

COUNCIL BUSINESS PAPER



OCTOBER 6, 1998



NOTICE OF COUNCIL MEETING

An **ORDINARY MEETING** of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, Oliver Avenue,

(Ken Gainger)
GENERAL MANAGER

September 29, 1998

PUBLIC ACCESS SESSION:

PAGE NO.

Mr Brian Henry re Report on Proposed Kadina Youth Activity Park

PUBLIC QUESTION TIME:

OPENING OF MEETING AND PRAYER (MAYOR):

APOLOGIES AND LEAVE OF ABSENCE

CONFIRMATION OF MINUTES - Special Meeting 15/9/98
Ordinary Meeting 15/9/98

CONDOLENCES

DISCLOSURE OF INTEREST

MAYORAL MINUTES

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NOTICE OF MOTION

I hereby give notice of my intention to move at the next meeting of the Council the following motion:

That a report be brought to Council on the future of the Cedar Log at the City Hall.

That the report canvas at least the following options:

- 1. Leave it where it is.*
- 2. Relocate it to a more appropriate display area, say in Heritage Park.*
- 3. It be cut up and the material used in some significant community project such as a new Library/Art Gallery Complex. (See comment on conditions to apply to the options.)*

Comment:

Options proposed for the future of the cedar log:

1. The log has deteriorated in recent years and measures must be taken to protect its surface from further damage. It must somehow be preserved against graffiti vandals. This requirement applies to Options 1 and 2.
2. An expert be retained to study the 'growth rings' with a view to establishing the historical events which have taken place since it was a seedling; this of course will also establish its age. The information gained be shown on a suitable display board adjacent to the log. This requirement applies to the three options.
3. Whilst I have listed Option 3, I do not like such measures. One must remember however that it would be better for this to happen than to find in another 40-50 years or less, the log has deteriorated to the extent that it is worthless. It must be protected or it certainly will be lost.

COUNCILLO J F Crowther

DATE September 23, 1998

R

(98-15958: P6816)

NOTICE OF MOTION

I hereby give notice of my intention to move at the next meeting of the Council the following motion:

That Lismore City Council consult with Southern Cross University to explore ways to build on the present relationship, recognising the present and future role of the University in the economic and social wellbeing of our city.

Comment:

There are probably many ways in which a permanent and effective liaison with the University may be made. A thorough examination of the avenues that may be pursued should be made by the General Manager and C.E.O. of the University.

It would be worthy to include representation from the community, particularly the CBD in whatever formal group may be formed. Any such committee or group formed should meet regularly and report their meetings to Council.

There have been many instances in the past where the existence of such a group would have facilitated dialogue between Council parties. There are presently at least two important issues - the Regional Aquatic Centre and the second access road which will require close liaison between all parties.

The Southern Cross University has become one of the most important factors in the economy and social life of this City. It is essential that a strong bond be created to ensure the continuing growth of the University and its economic and social value to the City.

COUNCILLO J F Crowther
R

DATE September 23, 1993

STAFF COMMENT BY MANAGER-ECONOMIC DEVELOPMENT:

The Lismore Economic Development Advisory Board (LEDAB) and the Lismore Economic Development Unit (LEDU) have recognised the benefits from a closer relationship between Southern Cross University, Lismore City Council and the local business and residential community.

This is reflected in the LEDAB's draft 1998/99 Strategic Plan which includes this as a key near term goal.

DP 716264, 422 JAMES GIBSON ROAD, CORNDALE
(HAJ:MJK: Q3)

Prepared By: Acting Manager-Development Assessment - Hugh Johnson

Reason: Requirement to establish operating parameters for this quarry under “continuing use rights”.

Objective: For Council to determine extractive quantity and physical site use for the purposes of ‘continuing use rights’.

Management Plan Development Assessment
Activity:

Information:

Council at its Ordinary Meeting of August 4, 1998, considered the attached report in relation to determining the extractive quantity and physical site use in relation to establishing “continuing use rights” for the Corndale Quarry located at 422 James Gibson Road, Corndale. At this meeting Council resolved in the following terms:

“That the report be received and Council defer consideration of the issue for a further report to the next meeting of Council, if possible.”

In an attempt to obtain further information in relation to establishing an extractive rate on the abovementioned quarry, Council wrote to the Minister for Mineral Resources, the Honourable RD Martin, on August 10, 1998, requesting that his Department supply Council with the registered quarterly or annual extraction figures for the period from January 1, 1980 to and including March 31, 1986. Council received a faxed reply from the Minister on September 15, 1998 (copy attached for your information). As can be seen from the correspondence, the Minister was unable to supply extraction figures for the period from 1980 to 1986, as his Department had no record of such figures, however, information for the 1986/87 period indicated that a quantity of 9,000 tonnes of gravel was extracted.

Further discussions with the Minister’s representatives indicated that there was no statutory requirement for the quarry operator to lodge annual quarry returns, hence the Department of Mineral Resources were under no obligation to require annual returns.

The Minister’s letter also stated that Council may wish to pursue another source of relevant information that appeared in the legal matter between Lismore City Council vs Collins in the Land and Environment Court in January 1993.

incorporated into Council's assessment of a reasonable extraction rate to be imposed upon the continuing use rights operations of the quarry, hence no further relevant information could be gleaned from these figures in relation to ascertaining a continuing use rights amount for the period of 1980 to 1986.

Based on the above information, it is requested that Council reconsider the Manager of Development Assessment's report to the August 4, 1998, meeting.

Council on the 23/09/98 received additional information from Mr Collins Solicitors. The letter requested Council to take into consideration an additional Statutory Declaration from Mr Colin Rugendyke, dated 21/09/98.

Declarations made by Mr Rugendyke relate to assumptions rather than substantiated statements of fact from the owner / operator of the quarry at the relevant date i.e. pre Feb 1996 being Mr Max Ronan.

It is the Planning and Developments Group opinion that limited weight can be placed upon Mr Rugendyke's Statutory Declaration, and hence the recommendation to this Council report remains unchanged.

Background:

1. This quarry has had a considerable history, which briefly set out is as follows:
 - a) 'Special Purpose; subdivision for quarry approved August 1985 (DA85/2056).
 - b) Staff amenities building and weighbridge approved April 1993.
 - c) Corndale Quarry registered under SEPP No. 37 - July 9, 1993.
 - d) DA94/266 to extract 49,700m³ per annum lodged June 1994, withdrawn May 1995 (not lodged as "Designated Development").
 - e) DA95/240 to extract 150,000m³ per annum lodged June 1995. Refused by Council February 18, 1997.
 - f) DA97/342 to extract 112,500m³ per annum lodged November 1997, subsequently reduced to 87,000m³ per annum. Refused by Council May 12, 1998.
2. The quarry has previously been accepted by Council as enjoying a 'continued use right', and it is under "use right" terms which it must now operate.

Further Development Application (DA9//342) was in the course of being prepared, lodged and determined.

3. Council now has the benefit of legal advices on the information lodged by Mr T Collins (on behalf of Corndale Quarries).
4. 'Use Rights' are tied to the operating conditions which were occurring at the quarry as at February 3, 1986 (ie being the date at law when the "expansion, enlargement and intensification" provisions of S109 of the Environmental Planning and Assessment Act were amended).

Current extraction cannot exceed rates which were occurring as at February 3, 1986; no lateral expansion can occur; and no additional equipment can be introduced to that which existed or was operated as at February 3, 1986.

5. There has been appreciable variation to the extraction rates claimed as occurring on February 3, 1986, from the applicant - ranging from 36,460m³ (claim May 1997) to 44,460m³ (SEPP 37 registration claim; also claim May 1998), and 60,000m³ (October 1992 claim).
6. Council has received material from Mr Collin's Solicitors regarding claimed use right figures, including statutory declarations, signed statements and partly Council's own records. These papers have all been referred to Council's legal advisers (Messrs Phillips Fox).
7. Over the period of assessing the Corndale Quarry Development Applications, and more particularly since the most recent refusal in May 1998, concerned residents of the locality have made strong requests to Council to:
 - i) ensure the quarry is operated in a legal manner; and
 - ii) require reinstatement of any part of the quarry which may have been quarried illegally.

