
- The installation of underground electricity and Telstra services is programmed to commence in early May 2011.

The last of the lot filling (stage 6) was planned to recommence in March but has continued to be delayed by wet weather and it is anticipated that if a period of fine weather prevails that this work will recommence in late May or early June 2011.

Conclusion

This report is an update of the status of work activities undertaken by the Operational Section of Roads and General Services of Council's Works Directorate.

13.6 STATUS OF WORKS FOR WATER AND SEWER SECTION FOR THE MONTH OF APRIL 2011

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 April 2011.

Report

Issues

Construction Activities

The Lower River construction crew are completing works on a water main replacement in Hills Road, Rileys Hill.

The Casino construction crew are completing works on a water main replacement in Colches Street, Casino.

Maintenance Activities

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

Private Works – Completed

Richmond River High School (Mid Richmond Plumbers) – Jet Rodder Hire.

Upcoming Private Works

17 Heath Street, Evans Head – Water service and meter upgrade
180 Canterbury Street, Casino – Water meter relocation
Box Ridge, Coraki – Community Water Assets
Box Ridge, Coraki – Community Sewerage Assets

Casino Water Treatment Plant

Charts showing the updated volume of water produced for the period of April 2011 are available for perusal by Councillors. These charts are also available on Council's website.

Sewerage Treatment Plants

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

Casino STP Pollution Studies and Reduction Programs Update

Council currently has two conditions within its Casino Licence to inspect sewer manholes adjacent to the Richmond River to be completed by April 2010 and Review its PRP 100 Sewer Overflow Report that was submitted to the Department of Environment, Climate Change and Water (now The Office of Environment and Heritage) in 2007 to be completed by July 2011. All tasks and their current status for the conditions are listed below.

U1

- Direct inspection of manholes adjacent to the Richmond River - completed.
- Additional investigations via CCTV of the sewerage infrastructure in areas identified for further review - all lines adjacent to the Richmond River have been viewed via CCTV. Further investigations into these results are continuing with outcomes and actions to be reported to the former Department of Environment, Climate Change and Water, now The Office of Environment and Heritage.

U2

- Identify the location of all design overflow points/structures and other frequent overflow points within the reticulation system – All known points have been identified and marked on Council's GIS.
- Assess the likelihood of overflows from these points – investigations currently underway to be finalised during May 2011.
- Review options for remediating/managing each overflow point – programmed for May 2011.
- Propose preferred remediation/management options and identify implementation timeframes for each overflow point – programmed for May 2011.
- Identify actions that improve the performance of the reticulation system – programmed for June 2011.

- Identify any pumping stations across the reticulation system that are not capable of meeting a condition prohibiting dry weather overflows, including the reasons why and whether it should be upgraded – programmed for June 2011.

Coraki STP Pollution Studies and Reduction Programs Update

Council currently has one condition within its Coraki Licence which is to determine the effectiveness of the duckweed system due for completion by December 2011. All tasks and their current status for the condition are listed below.

U1

- To determine the effectiveness of the duckweed system the licensee must undertake monthly monitoring at Environment Protection Authority Point 3 and provide a report to the Environment Protection Authority by the completion date. The additional parameters to be monitored include NH₃-N, TN, TP and pH. – Recent observations have identified that the duckweed has died off in the past month due to unknown factors. Council is continuing to monitor the additional parameters and will report on its findings in November 2011.

Evans Head STP Pollution Studies and Reduction Programs Update

Council's Licence has recently been amended to include the addition of a Pollution Reduction Program (PRP) detailing the proposed five year trial closure of the Artificial Channel connecting Salty Lagoon with Salty Creek, and the removal of previously completed PRP's (PRP 6 and 10) from the licence. All tasks and their current status for the conditions are listed below.

U1 PRP 1 – Trial Closure of the Artificial Channel

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

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

- Awarding the monitoring contract by 28 February 2011 - this task has been completed. GeoLINK have been awarded the contract.
- Commencing the monitoring program by 1 March 2011 - this milestone has been satisfied; GeoLINK have completed their first scheduled monthly monitoring with the final monthly report submitted and sent to the stakeholder group, the report card will be made available on Council's web site.
- Approvals process is progressing; the referral to the Minister under the Environmental Protection and Biodiversity Conservation (EPBC) Act has been made. The decision was that the proposed closure of the channel is not

a controlled action and, therefore, does not require further assessment and approval under the Act.

