

Final Draft Integrated Planning and Reporting Framework (incorporating the 2022/23 Budget and 'Revenue' policy)

Responsible Officer: Group Manager Corporate and Commercial (Guy Bezrouchko)

Recommendation

That:

1. Council receive and note the two public submissions lodged during the public exhibition period outlined in the report.
2. Adopt the Integrated Planning and Reporting Framework (incorporating the 2022/23 Budget and 'Revenue' policy), as presented at Council's extraordinary meeting held on 11 May 2022.

Background

Council approved the public exhibition of the draft Integrated Planning and Reporting Framework (incorporating the 2022/23 Budget estimates and 'Revenue' policy) at its 11 May 2022 extraordinary meeting. At that meeting, Council also resolved that the draft IP&R be adopted if no public submissions were made.

During the public exhibition period, two public submissions were received. Council will need to adopt the draft Integrated Planning and Reporting Framework giving consideration to the submissions received.

Public submissions

Summary of submissions

Two public submissions were received – one from the Ballina Environment Society and another from an individual. Both submissions were focussed on water security and raised concerns regarding processes and the direction of Council's Integrated Water Cycle Management Plan (IWCM). The following points summarise the concerns raised in the submissions:

- Council's adoption of amendments to its IWCM in February 2022 without further public exhibition or endorsement by the state government.
- Clarity and transparency regarding the revisions to the IWCM following Council's February 2022 meeting.
- Objections to the Dunoon dam option based on cultural heritage and environmental values.
- Transparency of information relating to studies into the Dunoon Dam options, particularly the cultural heritage assessment.
- Questioning whether climate change has been adequately considered.

The submission also refers to the draft Integrated Planning and Reporting Framework documents being vague and lacking clear direction regarding a clear pathway to water security.

Staff comment

The draft IP&R Framework documents set out the strategic and operational direction and priorities of Council and do not include the specifics of Council's IWCM or other strategic plans. The IP&R Framework documents reference the more detailed strategies and plans through which Council will achieve water security. Implementation of the IWCM through Council's Future Water Project 2060

(FWP2060) is the vehicle through which Council will pursue water security. This facilitates the adaptive management approach of the IWCM and provides Council the ability to have flexibility in its approach to water security as more detailed information on water supply options becomes available. The draft IP&R Framework documents reflect this approach. Changes to the IP&R documents to provide a greater level of detail for future water sources, as suggested in the submissions, is not supported. The draft IP&R documents should reflect the themes and activities of Council's strategic plans, including the IWCM. The detail around the process, methodology and more specific actions should remain within the strategic documents such as the IWCM, so that they can be reviewed and updated with minimal effect on the IP&R Framework documents and brought to Council for consideration as necessary.

The submissions received provide feedback that is more directly related to Council's IWCM process and direction. The submissions did not provide feedback specific to the content of the draft IP&R Framework documents.

Conclusion

Having considered the two public submissions, the draft Integrated Planning and Reporting Framework (incorporating the 2022/23 Budget and 'Revenue' policy) is recommended to Council for adoption without alteration.

Attachment:

1. Public submissions to Draft Integrated Planning and Reporting Framework documents.

9 June 2022

To Rous County Council,

Submission re: Business Activity Strategic Plans May 2022, Delivery Programme May 2022, and Operational Plan May 2022

Ballina Environment Society (BES) would like to see ambitious yet achievable programs which mitigate adverse impacts or help our communities to adapt. In particular, the planning for water security is confusing with two competing “plans” and insufficient detail provided to allow the public to properly understand what the proposed funding is for. With regards to the two plans:

Plan A - The Revised 2060 Future Water Plan was in response to the requirement of the Integrated Water Cycle Management for a four yearly review. Significantly, Dunoon Dam was rejected as an option with the following evidence provided to support this decision:

1. A peer reviewed and approved Cultural and Heritage Study 2013 (CHIA) recommendation was accepted.
2. A preliminary Environmental Study also advocating against the Dunoon Dam.
3. Expert advice from Prof Stuart White whose expertise is demand management
4. Expert advice from Stuart Khan, Professor, Civil & Environmental Engineering, UNSW Sydney:

“I strongly encourage Rous County Council to focus their objectives on water security and resilience. In my opinion another dam constructed on the same waterway, in the same catchment just downstream from the current major water supply, does not progress these outcomes. Instead Rouse Council should look for diversification in alternative water catchments and sources.” ([See link](#))

4. Two public exhibition periods for this proposed plan, with the initial exhibition period receiving only 2% support for the Dunoon Dam.

Plan B is an earlier RCC plan which was adopted as part of the the resolution of Feb 2022. The resolution re-tabled Dunoon Dam as an option and proposed commencement of a “new, fresh CHIA where First Nations owners could be consulted because they hadn’t been listened to yet”. However, at the February 2022 Council meeting Traditional Owners contradicted this claim stating that they were very satisfied with the “listening” to them that had taken place and declared that they would not co-operate with another unnecessary study. Plan B has not

been put on public exhibition and there appears to be no plans to do so, and therefore RCC cannot assume the public will be familiar with it.

The result of the controversy over the Dam, has been two State Government ordered reviews by the CSIRO, unnecessary in our view because they are based on political not scientific need. The terms of reference and results of these reviews are still unknown to the public.