Current Position

Council is now required to determine, on the basis of all information to hand, a fair and reasonable assessment of what the extraction rate was, or most likely would have been, immediately prior to February 1986. Also, to "peg" the maximum physical area of quarry operation, based on all advices and legal opinion available.

Information to Hand - Extraction Rate

1. In May 1997, TJ & W Collins forwarded via his Solicitors, information including 2 statutory declarations, 10 signed statements, and an extract from Council's ledger for extraction from Corndale Quarry for 1986 and 1987. The information claimed an amount of 36,460m³ made up of 20,000 extracted by Council, and 16,460 supplied to small orders. Council's legal advice

in FY 1997/98).

2. Mr Collins has (through his Solicitor) submitted 2 more statutory declarations, one from an operator of the quarry in 1984, and one from the previous owner from 1985 to 1988. These documents have also been examined by Council's Solicitor, who now advises that "*if the evidence is the best and only evidence that can be produced, it would be open to Council to accept that evidence as the best estimate of the true rate of extraction as at 3 February 1986*".

However, Council's Solicitor states that as the statutory declaration by the owner at the time appears to be guesswork, that Council should reasonably accept the 1986 figure of 14,501 in addition to weighing up 'the probity of the evidence' submitted by the private statements. If this were adopted, a reasoned figure could be:

Council's 1986 rate	14,501
Private Supply Statements	<u>16,460</u>
	30,961, say 31,000m ³

3. Mr Collins has claimed 36,460m³, and, more recently, 44,460m³ because "Council accepted that figure when it accepted the SEPP 37 registration in 1993". (NB. The 44,460m³ was never substantiated by the operator).
4. I believe that it is reasonable to accept that somewhere between 30,961m³ and 36,460m³ would have been extracted from Corndale Quarry during the year 1985, from anecdotal evidence available.

As a median of these two calculations, 33,710m³, say 34,000m³ is therefore suggested as an acceptable use right figure for adoption.

Physical Size of Quarry

The establishment of physical size is more complex. Essentially at law, the quarry working area is contained to the physical size as at February 3, 1986. However, it was not until after the 'Vaughan Taylor' case in 1991 that the Court determined that no lateral expansion was possible without the benefit of a development consent, and consequently no quarry operator until this time would have been aware of the law, as then determined. SEPP 37 then permitted lateral expansion under a controlled moratorium - in Corndale Quarry's case, until DA refusal in February 1997. The law is 'silent' as to what occurs with physical working area "post SEPP 37 moratorium", and in terms of February 1986 situation.

In all realms of "reasonableness", it would be impractical to require any quarry operator to go back to physical 1986 positions. It is therefore reasonable to suggest that Corndale Quarry be required to

statutory declarations. At the time of this report, the statutory declarations (one from former quarry owner, and one from a dozer operator during 1984) were still being prepared, but it appears that the area occupied up to the current quarry face was in fact previously quarried for ridge gravel during 1984. The 1987 aerial photographs appear to confirm this claim. If this is the case, then the quarry may well be 'legal' in its current position. Mr Collins has (verbally) confirmed that the working faces as existing will not be enlarged at any time (except, of course, if approved under any future Development Application)

Manager - Financial Services Comments Not requested.

Public Consultations

Not sought - but Council has received a number of letters from various local residents over the last few months requesting proper controls being placed on the quarry.

Other Group Comments Not requested.

Summary

Both the quarry operator and residents in the quarry locality have requested that Council determine the operational parameters of Corndale Quarry. It is stressed that there is NO clear set of absolute facts available for this quarry (and, for that fact, most other quarries operating under use rights), but Council is in the position of having to make a fair and reasonable determination based on the best advice in hand.

Whatever Council's decision, it may be challenged either by the operator, or by any residents.

It also should be noted that, under use right operation, there are no conditions which are applicable other than general regulations, such as noise and pollution controls under relevant State Acts.

Recommendation (PLA72)

That the Corndale Quarry be accepted as operational under the following continuing use right terms:

- 1 That maximum extraction rate be limited to 34,000m³ per annum, commencing on 1 July each year.
- 2 That the physical quarry working area within Lot 2 DP 716264 be limited to that area which had been actually and physically used for quarrying of extractive material prior to February 3, 1986 (ie. no greater than the existing quarry working face as at current date).

Prepared By: Manager Environmental Health - Matt Kelly

Reason: Provide Council with an appropriate report as resolved - Ordinary Meeting of Council September, 15, 1998.

Objective: That the information be noted.

Management Plan Environmental Health
Activity:

Background:

Council at its Ordinary meeting held September 15, 1998 considered a Notice of Motion that a full report be brought to Council on the actions between Council and Mr and Mrs Fullerton of 17 Peate Street, North Lismore, together with the responses to questions asked by Mrs Fullerton at the Council Meeting of August 25, 1998. Following consideration of the Notice of Motion Council resolved that:

“a full report be brought to Council on the actions between Council and Mr and Mrs Fullerton of 17 Peate Street, North Lismore, together with responses to questions asked by Mrs Fullerton at the Council Meeting of August 25, 1998”.

Council at its Ordinary Meeting held September 15, 1998 received a formal representation from Mrs Fullerton detailing a history of complaints and responses from Council staff in relation to landuse practices at No. 15 and 17 Peate Street, North Lismore.

Prior to the meeting Councillors were provided with a chronological history of events and responses regarding the same. This report should be read as supplementary to that comprehensive listing. Firstly from that listing it can be seen that Mr and Mrs Fullerton have made numerous representations to Council regarding landuse activities, principally the keeping of animals, associated with the property No. 15 Peate Street, North Lismore. In response to those representations staff have undertaken numerous site inspections of the property resulting in the issuing of formal directions and ultimately Orders under the Local Government Act 1993. The most recent Order being issued in March this year as a result of pigeons and poultry being kept inappropriately on the property. Council is continuing to communicate with the property owners to obtain a preferred outcome, however it can be stated that reasonable improvement in the management practices for the keeping of animals at 15 Peate Street, North Lismore has occurred since the original notification, recognising this improvement as incremental over a considerable time period.

standard through regulation and enforcement. To address the needs of all parties it was considered appropriate to invite affected parties to be part of a formal mediation process. The aim being to progress towards an outcome that meets the needs of all parties concerned. On June 29, 1998 Councils mediator advised that “mediation is not the appropriate method for resolving the issue”.

In response to this conclusion a Notice of Intention under the provisions of the Local Government Act was issued to Mr and Mrs Fullerton advising that Council had been in receipt of complaints and Council is satisfied that the practice of stockpiling and application of horse manure within landscaped areas upon their land is creating a public nuisance as the manure is providing a suitable environment for attracting and breeding flies. To abate the nuisance it was advised that it is Council’s intention to require the following actions to be implemented.

1. The quantity of manure to be applied to garden beds must not exceed the amount that can be physically mixed with garden soils to prevent fly nuisance.
2. Manure shall not be used as a mulch product within garden beds on subject premises and
3. The practice of stockpiling manure on the subject premises is to cease.
4. That manure previously applied to the landscaped areas that cannot be physically mixed within garden soils is to be removed and disposed of off-site to an appropriate standard.

The Notice of Intention invited representations to be made to Council as to why the Order should not be given, or as to the terms of or period for compliance with the Order.

Following receipt of the Notice of Intention the practice of importation of manure to the site continued. To address adjoining property owners immediate concerns an Emergency Order was issued directing that the manure stockpiled on the property be removed and disposed of off-site to an appropriate standard. This Order was responded to appropriately. Comprehensive submissions were received by Council in response to the Notice of Intention from Mr and Mrs Fullerton.