- The Review of Environmental Factors (REF) has been completed and submitted to the former Department of Environment, Climate Change and Water, now The Office of Environment and Heritage. Their response has now been received and they have stated that the REF cannot be determined at this stage as a Species Impact Statement (SIS) is required to be prepared in accordance with Part 6, Division 2 of the Threatened Species Conservation Act 1995. When the SIS is completed and reviewed, the REF and SIS are to be advertised and placed on public exhibition. In addition, The Office of Environment and Heritage recommends Council continue to address the concerns raised by the Bandjalang People #1 for the channel closure works. An Aboriginal Heritage Impact Assessment (AHA) is required to be submitted and exhibited with the REF to ensure due diligence under the 2010 Department of Environment, Climate Change and Water (now The Office of Environment and Heritage) Due Diligence Guidelines. The Department of Finance and Services (DFS), NSW Public Works - Project Management, will provide the AHA for Council, allowing progression of the approvals process.

Reporting: The licensee has committed to providing the Department of Environment, Climate Change and Water, now The Office of Environment and Heritage with:

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

Channel Closure: The licensee should commence the Artificial Channel closure construction by 4 May 2012.

Council Swimming Pools Update

General

The Council/Contractor relationship is working well with the new contractual arrangements running smoothly. Monthly meetings are being utilised to facilitate discussions regarding contractual matters or operational concerns with the facilities themselves.

Maintenance

Evans Head Aquatic Centre

This facility is still within the 12 month defect liability period. The several issues that have been raised have been addressed and/or fixed in an appropriate timeframe with quality results.

Casino Memorial Baths

This season has seen some major items requiring replacement. The primary maintenance works identified for the upcoming weeks include the replacement of the lint filter, as well as the replacement of several valves within the filter yard.

Woodburn Public Baths

There have been minimal Council maintenance works at the Woodburn Pool this year to date. Council staff are working with the Pool Operators in developing a repairs and maintenance program for the Woodburn Public Baths.

Coraki Public Baths

Council has not undertaken any major maintenance on the Coraki Pool at this point in time. The Contractor has installed a chlorine tablet dispenser to regulate the chlorine within the toddlers' pool at the facility. There are some items being assessed for replacement purposes throughout the upcoming weeks.

Incidents

There have been no incidents reported for the month of April at any of the facilities.

General

The Summer Swimming Season has officially finished with Woodburn and Coraki Public Baths being closed to the public on 15 April 2011. Casino Memorial Baths was closed to swimmers from 16 April, but remains open for Gym Members. Evans Head Aquatic Centre remains largely open except for closures on Sundays and Public Holidays during winter (May to August inclusive), and during the July school holidays.

Pool Patronage

The patronage for each of the pools this season thus far is as follows:

Facility	Time Period	Total Attendance
Casino Memorial Baths	11/09/10 to 16/04/11	37,569
Evans Head Aquatic Centre	7/08/10 to 21/04/11	32,175
Woodburn Public Baths	7/10/10 to 15/04/11	3,880
Coraki Public Baths	4/10/10 to 15/04/11	2,015

Conclusion

This report is an update of status of works activities undertaken by the Water and Sewer Operational Section of Council's Works Directorate.

13.7 CONCRETE PRODUCTS/BRIDGE CONSTRUCTION OPERATIONS BUSINESS PLAN 2011

Reference: Corporate Management - Planning; Commercial Activities - Marketing

Prepared by: Manager Concrete Products/Bridge Construction

Background

This information report outlines the status of changes to the Bridge Section as reported at the December 2010 Meeting, following the review of the Business Plan, and subsequent Council resolutions of July 2010.

Report

Issues

Business Plan - Current Status

The current Manager commenced employment with Council on 10 January 2011. Internal staff resources are still being utilised to assist with the review of Quality Assurance documentation and implementation of existing procedures.