The Department of Industry has been reviewing its Integrated Water Cycle Management requirements for NSW Councils' Water Plans to emphasise the effects of climate change and to improve the speed of its own assessments of council Water Plans. The new requirements were expected to be finalised and to take effect from 1 July 2022. BES questions the claim that appropriate consideration of climate change has been factored into the Operations and Delivery plans and asks whether the models used are current and adequately estimate rate and impact of climate change? There is no mention of the increased major flooding risks that dams create, nor the extended drought periods predicted to be an integral part of climate change in the Northern Rivers.

The lack of transparency about which plan is being progressed and whether decisions are being based on scientific evidence or political drivers is evidenced by the inaccessibility of documents and professional advice relating to the Dam proposal to the public. BES has reviewed all Agendas/Business papers and minutes for regular meetings and extraordinary ones from 2019 until Feb 2022 and have identified the following gaps:

- Stuart Khans' contribution
- Parts of Stuart Whites challenges
- The 2013 revised CHIA
- The results of the Peer Review of the 2013 CHIA giving rise to doubts about the quality of this CHIA
- The Traditional Owners' position
- A professional evaluation of the submissions. Petition signatures being treated as individual submissions as the General Manager's recommendation proposed is damaging both to RCC reputation as a scientific organisation and future community acceptance of Stage 3 of either Plan in that some people can go on believing they will be drinking poo -toilet to tap -water and having their agricultural aquifers drained.
- Professional advice about the effects of climate change and the potential risks posed by dams in general and the proposed Dunoon dam.

In conclusion, BES finds that the documents fail to demonstrate a clear pathway to providing for a secure future for our region considering the climate emergency. We request that the three documents on exhibition be revised so they are explicit and transparent in detailing how the purported goals will be achieved.

Kind regards,

Ballina Environment Society

To the General Manager
Rous County Council
Submission re: Business Activity Strategic Plans May 2022
Delivery Programme May 2022
Operational Plan May 2022

By Dr Lyn Walker
Lennox Head

The values and principles common to all three documents read well. I have no disagreement with them. Unfortunately I have two problems with them. Firstly that there is nothing in past behaviour and in the ways that RCC presents to Councillors and the public that gives me reason to hope that they can be the guiding principles in future action regarding the IWCM and secondly that the DPI has indicated that it wants all Water Plans to put more emphasis on the climate change emergency. In the mix is a requirement, RCCs own as well as government, that the culture and heritage of traditional owners be accorded respect.

1. The documents are vague. There are currently two opposing “live” plans -which one and why do the Delivery and Operational Plans refer to? It should be for the 2021 Plan which is fully authorised, been on public exhibition, and has been lodged with and in the process of being assessed by the DPI .

1.1 A fully RCC authorised Revised 2060 Water Plan, with concrete reasons was presented to the DPI in July 2021 and the DPI has indicated is progressing through its system.

1.2 The Dept advised Councils in January 2022 that it was revising its IWCM and Councils should cease some activities though proceed with some existing plans whilst the changes are being prepared. To have proceeded with a different Plan altogether after this advice is reckless.

1.3 the DPI rules around changes to IWCM plans by water authorities in these early years need concrete evidence to be acceptable

Q a. How has a new plan, resolved Feb22, with significant changes been properly authorised given the above advice?

Q b. Why has a new Plan not been put on public exhibition if RCC is serious about it.

Q c. What credible evidence was given for trying to change the plan?

The three questions go to governance issues.

2. The tension between Cultural &Heritage issues/ Climate change and a proposal for Dunoon Dam which incorporates within its borders Sacred Aboriginal sites and high value environments including water seems fundamental. Any decision on Plans and actions must be transparent and in line with community values. The opposite has been the case.

2.1 Important documents such as the CHIA 2013, study which recommend that the Dunoon dam not be built have been kept from public view since 2014 until community members discovered its existence and demanded it be made public. Important expert advice that the dam was not necessary was also kept from public view.

- 2.2 The speech to support the motion to institute a ‘new fresh CHIA (*to support the Dam*) that will listen to the traditional owners who haven't been listened to yet” made obviously false claims. Firstly about expert advice immediately contradicted by one of the experts and secondly by the traditional owners who at that time and place had asserted that they had indeed been appropriately listened to and no other CHIA was required. So I note that there was no reliable reason for the resolution to ditch the July 2021 Plan.
- 2.3 Governance failures are evident. There was no effort to fully inform new Councillors and the public of the full existing case for and against the existing Plan or the advice from the DPI re Council's making changes. The GM had tried to influence the acceptance as a full submission of every signature on a scientifically ill-informed petition in a recommendation to the Extraordinary Meeting in July 2021 and a facebook page in June 2021 where he claimed 13,500 submissions.

In Conclusion, documents on exhibition are vague as to details, lack transparency and are impossible to discuss rationally in a submission of this type. Their lack is a product of past failures of RCC to manage its tensions with clarity and inclusiveness. I suggest seeking expert opinion on climate emergency and listening to The Traditional Owners. If RCC does this with an open mind the tensions will be seen as artificial because it will be obvious that the dam will not give water security and here will be no need to destroy valuable environments and sacred Aboriginal sites. The public might then get detailed, meaningful operational and delivery documents. We might also get innovative climate emergency measures as a bonus.

Lyn Walker
9/06/2022