To address these representations it was considered appropriate that an appropriately qualified and recognised person/s be engaged to provide an independent review of the landuse practices at No 15 and 17 Peate Street, North Lismore. The Department of Agriculture were subsequently engaged.

The Department undertook site investigations on the 30/08/98 and provided their report to Council September 18, 1998 (Copy attached).

In summary the report states:

Application of Animal Manure to Home Gardens

“ manure will provide a favourable breeding site for many insect species especially flies and

In response to the Departments report, and following Council's notation of this report it is intended to implement the following actions to address landuse practices at No. 15 and 17 Peate Street, North Lismore.

1. No. 17 Peate Street, North Lismore

That an Order under Section 125 of the Local Government Act be issued requiring the following actions to be implemented:

- 1) The quantity of manure to be applied to garden beds must not exceed the amount that can be physically mixed with garden soils to prevent fly nuisance.
- 2) Manure shall not be used as a mulch product within garden beds on subject premises and
- 3) The practice of stockpiling manure on the subject premises is to cease, alternatively the horse manure be composted in accordance with the standards identified within the report prepared by the Department of Agriculture attached.

2. No. 15 Peate Street, North Lismore

- a) That the existing Order under the provisions of the Local Government Act 1993 for the keeping of animals be enforced.
- b) That a Notice of Intention be issued under the provisions of the Local Government Act requiring the surface of the poultry yard to be constructed to prevent the accumulation or ponding of surface waters.

Questions Without Notice by Mr and Mrs Fullerton to the Ordinary Meeting of Council August 25, 1998 and Council's reply to the same are attached for information of Council.

Manager - Financial Services Comments

Not Applicable.

Public Consultations

Not Applicable.

Other Group Comments

Not Applicable.

Recommendation (PLA70)

That the report be noted.

Reason: Advise Council of initial consultation and planning results

Objective: To gain Council in-principle support to proceed with the approvals process.

Management Plan Parks & Reserves

Activity:

Introduction:

Kadina Park is a parcel of Council-owned community land dedicated as part of subdivision consent for the Pearce land in Goonellabah. It is located at 311 Ballina Road, Goonellabah, and fronts both Kadina Street, opposite Kadina High School, and Ballina Road (see Location Map Attachment 1).

Kadina Park is identified for development in the Section 94 (Open Space) Plan for the purposes of a “sportsfield, parking, water supply, landscaping, and amenities”. It was intended for development from 1997 to 2001 and is 20% funded from local levies. To date the land has been used as a storage area associated with roadworks along Ballina Road, and work on the site has included importation of fill and minor compaction.

Various potential uses for this parcel of land have been determined in the past, including an additional full-sized sporting field for Goonellabah, athletics facilities, T-ball ground, and more recently for potential residential development. The latter use has been determined unsuitable due to the land parcel’s classification as community land and dedication as a public reserve. In order for the land to be re-classified, it must be deemed unsuitable for recreational use on one of the following grounds – size, shape, topography, location or difficulty in providing public access (Section 32 part 2 of the Local Government Act 1993). It is not considered that Kadina Park has any of the listed constraints.

This report aims to show that development of this park to include multiple uses, attract a variety of age groups, and focus on facilities for youth will both meet Council’s obligations under Section 94 of the EP&A Act and provide an identified need as a regional park for the major urban growth area.

Background:

Goonellabah Rotary Club first approached Council in 1996 with the idea of a jointly developed facility aimed at providing an active, unstructured recreation outlet for youth in Goonellabah. In the Lismore LGA, 17% of the population is aged between 15 and 24 years of age. The thought behind the scheme was that Goonellabah has the fastest urban growth rate, the largest urban population (26.4% of total LGA and 40.6% of total urban population) and contains a substantial proportion of

2. It is identified in the Section 94 plan as a regional park, attracting “citywide” levies.
3. It is located opposite a large portion of the market it would be attempting to attract (Kadina High School).
4. It has good visibility, an advantage for both promoting the park and improving safety and security.

Following on from an initial presentation by Parks & Reserves to Goonellabah Rotary Club on the potential and constraints of the park, it was decided to involve Kadina High School representatives in the planning of such a development. Initial meetings with staff and the P&C Association received favourable reaction and support. All parties involved agreed that the development of a concept plan was required in order to accurately gauge public reaction.

In July 1997 a survey was designed and distributed to students from both Kadina High and Goonellabah Primary Schools (Sample as Attachment 2). The survey asked students their sex, age, mode of transport to school, whether they played competitive sport and if so, what sport, other recreation activities undertaken and where, and what facilities they would like to see developed for their use.

A total of 157 surveys were returned, with equal numbers of males (79) and females (78) responding. More than half of respondents (87) indicated that they walked to school and 109 played various sports competitively. All indicated that they also participated in non-structured recreation pursuits and comments generally indicated a high level of dissatisfaction with present facilities.

Two interesting results of the survey were:

1. Not all youth wished to participate in organised sport, yet they still sought active recreation in a non-structured environment.
2. Females in particular were keen to have an area in which to “hang out” which was stimulating with a range of potential activities, not necessarily structured, and where they felt some sense of “ownership”.

Collating results from the survey, the most frequently requested facilities resulted in the following list:

1. Swimming pool
2. Skateboard facility
3. Rollerblade facility
4. Soccer field
5. Football field
6. Netball court
7. Basketball court
8. Volleyball court
9. Cricket nets
10. BMX track
11. Indoor Hockey

Discussion within the Working party rated these activities according to four criteria, namely:

- Physical - could that activity be accommodated within the park together with a range of other activities?
- Financial - was the activity within our ability to realistically finance?
- Usage - would the activity attract ongoing usage by youth?
- Duplicity - were other organisations providing or responsible for providing the same or similar activities?

As well as the above criteria, there was a strong desire amongst the group to seek out multi-purpose activities to ensure maximisation of usage for today and the future. With regard to facilities to support the development, the following were considered desirable:

1. Covered recreational area
2. Shading
3. Picnic facilities
4. Toilets
5. Parking
6. Landscape buffer from residents
7. Playground, leisure and R&R equipment.

From this assessment, the following components were identified for inclusion and are identified in the Concept Plan (Attachment 3).

- Multi-purpose open field area to cater for junior soccer/touch football/T-ball and athletics.
- Multi-purpose pathway
- BMX skills area
- Skating area
- Basketball/Netball court
- Handball court and hitting wall
- Rage Cage
- Contemporary teenage “hang out” area
- Traditional small playground
- Covered rest/meeting areas and picnic facilities
- Shade trees and shade structures
- Wildlife corridor and screen planting
- Car-park
- Amenities

The concept plan was finalised in May/June 1998. It has since been presented to the Public Land Strategic Management Team and the Lismore District Sports Association for discussion. Both have generated discussion resulting in amendments to both the facilities provided and their location. Changes to the plan are:

1. Removing the wildlife corridor/landscaping in the north-eastern corner to allow continued visibility into the park.
2. Relocating the toilets to the north-eastern section to move them away from residences and make

A meeting with residents adjoining the park was held on September 10, 1998 with the aim of gauging reaction from those most affected by the development. Eighteen people attended the meeting and although all were keen to see a park on the site, by far the most common concern was for safety and security of properties. Almost all those in attendance had suffered break-ins and theft within the past three years. Whilst not all concerns were allayed by the meeting, changes were considered and it was generally felt that the feeling at the end of this meeting was much more positive than at the beginning. Residents will have further opportunity for input during the approvals process.

Approvals process:

The next stage in proceeding with development of Kadina Park is to prepare a Plan of Management for the reserve. It is anticipated that the Parks & Reserves Technical Officer would undertake this task due to involvement to date. The Plan of Management process would involve more extensive community consultation to gauge reaction on a Goonellabah-wide basis, and the plan would have a twenty-eight day exhibition period, with a further two weeks for submissions. The plan would then come before Council for formal determination.