Resource Sharing

As reported in the December 2010 Meeting, neighbouring Councils have been contacted and advised of alterations to the Business Plan and pricing structures. The Director Works has addressed the changed status of the Business Plan and Pricing Structures at Regional Directors of Engineering meetings. A contact directory has been prepared for New South Wales (NSW) and Queensland (QLD) local Councils and this list is regularly updated as contact is made with representatives.

Council has re-established existing contacts within the local Regional Councils by way of cold canvassing to introduce the Manager Concrete Products/Bridge Construction and follow up on tenders when advertised. A rapport has been established with some Council contacts and the Council's business philosophy explained in an endeavour to secure work using the provisions of Local Government Acts in both NSW and QLD; allowing Councils to procure services or products from each other without going to tender.

Other Councils will be contacted in the next few months as further relationships are strengthened. Whilst Council has some very good arrangements with some Councils, others are still reluctant to enter into pure resource sharing agreements reliant on current market prices. To date, Tweed Shire is happy with the current arrangement and Coffs Harbour City Council and Kempsey Shire Council have indicated their intention to meet and discuss available options further.

Staff will attend regional engineering meetings further afield to promote resource sharing opportunities.

New appointments proposed in Business Plan

No further staff appointments have been made since 13 December 2010 after a Bridge/Ganger/Carpenter was employed on the Upper Hunter Project. Position descriptions have been prepared for additional staff, if required, and have been assessed by the Manager and the Director Works. The Business Plan indicates that as turnover improves, these positions can be filled. Peaks in the business cycle are managed by employing casual labour when required to meet customer deadlines.

Roads and Traffic Authority (RTA)/Queensland Department of Main Roads (TMR) Prequalification

Documentation has been submitted to the Queensland Department of Main Roads under a simplified application process due to previous work undertaken on the Northern Busways Project in 2008. The RTA requirements are more stringent for businesses without third party endorsement. It was hoped that Upper Hunter Shire Council would have commenced their audit on Council's current contract, but this has not yet happened. Council is currently awaiting prequalification confirmation from Queensland TMR, which is imminent, prior to submitting a more simplified application to the RTA.

Ballina Bypass Pile Contract

This contract is complete with all retention amounts released.

Coraki Fabrication Workshop

The Workshop is working to capacity at present to complete internal works with some jobs being delayed due to the current involvement on the Upper Hunter Bridge Project fabricating bridge rails. Bridge rails for two of the three bridges have been completed, so pressure will be lifted towards the end of July 2011.

All work is priced prior to commencement and charged to specific job numbers enabling accurate reporting of all costs.

Move from Namoonna Pre-Cast Yard to Coraki Fabrication Workshop

Currently, the Namoonna Pre-Cast Yard is still running in order to produce planks for the third bridge on the Upper Hunter Bridge Project and more recently for Bellingen Shire, Tweed Shire and Kempsey Shire Councils. An internal review was requested of the total cost of the relocation associated with the construction of the new beds at Coraki, based on full Occupational Health and Safety compliance, and ease of workability. A review of previous costs has been undertaken and estimates an additional \$270,000 is required. Offset against this expenditure will be the sale of the Namoonna Pre-Cast Yard (may be cost implication dependent on any contamination from past use); sale of scrap steel; and the sale of the portable boiler unit which was purchased via the Plant Fund.

Expenditure 2009/2010	\$129,805.90
Expenditure 2010/2011*	\$132,522.00
Anticipated cost to complete	\$270,000.00
Total Cost	Approx \$532,000.00

*Note: Expenditure recorded in December 2010 report included a \$38,946.94 commitment which was cancelled.

The previous estimate for the beds was in the order of \$330,000.

A business case for additional funding based on confirmation of the above, is yet to be prepared, and associated savings by undertaking all activities at one site

will be considered. Currently the crane needs to be relocated from one site to another for the purpose of loading piles and planks. In addition, staffing numbers are significantly reduced if several casting operations are undertaken at the same site; and this is the original basis for the relocation; besides the return from sale of land and disposal of assets at the Namoon Pre-Cast Yard.

