

I

Curran Farm  
197 Pimlico Rd,  
PIMLICO NSW 2479

Chief Executive Officer,  
Ballina Shire Council,  
Ballina Shire Council,  
P.O. Box 450,  
BALLINA NSW 2478

RECORDS  
SCANNED  
18 JUN 2014  
Doc No.....  
Batch No.....

16 June 2014

and

Mr. Tim Mackney,  
Manager Water & Wastewater,  
Civil Services Group  
Ballina Shire Council,  
P O Box 450,  
BALLINA NSW 2478

Your Ref: Parcel No. 9060  
Rates Assessment No.239714  
Trim Ref: 1388-03

**Re: Termination of the Council supplied water service to Pimlico and Uralba areas**

I refer to your e-mail communication of the 12<sup>th</sup> June 2014.

Regrettably I will be away on Monday the 23<sup>rd</sup> June 2014 and will be unable to attend the meeting.

I advise that under no circumstances will I be making any further or future contribution to the cost of replacement of the main as proposed by council. My grand-father, Joseph Curran, connected the Curran Farm to the main with the approval of the Council in 1937 and the Curran family over four generations has paid water and council rates each year to date. Those rate payments included in every year an intrinsic amount to provide for future repair and replacement of the main and associated infrastructure as required. It would appear from its present approach to ratepayers that the Council has mismanaged the component of rates paid in the past for repair and replacement which have been paid by my family since 1937 and by me personally after I took over the farm from my late father in 1974. The Council would appear to have misallocated the same component of rates paid by the other ratepayers affected since the main was constructed in 1936.

As far as I am aware it has been a normal part of any rating system for a component to be ascribed to repair and replacement in the nature of building up a capital fund so that there is, at some future time, an amount of funding available so that extraordinary measures of the kind council seeks to take now are not required. What effectively the Council is seeking to do now is to have myself and the other ratepayers affected pay twice for the repair and replacement of the main, once by way of past annual rate payment components for repair and

replacement and now again by way of future proposed payments for repair and replacement to cover the cost of the past wear and tear and past deterioration of the infrastructure to date – which cost must have been factored into the rate charges levied since 1936 when the main was put in.

I rely upon my statutory legal entitlement to ongoing provision of council water supply to the farm. Any attempt by Council to terminate my water main supply will be opposed by concerted legal action. The main has never failed in the appropriate and applicable sense and there is simply no available basis for the termination of my water supply.

The other matter of interest to the termination of supply is the Government Farm which adjoins my property to the north. It is, and has always been, the major water main user and is the prime stakeholder on the issue of termination of supply. It is well known that a specialist herd of quarantined cattle has been established and maintained at this facility for some 30 to 40 years as a vital research institution for cattle disease eradication and prevention. The Government Farm could not conceivably continue to operate without the main supply it has. The NSW Government, the cattle industry in general and the veterinary research industry in particular would surely make some response to the initiation of efforts to impact the viability of the Government Farm Duck Creek Research Sub-Station. I have not been informed as to the attitude of the relevant NSW Department to the proposal. This Department, being the prime stakeholder and having huge funding resources, should have been requested to pay for the entire cost of replacing the main.

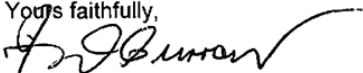
The Curran Farm is unviable without the council water supply. There are no alternate water supply options available. There is no available underground supply of any quality. I have no large scale buildings on the farm for roof rain catchment and tank holding of water. Short term drought conditions such as we have experienced this year make such arrangements highly precarious in maintenance of ongoing supply.

I further reject any suggestion that the main supply has failed. Apart from some short term planned outages by the Council the main has delivered water supply to the farm from 1937 to date.

Please be again advised that I do not agree to any proposal to contribute to the cost of replacing or repairing the water main.

If, notwithstanding the blatant illegality of such an action, the Council terminates my water supply, then having regard to the time span over which supply has been provided (77years) I request a one (1) year Written Notice period before supply is terminated to enable me to take remedial action.

Yours faithfully,



F. D. CURRAN