Due to the size of the project a Development Application would need to be approved before commencement of any works. This is intended to be prepared externally and would come before Council for determination. The present schedule takes the approval process through to March 1999.

Funding:

An estimate of total expenditure for park components is in the order of \$500,000. The intention is to seek the majority of this from sources external to Council, and including the Federation Fund Community Projects scheme. Assuming Council support and approval is forthcoming, it is much easier to canvass a number of grant applications if the project is complete in terms of planning, consultation and legislative requirements. Goonellabah Rotary Club has a history of obtaining grant funding for other joint projects including the Heritage Centre and City Hall lift. The intention is that the project becomes a staged development, with stages undertaken as funds become available.

Present funding consists of:

- \$20,000 allocated from developer contributions under Section 94. The total budget indicated in the Section 94 (Open Space) plan is \$100,000, however, \$80,000 of this is designated from “Citywide” funds, which are presently close to nil. It is unlikely that these additional funds will be available in the near future.
- \$20,000 from Goonellabah Rotary in both cash and in-kind contributions.
- Possible Capital Assistance program funds from NSW Sport and Recreation of \$10,000 (applied, not yet determined).

of grounds and facilities. A park of regional scale increases these costs proportionally according to the type of facilities provided. Should Council give in-principle approval for this project, it must recognise that such costs require an increase in expenditure on park maintenance. An estimate of annual expenditure on total park maintenance for the completed project is in the order of \$25,000. However, maintenance costs are unlikely to reach this level for a number of years according to stages completed.

Expenditure Accountant's Comments

The proposal to develop such a facility in Goonellabah for the youth is full of merit.

The key issues from a financial perspective are the facts that:

- a) development costs are estimated to be in the vicinity of \$500,000 and development is to proceed when funding is available,
- b) additional funding of up to \$25,000 per annum will be required to maintain the facility.

In relation to a), there will be a community expectation that the facility will be constructed. The fact that it is to proceed 'when funding is available', could realistically mean that it may take some time for the facility to be constructed in total. This situation needs to be clearly stated and detailed during the public consultation process.

The concern I have with the proposal is that only \$50,000 is potentially available for works immediately. If the level of external funding required to complete the facility, say for convenience \$350,000 to \$450,000 is not forthcoming, either in the short or long term, is Council willing or able to fund part or all of this amount.

Based on the funding level of potential works included in the forward capital works program, it is unlikely that a substantial amount of funding would be available for this project in the short term. If Council is required to commit funds, it may be appropriate to review the Open Space Section 94 Plan and/or the Urban Sporting Development Fund (1998/99 \$80,000).

In relation to b), if the number of facilities to be maintained is increased, then there needs to be a compensating increase in funds for maintenance purposes.

The issue here is that we are constantly told that insufficient funding is provided for the maintenance of existing assets. This means that there will be a greater burden on already limited funds. Some doubt must exist as to whether we will be able to provide sufficient funds to maintain this facility adequately without a reduction in services in other areas.

Public Consultations

5. A student survey distributed to students of Kadina High School and Goonellabah Primary School inviting ideas and input for the park. A total of 157 surveys were returned and results collated, forming the basis for individual components within the park.
6. Presentation of the concept plan to the Public Land Strategic Management Team, Lismore District Sports Association and local residents. All three resulted in re-consideration and alteration of some park component or location.

Other Group Comments

All sections have been consulted via the Public Land Strategic Management Team and comments included where relevant.

Community Services Co-ordinator

The Community Services division consider this project to be a very positive and pro-active undertaking for local youth. Of particular importance is the “Contemporary Teenage Activity Area” as experience has strongly indicated that both sexes, but particularly girls, like to have a non-threatening “hang-out” space for which they have a sense of ownership.

Shade provision and the multi-purpose path are also good components to include and it is important to provide a skating area without young people having to travel to the CBD.

Suggestions are given for additional facilities below:

1. Lighting and visibility are probably the two most important components in terms of crime prevention and reduced risk of assault for young people. Serious consideration should be given to providing some lighting within the park, as youth will be likely to use the area after dusk.
2. Having one or more walls or areas which become legal graffiti spaces can not only cut down on unwanted graffiti but allow creative expressions. Similarly, certain areas could be dedicated for “art spaces” to provide exhibition space for young artists.
3. Water provision, in terms of a number of bubblers throughout the park, and possibly a shower, is also important.

Recreation Officer

The Kadina Park area has been subject to much scrutiny by the LDSA and various sports groups. Over the last decade formal approaches have been made to Council regrading provision of space in Goonellabah for junior T-ball, junior soccer, Touch football and Athletics.

The proposal presented successfully caters for all these activities, hence it obtained endorsement from the LDSA Committee on 9th September 1998. In addition, all recommended amendments proposed by the Committee have been catered for in the report presented.

However, this maintenance relates not just to grass cutting but to asset management. In particular, repairs to vandalism and upkeeping of ageing structures. At present such a commitment from Council is not evident as there are numerous park facilities around the city which the parks Department cannot get any funding to maintain. Seven of these projects were put forward at the last Budget review process and all were declined. In addition there is Wade Park which is incomplete and has no immediate likelihood of funding to complete the project from within Council sources.

Any commitment to this current proposal must include an additional commitment to asset management and ground maintenance.

Conclusion

The development of Kadina Park as a multi-use park with a focus on youth is an opportunity for Council to provide the youth of Goonellabah with the type of active recreation facilities that they have requested, in the area they can easily access. By relying largely on external funding, the project could be developed without a large initial outlay by Council. The community has been, and will continue to be, involved in the planning and development of the park, with largely positive reaction to date.

Concerns over security will be addressed within further consultation, but it is considered that simply by giving youth facilities which promote positive activity and a sense of ownership, fewer opportunities arise for anti-social behaviour. The other important component introduced to reduce unwanted behaviour in the area is to encourage people of all ages to also visit the park by providing facilities which cater for both young and old, and including families.

Recommendation (WOR01)

1. That Council give in-principle support to the proposal to develop Kadina Park as a multi-purpose recreation area with a focus on youth.
2. That the Parks & Reserves department, in consultation with the Recreation Planner, proceed with the production of a Plan of Management for Kadina Park, with associated public consultation.
3. That approval be given to seek external grant funding for the project in anticipation of Council adoption of a Plan of Management and subsequent approvals.
4. That Council recognise the ongoing maintenance costs associated with this proposal, and agree to provide additional maintenance funds on a continuing basis, should the proposal receive

Prepared By: Manager Environmental Health - Matt Kelly

Reason: To enable Council Determination of citizen representation

Objective: Determination of Citizen representation

Management Plan Environmental Health
Activity:

Background:

Council at its Ordinary Meeting held August 25th, 1998 considered a report titled "Local Government Regulatory Reforms - Onsite Sewerage Management Facilities".

Following consideration of the report Council resolved that the report be received and:-

1. That a Council Working Party consisting of three (3) Councillors, relevant staff and 2 affected citizen members, review the Local Government Regulatory Reforms for onsite sewerage management facilities.
2. That Mr King's comments be submitted to the Working Party.
3. That a further report be presented to Council on a preferred strategy.

To address Council's resolution a formal advertisement was placed in the local newspaper formally inviting nominations for two (2) citizen member positions. The advertisement identified the principle aim of the working party to be "review Council's current implementation strategy established to manage regulatory reforms and guidelines for onsite sewerage management facilities. The expected outcome being presentation of a report to Council recommending a preferred implementation strategy".

Nominations were requested to be in writing and were received by Council prior to the close of business of Friday, September 11, 1998.

At the close of the nomination period, Council was in receipt of five (5) nominations from the following individuals.

1. Mr John Chamberlain

15 Kaanaphali Avenue
Richmond Hill

4. Mr Malcolm Black
Lismore and District Rate Payers Association
5. Mr John Cade
648 Cowlong Road
McLeans Ridges

The only selection criteria nominated by Council was that the citizen members be “affected”. The above nominations are from “affected” citizen members. Applications from nominees are attached for Council’s consideration.