Demolition Works

The Manager Concrete Products/Bridge Construction attained considerable experience in this field while working for a medium sized demolition company in Sydney, for over two years in 1995. This involved pricing and project managing the demolition of commercial and industrial buildings on contracts valued at up to \$3.5 million. Given there is a shortage of demolition contractors in the region, demolition could potentially be considered as another source of revenue.

The Bridge Section successfully completed the demolition and component recovery of the Bellman Hangar at the old Evans Head Depot which enabled staff to gain the necessary experience to undertake similar work in the future. Council will continue seeking contracts for demolition work and the experience gained at the depot will be invaluable in securing future projects.

Market Synopsis

As indicated at the December 2010 report, the market appears to be still in recession, however, there are indicators showing some improvement based on recent large tenders advertised for the Pacific Highway Upgrade. Since commencing in January 2011 Council has priced seven small bridge projects and been successful for two; for Bellingen and Kempsey Shire Councils, and gained another order from Tweed Shire Council. This is an opportune time to further promote resource sharing with these and other Councils. Coffs Harbour, Ballina, Lismore and Clarence Valley all have work to be priced in the next few months.

Financial Update of Bridge Section for YTD 2011

Total Operating Revenue 30/04/2011*	\$1,888,617.36
Less Mack Float Operations	(\$210,383.65)
Less Fabrication Workshop	(\$4,254.04)
Total	\$1,673,979.67

Total Operating Expenses 30/04/2011*	\$2,246,319.16
Less Mack Float Operations	(\$204,077.79)
Less Fabrication Workshop	\$0.00
Total	\$2,042,241.37

* Note: the Total Operating Expenses include Employee costs, Council support costs, depreciation, factory costs and other administration costs.

Upper Hunter Shire Council Costs

Total Operating Revenue 30/04/2011*	\$1,026,230.20
Total Expenditure (excl. committed orders and Council support costs).	(\$989,011.14)
Total	\$37,219.06

This contract was priced very competitively to attract future work from Upper Hunter Shire Council on a resource sharing basis. Current margins are very tight.

Conclusion

This information report provides an update on matters associated with the new Business Plan for the Concrete Products and Bridge Construction/Engineering Fabrication Workshop and actions taken to progress Council's resolutions of July 2010.

13.8 ROADS AND TRAFFIC AUTHORITY (RTA) - NATURAL DISASTER FUNDING ADVICE

Reference: Roads - Programs

Prepared by: Manager Civil Operations

Background

Following the Natural Disaster Declaration for several North Coast Councils in late December 2010 and January 2011, Council applied for Natural Disaster funding for the Local Regional Road networks through the Roads and Traffic Authority (RTA). The RTA has now advised the details of works approved and upper funding limits under the programs.

Report***Issues***

Local Roads emergency and restoration funding has been approved in the amount of \$3,145,718.

Regional Roads emergency and restoration funding has been approved in the amount of \$318,276.

This funding is approved in the form of upper limit grants and only actual expenditure up to the approved amount may be claimed.

The grant funding requires a Council contribution of \$29,000 which will be funded from the 2010/2011 Unsealed Rural Local Roads and Bridges Program which at this point is underspent due to delays caused by ongoing wet weather.

Environmental

No environmental issues are raised by the proposed works as they involve restoration of existing pavements and facilities.

Asset

Current unsealed rural road service levels have been diminished by the impacts of the flood and the funded works will return the asset to the pre-flood condition.

Social

There have been numerous complaints from the public regarding the condition of the rural road network and efforts are being made to fast track the expenditure of the approved funding to return the roads to community expectations. Works must be completed and funds expended by 30 June 2012.

Economic

The grant funding will allow restoration of the road networks to pre-flood condition which would otherwise have been beyond Council's ability to rectify.

Staff

The works will be conducted using both existing day labour staff and contract teams, as in previous years, with the opportunity for staff to multi-skill into new roles and participate in overtime work when suitable.

Financial Implications

Council will be required to fund the \$29,000 initial contribution but this can be financed from the existing 2010/2011 Unsealed Rural Local Roads and Bridges Program.

Sustainability (ESD Principles)

Materials for the restoration works, particularly road gravel, will be sourced primarily from Council's quarry operations which have adequate resource to meet the increased demand. A crushing contract is currently being finalised to ensure adequate materials are available at both quarry sites for the work.