Manager - Financial Services Comments

Not required.

Public Consultations

Public consultations will be effected following Councils determination of a preferred implementation strategy.

Other Group Comments

Not required.

Recommendation (PLA69)

That Council select two (2) citizen representatives to form part of the Council Working Party - Local Government Regulatory Reforms - Onsite Sewerage Management Facilities.

Prepared By: Manager-Environmental Health - Matt Kelly and
Environmental Engineer - Anthony Gaffney

Reason: Presentation of a draft Corporate Environmental Policy Statement.

Objective: That Council adopt the Draft Corporate Environmental Policy Statement.

Management Plan Environmental Health

Activity:

Background:

Lismore City Council has undertaken the process of developing and implementing an Environmental Management System. The need for which has been identified in the 25 Year Strategic Plan. The Environmental Management System (EMS) approach demonstrates Council's dedication to improving environmental performance and the prevention of pollution, while working towards Total Catchment Management practices.

Council needs to adopt a Corporate Environmental Policy as a statement of its intentions and principles with relation to environmental performance which provides a framework for action and for the setting of its environmental objectives and targets. Further, the adoption of a Corporate Environmental Policy demonstrates top management's commitment and leadership to the process.

Contained in this report is a draft Corporate Environmental Policy. Once adopted, this policy becomes the motherhood statement for all EMS that will be developed in the future.

Introduction

Lismore City Council's Strategic Plan provides an overall direction for Council over the long term. One of the identified imperatives is Environmental Protection and Enhancement of which Total Catchment Management (6.4) is an initiative. The aim of Total Catchment Management is 'to develop a co-operative, consistent approach to the management and use of land, vegetation and other natural resources in the area.' The strategies identified to achieve this aim include:

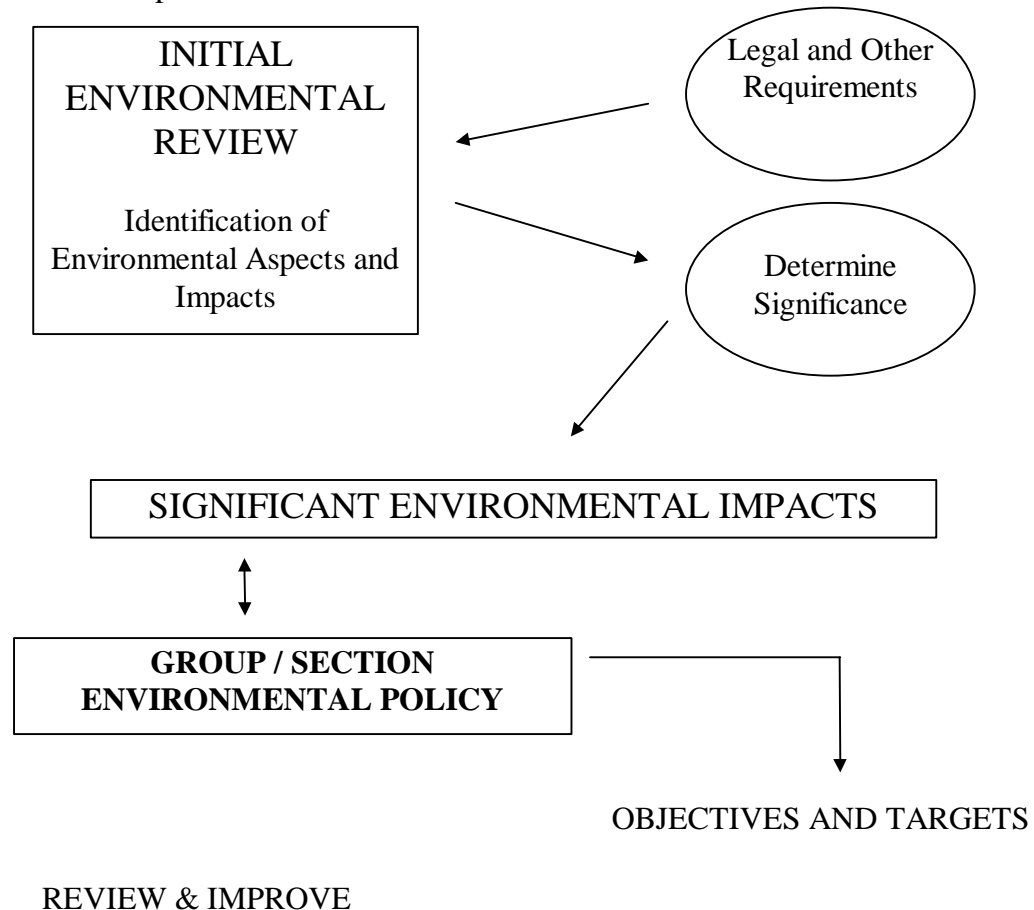
- Developing Total Catchment Management strategies, policies and systems consistent with, and incorporated in related strategies, policies and systems, in conjunction with relevant agencies;
- To apply legislative responsibility to ensure maintenance of environmental standards and application of controls according to statutory requirements.

environmental policies, objectives and targets within the existing management framework. Figure 1 below is a model of how the EMS works within each group or section while Figure 2 illustrates how the EMS works at a corporate level.

For both levels, the Environmental Policy is the core of an EMS. An Environmental Policy is a statement by Council or group of its intentions and principles in relation to its overall environmental performance which provides a framework for action and for the setting of its environmental objects and targets.

Further, the Corporate Environmental Policy demonstrates top management commitment and leadership to EMS. This commitment and leadership is crucial for the success of the EMS.

All EMS within Lismore City Council shall be developed in accordance with ISO 14000 - The International Standards on Environmental Management Systems. There is also a process of certification by an independent third party that can be undertaken to demonstrate that the EMS has been developed to an International Standard.



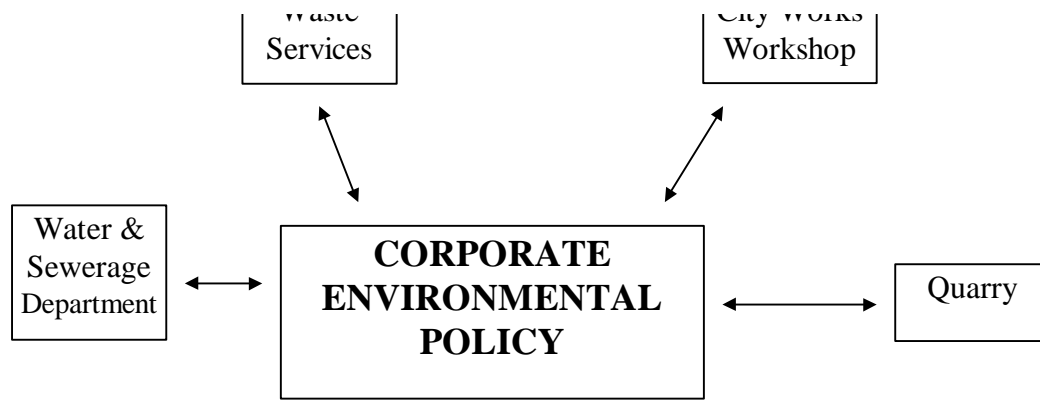


Figure 2: Examples of the links between Corporate Level EMS and various Departments.

Environmental Policy

To satisfy the requirements of ISO 14000, the standard states that top management shall define Council's Environmental Policy and ensure that it:

- is appropriate to the nature, scale and environmental impacts of Council's activities, products or services;
- includes a commitment to continual improvement and the prevention of pollution;
- includes a commitment to comply with relevant environmental legislation and regulations, and with other requirements to which Council subscribes;
- provides a framework for the setting and reviewing of environmental objectives and targets;
- is available to the public.

This corporate policy is the motherhood statement for all Environmental Management Systems that will be developed within Council. Attached is a draft version of the Corporate Environmental Policy.

After the adoption of a Corporate Environmental Policy several developments can begin or continue to develop the EMS programme. For example, the Water and Sewerage Department are able to continue with policy development and the integration of environmental objectives and targets throughout the department. The adoption of the Corporate Environmental Policy also allows other departments to begin the process of becoming more "environmentally responsible".

Manager - Financial Services Comments Not required.

Public Consultations

Upon adoption the Policy Statement is to be publicly exhibited.

Lismore City Council needs to adopt a corporate environmental policy to drive the continuing improvement of environmental performance of Lismore City Council. The policy is a statement of intentions and principles that provide a framework for setting and reviewing environmental objectives and targets and needs to be publicised to all staff and the community.

This policy needs to reflect the goals of the Strategic Plan and co-exist with the management plans and various procedures that exist within Lismore City Council.

The Corporate Environmental Policy contained in this report meets all requirements of the International Standards and sets the framework for further development of Environmental Management Systems.

Recommendation (PLA68)

- 1 That Council adopt the draft “Corporate Environmental Policy”.
- 2 That Council publicly exhibit the Policy Statement.
- 3 That Council staff, contractors and service providers be made aware of the policy statement.

Prepared By: Manager Environmental Health - Matt Kelly

Reason: To enable Council to determine Citizen Representation to the Waste Management Advisory Panel.

Objective: Determination of Citizen Representation.

Management Plan Waste Strategies

Activity:

Background:

At a special meeting of the Waste Management Advisory Panel held on Monday August 17, 1998 Panel members considered the matter of 'review of membership of the Panel'.

Following consideration of the matter, the Panel recommended that:

1. Mr Murray Cullen seek an alternative Southern Cross University delegate due to extended leave.
2. Big Scrub Environmental Centre nominate an alternative delegate.
3. That nominations for two (2) citizen member positions currently vacant be invited.

In response to the recommendation No. 3 an advertisement was placed within the local newspaper formally inviting nominations for two (2) citizen member positions. It was identified that membership would be limited for a twelve month period and that a key focus of the panel during this period would be progress toward the implementation of the Integrated Waste management and Minimisation Strategy. Further that a prerequisite being that citizen members reside within the Local Government area.

At the close of the nomination period Council was in receipt of three (3) nominations from the following individuals:

1. Mrs Fiona Boyle
8 Esyth Street
Lismore
2. Mrs Anna Kowalczyk
'Zarra Ridge'

Davison. Applications from nominees are attached for Council's information.

Manager - Financial Services Comments

Not Applicable.

Public Consultations

As reported.

Other Group Comments

Not Applicable.

Recommendation (PLA71)

That Council select two (2) citizen representatives for memberships on the Waste Management Advisory Panel.

Prepared By: Manager-Client Services, Wayne Franklin

Reason: Council's approval is required for this project to be constructed utilising selected tenders.

Objective: Council to resolve to tender this project utilising selected tenderers.

Management Plan Aerodrome Operations

Activity:

Background:

At its meeting of July 14, 1998 Council resolved to proceed with the construction of the new airport terminal at Lismore Airport. The purpose of this report is to recommend to Council that it construct the terminal, carpark, taxiway, roadway and ancillary works utilising a design and construct contract. It is anticipated that the project will be completed by January, 2000.

Information:

Council's recent experience with building contracts has been that the tendered prices have exceeded the estimate prepared by the respective architect's quantity surveyor. With these outcomes in mind there is a general reticence amongst staff to proceed with the normal procedure of having an architect and engineering consultancy design the terminal building and civil works and then call open tenders.

It is desirable that Council enter into the tender process knowing that tenders received will not exceed the budget. In order that this outcome can be achieved it is proposed that Council undertake a selective tendering process for the design and construction of the project.

Under this process, Council will invite applications from consortiums of builders, architects and engineers to be included on a list of potential tenderers for the project. Once the list is prepared three consortiums will be invited to submit a tender for the project with the upper budget known to the contractors. The upper budget would be less than the total allocation for the project. Although this would be a design and construct project a contingency sum would be retained to cover such things as soil conditions which only become apparent once the site is excavated and minor changes in the building such as extra power outlets which are only recognised once the building takes shape. One of the three tenderers would then be selected to design and construct the project. In determining the three consortiums invited to tender, the following criteria will be used in assessing the applicants:

- Experience with local conditions
- Supervision required from contract supervisors
- Appropriate resources

Compliance with Quality and Safety Plans

- Level and detail of quality plan
- Minimum standard of safety plan
- Reporting procedures

Management and Finances

- Industrial relations, OH&S
- Management skills
- Financial capacity

The successful contractor would be chosen on architectural merit, fitness for purpose and price. It is proposed that each of the invited tenderers will be paid a set fee of say \$5000 to prepare their tender. Whilst an upper budget for the project will be known to the tenderers, a lower priced tender will be advantageous to Council as it will allow Council to include desirable items in the project which have previously been ruled out on cost. Therefore tenderers will be made aware that price remains a key selection criteria.

An internal project team has been formed comprising the following:

- Wes Johnstone Project Manager
- Craig Kelly Group Manager-Business & Enterprise
- Wayne Franklin Manager-Client Services
- Bill Moorhouse Group Manager-City Works
- Chris Watts Building Regulation input
- Phil Sarin Group Manager - Planning & Development
- Paul Hickey Manager-Financial Services

The selection of the tenderers and of the resultant contractor would be undertaken by Council, based on the recommendation of the project team.

To ensure that the resultant terminal is both fit for its intended purpose and exhibits architectural merit, an architect would be retained to advise the project team. In addition the users of the terminal will be consulted and their respective requirements documented in the tender documents.

Manager - Financial Services Comments

As mentioned in the report, the primary purpose of the recommended process is to ensure that the

Under the proposal outlined, the emphasis will be placed firmly on the tenderers (i.e. architect, engineers and builders) to ensure their pricing is compatible and realistic.

Public Consultations

Not requested

Other Group Comments

Group Manager Business and Enterprise

Completion of the airport terminal project is expected for early in 2000. To achieve this a number of components of this project must be run concurrently. Adoption of the recommendation proposed by the Manager - Client Services will allow the project team to commence the selective tendering process to start this phase of the project.

Conclusion

Given Council's recent experience with building and construction tenders it is felt that a design and construct project can best deliver a value for money terminal complex within budget.

It is important that the potential users of the terminal have input to the project from the beginning of the process and consultation with all interested parties will be undertaken.

Recommendation

- 1 The construction of the Lismore Airport terminal complex be undertaken by a consortium of contractors appointed following a selective tendering process.
- 2 Selection of the tenderers and contractor(s) be undertaken by Council upon the advice of the Project Team.

Prepared By: Manager Financial Services - Paul Hickey

Reason: Section 419 of the Local Government Act

Objective: Present Financial Reports to the Public

Management Plan Financial Services

Activity:

Background:

In accordance with the relevant sections of the Local Government Act, Council at its September 15 meeting, resolved to adopt the 1997/98 financial reports and present them to the public at this meeting. As part of this process, members of the public have been invited to make submissions to Council on the content of the financial reports. As of writing, no submissions have been received and if any are received, they will be tabled on the night.

Public Consultations

The presentation of the financial reports to this meeting has been advertised in accordance with the Local Government Act.

Other Group Comments - Not required

Conclusion

The presentation of the financial reports to the public is a formality which must be followed to finalise the 1997/98 audit and financial reporting process.

Recommendation Cor48

That the 1997/98 financial reports be presented to the public.

Prepared By: RECREATION OFFICER - JOHN BANCROFT

Reason: Request by Council - March 10, 1998

Objective: Have Council sanction the event

Management Plan 8.11 - Other Sport & Recreation

Activity:

Background:

City Wide (Lismore Unlimited) delegate Mrs Janelle Bondfield called a public meeting in December 1996 to discuss the notion to conduct a Masters Games in Lismore at some point in future time. Councillor Swientek and I attended on behalf of Council. Mr Peter Cordery and Mr Jak Carroll represented Southern Cross University and North Coast Academy of Sport respectively.