Conclusion

The Flood Restoration Grant funding is essential for the recovery of the Local and Regional road networks following the flood events of December 2010 and January 2011. Council staff have advised the RTA of acceptance of the grant and actions are underway to carry out the works as soon as possible to restore acceptable service levels to road users.

13.9 WOODBURN FERRYMAN'S COTTAGE LEASE - STATUS UPDATE

Reference: Economic Development - Service Provision; Council Properties - Leasing-Out; P70455

Prepared by: Acting Tourism and Promotions Officer

Background

From 1 July 2010, the Woodburn Chamber of Commerce entered into a 12 month conditional lease of the Ferryman's Cottage in Woodburn.

Part of the conditions of that lease agreement included the provision by the Chamber of the services of a Level III Accredited Visitor Information Centre under a Level III Visitor Information Centre Accreditation Service Agreement; the Chamber is adhering to the delivery of this service.

Also conditional to the lease, was a requirement that the Chamber present a 'time-line' and 'action plan' to Richmond Valley Council as per the Reference Group Recommendations and consequent Council Resolution to move the operations of the Visitor Centre toward a 'commercial' tenancy model by 30 June 2011 (the end of the 12 month lease).

In support of this condition, Council was to provide guidance in the development of a 'time-line' and 'action plan' through the function of the Tourism and Promotions Officer.

Report***Issues***

The Woodburn Chamber of Commerce and Council's Acting Tourism and Promotions Officer have held discussions regarding the situation with reference to the lease, the conditions and the future of operations delivered from the Ferryman's Cottage.

In addressing the condition to move the operations at the Cottage to a commercial tenancy by 30 June 2011, advertising and marketing efforts have been undertaken by the Chamber. To date, there has been no interest from existing Woodburn businesses or Chamber Members to operate a secondary outlet in tandem with the Visitor Information Centre from the Cottage.

There has also been very little response from the advertising and marketing efforts for expressions of interest in taking on the lease to operate a commercial venture from the property by any independent third party. It is perceived that costs associated with re-fitting the Cottage and addressing parking and access required have been major inhibiting factors.

There are a number of scenarios being discussed with the Chamber as to the real possibilities for future use of the Cottage and these discussions will continue in an effort to determine the options for such use.

Legal

In the interim period from 1 July 2011 to 31 August 2011, the Woodburn Chamber of Commerce will continue delivering the services provided by the Chamber, being that of an Accredited Level III Visitor Centre and limited commercial administration services. This tenancy will be under the same leasing conditions but will default to a month-by-month arrangement as per Clause 31(c) of the current lease.

Conclusion

This report has been provided to keep Council informed of the progress of the current leasing arrangements as well as negotiations between Council and the Woodburn Chamber of Commerce in regard to the future tenancy of this Council asset.

A final report with recommendations will be provided to the August 2011 Meeting in order for Council to determine future useage and leasing options from 1 September 2011.

13.10 DEVELOPMENT OF FILM POLICY

Reference: Recreation and Cultural Services - Policy

Prepared by: Events and Cultural Liaison Officer

Background

Interest in the Northern Rivers as a location for production of films, television programs and commercials has increased dramatically in recent years. This is due to a number of factors, being:

- greater awareness of the region's spectacular and diverse locations,
- the availability of attractive Federal and State based financial incentives,
- the establishment of major film studio facilities on the Gold Coast (1hr north) and Sydney,
- and the promotion of the State as a film-friendly production destination by Screen NSW.

Richmond Valley Council recognises the need for a coordinated approach state wide to address the needs of the local, interstate and international production industry. Council is committed to promoting and facilitating greater access to locations under its management, as well as the wider region of the Northern Rivers.

The film and television industry whilst on location can generate significant revenue for hospitality, travel and other local industries. A powerful secondary impact of films, television programs and commercials is the promotion of the region and the stimulation of tourism and investment.

Council staff have been developing a draft Film Policy to advocate and facilitate filming activity in the region. Whilst developing the draft Film Policy, Council staff became aware of the *Filming Related Legislation Amendment Act 2008* which is currently being reviewed. This legislation is binding to all NSW Councils.