The Lismore District Sports Association on December 11, 1996 viewed a discussion paper on the matter and resolved:

“Secretary prepare a report to Council recommending formation of a Steering Committee to investigate and facilitate the Masters Games proposal.”

Council in January 1997 sanctioned formation of a Steering Committee to:

“Assess the level of commitment expressed by local Sports Clubs and Associations re Lismore hosting a masters games event.”

and

“Investigate the financial and logistical feasibility of Lismore hosting such an event and report same back to Council for further direction.”

The initial Committee recommended that Southern Cross University be commissioned to compile a feasibility study on the subject matter.

As a result of action instigated, a very concise and thoughtful feasibility document (previously circulated) was forwarded for Council's consideration. Many aspects of the Study have been “adopted” by the current Committee and some have been amended as a result of much deliberation.

nominated sub-committees to tackle two of the more specific and challenging tasks relevant to its brief, they being *sports selection* and *promotion and fundraising*.

Further sections of this report are dedicated to Games matters including:

What are “Masters Games”?

What is the Steering Committee trying to achieve ?

Council Committee Involvement

Games Dates/Name

Councils proposed role

Level of Support for the Event

Management Structure and Timelines

Sports Selection

Marketing of the Games

Budgetary Considerations

Sponsorship

What are “Masters Games”?

Masters Games are generally multi-sport events designed to cater for mature aged sportspersons and provide same with the opportunity to participate in their chosen activity, compete with their age peers and have a good time.

The burgeoning popularity of Masters Games is something of a modern day phenomenon with competitors attracted to the friendship, fun and competitive aspects associated with such events.

Every two years the Australian Masters are held, the next to be conducted in Adelaide. In addition to this, many other mature age events/games are conducted for specific sports or to cater for regional areas. Major non-metropolitan centres such as Dubbo, the Gold Coast and Ipswich have successfully hosted games in recent times.

Successful hosts have conveyed the fact that despite the events not having great national, international or media profile they do provide event related social and economic impacts that are extremely attractive.

Economic benefits result from the influx of competitors and accompanying persons to the games, their associated spending patterns, and the promotion of the host’s hospitality and tourism based attractions.

What is the Steering Committee trying to achieve ?

no fewer than nine Government Departments have relocated from the area since 1990 and there has been a downsizing of health services. It is estimated that at a minimum, there has been a loss of 300 Federal and State Public Sector jobs with a resultant loss to the economy in excess of \$22 million (submission to the Australian Senate Inquiry into Regional Employment and Unemployment).

This Council has acted to bolster activity and confidence through a number of strategic policies including:

- * the creation of the Economic Development Unit and Economic Development Board;*
- * beautification of the CBD;*
- * CBD infrastructure such as the Lismore Transit Centre;*
- * redevelopment of the Lismore Airport Terminal into a first class facility”*

it would also be nice to include

- * “Investigated and conducted a truly regional multi sport event with a view to hosting same on a bi-annual basis”*

to this list. The purpose of this report is to define and promote the proposed event for Council’s consideration.

Council Committee Involvement

The Masters Games Steering-Committee has generally endorsed recommendations contained within this report. The **LDSA, Tourism Advisory Panel and Economic Development Unit** have signalled their endorsement for the proposal and their comments, included in this report, reflect Council’s proposed aims to -

“Assert Council’s position as the region’s premier location for quality festivals and special events (LCC Events Strategy).”

“Establish Lismore as a centre for sporting excellence and participants.” (LDSA Plan of Management)

“Liaise with SCU, NOCAS, Department of School Education, private schools and others with a view to developing sporting recreational and fitness activities.” (LDSA Plan of Management)

“Liaise with tourism bodies with a view to market Lismore as a ‘sports tourism destination’.” (LDSA Plan of Management)

- * Ms T Crollick (Chairperson currently) (*Note Cr Swientek Chairperson until August*)
- * Cr E Cole
- * Paul Deegan (LDSA)
- * Janelle Bondfield (Lismore Unlimited)
- * Paul Hernage (NSW Sport & Recreation)
- * Andrea Roberts (LCC Tourism Panel)
- * Jak Carroll (NOCAS)
- * Peter Cordery (SCU Administration Marketing)
- * Dave Graham (SCU Student Union)
- * Dave Arthur (Exercise Science & Sport Management SCU)
- * Alison James (SCU)
- * Mike Cole (Community Sport)
- * Graeme Newton (LCC B & E Group)

NB. Cr Peter Larsen also attended several meetings. I would like to thank each and every member for their input and assistance with what has been a much larger task than originally envisaged.

THE PROPOSED EVENT - INITIAL PLANNING (TARGET 800 + PARTICIPANTS)

Details relevant to the Games are contained within the Information Pack attached to this report (compiled August 1998 for reference of sports assistants and convenors). The document details the “hands on” aspects to be considered by groups who investigated potential games involvement and is good information for Council and other interested parties. The recommended details of interest to Council are as follows:-

Games Dates/Name

Much detail relevant to dates was included in the Council March 10, 1998 report. On the basis of this information the following dates are proposed:-

*1999 September 17 to 19 Friday to Sunday.

The event is to be known as the Rainbow Region Masters Games - Lismore. The notion to incorporate a sponsors name into the title is reflected upon later in this document

Level of Support for the Event

The Steering Committee has found that there is a substantial level of support for the Proposed Event from Sporting, Business and Community Groups and from SCU. Lismore Unlimited and SCU, in addition to “paper” support, have offered financial contributions which are detailed with other

The following broad management structure and timelines for the conduct of a Lismore Masters Games are recommended:

- October 1998:
Re-form the Steering Committee as the *Organising Committee for the Games* to operate for a period of 12 months to organise the event and report on its success upon completion.
- January 1999:
Appoint a *Games Co-ordinator*.

It is also recommended that the following key sub-committees be established to assist in the planning and conduct of the Games:

- sports;
- administration and operations; and
- special events, marketing and public relations.

Importantly, the proposed/Organising Committee should have representation from a range of key interest groups including Council, local business, the NSW Department of Sport and Recreation, Southern Cross University, local sport and local tourism.

Further details on necessary sub-committees and their proposed responsibilities are included in the feasibility report previously circulated. Various delegations will have to be sanctioned in order for the Committee to make ongoing decisions with respect to sponsors, rules, social events, participants benefits, recruitment and associated costs etc.

Sports Selection

After much discussion the roles, risks, costs, expectations and opportunities that sports groups and their chosen convenors must understand and accept was documented in the Information Pack. It was deemed necessary to forward the pack to the groups that had “put pen to paper” and detailed their interest in the Games or those who had attended recent games meetings on the subject. All questions asked in the “Information Pack” were to be “answered” by the groups and forwarded back to Council by September 21, 1998. Sports were requested to use “100 participants” as a guideline for Games budgets.

This process has determined the current sports list which reads as follows:-

Sports Confirmed

Netball
Rugby Union

Primary Venue

Mackney Courts
SCU

Soccer
Oztag
Swimming
Canoeing
Cricket (total 12)

Albert Park
Caniaba Street Reserve
Alstonville Pool
????
Lismore Park

Sports Under Consideration

Golf
Hockey
Badminton (total 3)

This is a good result. The initial target was to host 12 - 15 sports as such amounts are large enough to make an interesting event, yet “small” enough to be manageable and controllable for inaugural Games Committees or Co-ordinators. Should the event be a success I imagine other groups would seek future involvement. Our philosophy was to allow the groups the opportunity to “make up their own mind” with respect to the proposal. The notion to impose our proposed event onto a group that was, for whatever reason, not able to independently commit was not deemed to be appropriate considering the fact that participating groups will be inheriting a fairly time consuming task. The Committee is not bound by any criteria or expectation to host any particular activity as are higher level Masters Games Events.