The key aims of the 'Film Friendly' legislation are:

- Local government, state authorities and the screen production industry to work together to reduce red tape and facilitate filming activity in NSW
- NSW becomes a cheaper and easier state in which to work, reversing the trend of filming activity moving to other states.
- Fees associated with filming are calculated on a transparent and cost recovery basis.

Report

Issues

In August 2010, Screen NSW began a review of the *Local Government Filming Protocols 2008*, to assess how effective they have been, acknowledging the ongoing challenges and areas for improvements.

Legal

The legislation states all councils are expected to grant approvals and, where appropriate, any necessary lease or licence over council owned or council controlled land for filming, unless there are exceptional circumstances.

Any Councils not willing to comply with the current legislation, must present an alternative Filming Policy for the approval of the Director General.

Policy

- As a general principle, local councils and government agencies are required to approve screen projects unless there are compelling reasons not to do so. Councils and agencies are required to give a timely written response.
- There is now a presumption that filming activities are allowed on community land, subject to conditions to ensure environmental protection or express exclusions in the applicable plan of management.
- Government and local council fees and charges associated with location filming must be reasonable and cost reflective.
- Getting suitable parking at a reasonable cost has been a major challenge for filmmakers. Being able to park vehicles carrying equipment, sets, costumes and catering is essential to filming on location. The package of changes makes it easier for filming vehicles to park for an extended period.

- Getting access to public lands has been an issue for some productions. The legislation streamlines the processes for filmmakers wanting to film on public lands such as Crown Land, National Parks and State Forests.
- Temporary structures related to filming are now subject to simpler approval processes.

The Local Government Filming Protocol review is being undertaken by Screen NSW.

The development of on-line proformas, basic check lists and summary sheets are being reviewed from April to June 2011. During this time, Screen NSW is calling for written responses from Local Government.

Written responses for the first draft closed on Friday, 8 April 2011. Those responses will be considered before a second draft is released on Friday, 20 May 2011. The final Protocol will be released in June and is expected to be legislated soon after.

Conclusion

Council staff are continuing to assess the Local Government Filming Protocols and how they will be implemented by Richmond Valley Council.

A further report will be brought forward once the *Local Government Filming Protocols* are finalised and legislated.

13.11 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 APRIL 2011 TO 30 APRIL 2011

Reference: Development and Building Controls – Development Applications

Prepared by: Manager Planning and Development

Background

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

Report

Issues

This report presents to Council a summary of Development Applications determined by Council either under delegated authority or by Council resolution for the period 1 April 2011 to 30 April 2011.

Conclusion

The total value of Development Applications determined by Council for the period 1 April 2011 to 30 April 2011 is \$668,785.00.

RECOMMENDATION

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

170511/ 22 RESOLVED (Cr. Morrissey/Cr. George)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

14 QUESTIONS FOR NEXT MEETING (IN WRITING)

Nil.

15 MATTERS REFERRED TO CLOSED COUNCIL

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 2011/2012 REVENUE POLICY - QUARRY PRODUCT PRICES

Reason for Confidentiality

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

- (d) commercial information of a confidential nature that would if disclosed:
 - (ii) confer a commercial advantage on a competitor of the council.

Information in the report on this item, should it be revealed, may result in a commercial advantage to competitors of Council. Council has previously resolved to no longer disclose Quarry Product prices as part of its publicly distributed Revenue Policy as the information in same could be used to advantage by competitors.

Accordingly, as the information in the report to Council contains proposed amendments to Council's pricing strategy, the item should be referred to Closed Council.

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 item listed for consideration in Closed Council.

The Mayor called for verbal representations from the gallery.

There were no representations from the gallery.

170511/ 23 RESOLVED (Cr. Morrissey/Cr. George)

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*.

Council closed its meeting at 5.30 p.m. The public and media left the Chamber.

Open Council resumed at 5.38 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.

2011/2012 REVENUE POLICY - QUARRY PRODUCT PRICES

That Council adopt the proposed prices for various Quarry products for the 2011/2012 financial year and these prices be effective from 1 July 2011.

The Meeting closed at 5.39 p.m.

CONFIRMED - 21 June 2011

CHAIRMAN