In addition to the groups listed it is intended to manufacture some novelty events the most interesting being a Rainbow Running Classic to be conducted over several days and locations

Accommodation

The Steering Committee recommends appointing the Lismore Visitor and Heritage Centre as Accommodation co-ordinator. Research indicates that approximately 50% of Games competitors come from outside the area. Hence an event for 1,000 participants could result in 500 beds being occupied for 2 -3 days.

Marketing of the Games

The marketing of the Lismore Masters Games is perhaps the most important aspect of the organisation of the event as it has significant and far reaching implications for corporate involvement, participation rates and support from sporting associations and volunteers.

Given the nature of the event it is felt that a community focus (similar to that taken for the 1995 NCUSA Games) in terms of the marketing and management of the event, will enable the Lismore Masters Games to be regarded as a success in all aspects. Some other important aspects of the

It is recommended that the name of the event should be **the Rainbow Region Masters Games, Lismore**. This name adequately describes the event and its market as well as including a term previously utilised in the marketing of the region (Rainbow Region). It also allows for the design of a professional, colourful and evocative logo which could effectively brand the event and act as a trademark. (see attached logo)

b) Unique Selling Propositions (USP)

It is felt that several USP's could be promoted such as -

- Arranging a “marriage” with Lismore Unlimited to promote some sort of outdoors event/ welcoming in Magellan Street on Friday Night September 17, 1999. Lismore prides itself on its sporting and cultural heritage and an appropriate social schedule in conjunction with the event may be a good selling point. Council could also be satisfied that it promotes usage of its sportsfields, cultural venues and outdoor areas. Lismore Unlimited are keen on this idea as it would promote the street as a destination and would integrate general public involvement in the event. i.e. Non participants would also be welcome.
- Lismore Turf Club has expressed their desire to promote a Race Meeting on the Saturday afternoon of the proposed event with a distinctive Masters Theme. I imagine such an event would be popular with potential attendees.
- Provision of a distinctive event such as a Rainbow Running Classic. The Classic would involve competing at various locations e.g. Villages, around the Race Track etc culminating in a final stage on the last day (possibly finishing at Oakes Oval).

c. Tourism Packages

Research has also shown that one of the primary buying motives for participants from outside the local region is the desire to combine Games participation with tourism and recreation. Accordingly, there is a distinct need for organisers to develop suitable packages to promote the region and encourage touring after the Games.

d. Marketing Plan (attached)

Many potential sponsors wanted to be sure that the event would be adequately marketed hence the Promotion, Marketing and Fundraising Committee compiled a Marketing Plan. Highlights of the plan are:-

- Develop the “Lismore Legends” theme through encouraging involvement/participation by current and ex sporting identities and those who have “achieved” at sub-standard, standard regional or higher level. A generous interpretation of the word “legend” is to be applied
- Enhance the local and external promotion of the Games via an integrated PR programme (TV, Print, Radio etc)

disseminate information at the Games and witness the operation of the event in late October 1998.

- Create strategic links with SCU, Lismore Unlimited, ASPAC Games etc.
 - Target events, Associations regarding advertising, distribution of flyers etc
 - Production of coasters, fridge magnets etc
- e. - *Sponsorship Generation*
Several sponsors have been secured with a view to better promoting the Games. For greater information see sponsorship section of this report.

Games Event Schedule

Thursday Night/Friday Morning - Registration (at City Hall)
Friday - Competition/Street Party (Committee to be organised)
Saturday - Competition - Race Day/Sponsors Night
Sunday - Competition/finals - closing message (approx. 2 pm)

It is hoped that all finals will be completed by noon on Sunday. Participants can then proceed to Oakes Oval for a “Showpiece event” and closing ceremony. The Organising Committee will have to consider options relevant to this proposal.

Games Office

The Steering Committee recommends that a Games Office be set up and administered by the Council/Games Committee. Recommended locations are Magellan Street, Old Council Chambers, Sport and Recreation Office (Manchester Unity Building) or the Tourist Information Office. Though it is not necessary to determine this matter immediately the Tourist Information Office appears to be the best location as:-

- It is open seven days a week
- It has some receipting capabilities
- It is connected to Council’s Computer systems hence budgetary controls, monitoring may be more effective
- It’s rent free

Further discussions would have to be had with relevant staff regarding space, impact on existing operations etc should the event be sanctioned and the Tourist Office be the chosen location.

of Lismore City Council, ultimate insurance responsibility falls upon us. All groups who have volunteered their involvement have advised that their insurance policies, generally organised through state associations or governing bodies, only relate to persons registered in traditional or sanctioned competitions. As the event, as are all Masters events, is open to anyone (age permitting) it is necessary to instigate a consistent coverage that encompasses all involved.

Jardines Australian Insurance Brokers have recommended that a “blanket” coverage be taken to cover registered participants, referees etc. This will be at a cost of approximately \$3.00 per participant and this amount is to be covered via entry fees i.e. competitors pay for their own insurance.

Jardines also recommend that registration documentation acknowledge that competitors participate at their own risk. As the proposed Steering Committee is (hopefully) to be sanctioned by Council all members, nominated convenors, volunteers arranged by the Committee would be covered by Council’s Public Liability and Volunteer Workers Personal Accident Policy. Similarly any sundry event organised by the Committee would be covered. It is intended to have official volunteers convenors etc “sign on” every day in order for some control and documentation to be generated relevant to official assistants. NCUSA Games Executive have offered to assist with this matter.

The Australian Sports Commissions “Guidelines for the conduct of Masters Games” publication is also a valuable resource document.

Administration of the Games

The Games Office would initially be occupied on a part-time basis by the appointed Games Co-ordinator. This may then proceed to more hours closer to the event. Games entry fees and sponsorship dollars are intended to fund expense related to this position. Various levels of support and assistance would be sought from Council staff, tourist office staff, Southern Cross University students (probably Tourism and/or Sport Management), Sport and Recreation and other volunteers. The Games budget details expenses related to such matters. It is also worth noting that the General Managers of the ASPAC Games and Honda Masters Games, Mr Stan Perkins (ex Lismore) and Shaun O’Leary have been very helpful with formulating plans for promoting and administering the event. Their attitude is that the more “well run” games there are, the more people will start attending these events. Both have allowed us to promote our intentions at their venues during October 1998 via an endorsed accreditation.

The most intensive administration process will be the registration system and ASPAC Games officials have offered to provide advice and assistance on this matter. With respect to decision making processes it is recommended that a Committee structure, with appropriate, Council sanctioned delegations be implemented as per the strategy originally compiled. The structure is attached to this report.

The Steering Committee has planned the event with a view that it be self funding. It is proposed that, should the games make a profit via increased participation or extra sponsorship, the funds, less an amount (\$10,000) to seed fund a further event, be apportioned to participating groups based on attendance numbers. This may promote groups to be more active with pursuing participants and ensuring the games success.

Nonetheless there is a risk!!

The risk relates to attendance numbers. As the bulk of the income is received immediately prior to the event and after a majority of the expenditure has been incurred it is possible that projected attendance's will not be met and monies spent will not be totally recovered. The situation is comparable to a bank overdraft where operators incur cost, in order to generate a service, then charge service users to refund the overdraft.

It is hoped that council will take this risk and "under write" the event. Most Masters Games are initially instigated by a local or regional Governing body with a view to stimulating visitation and local participation. This proposal is no different

I stress the fact that the Organising Committee is confident that the event will be a success. Budgets have been calculated on "800 competitors to break even basis" and such figures are considered to be conservative. It is also stated that the budget formulated details all relevant expenses though not all have to be incurred. Items such as office expenses, contingencies etc may not have to be expended hence reducing the outlay and minimising the risk.

The committee has focused on formulating plans for marketing the event to locals and outsiders. It is our intention to make the event affordable, interesting, diverse and attractive. Participation by local sports people is imperative. If Council chooses to sanction and underwrite the event every effort should be made to involve local competitors, sponsors, assistants, businesses etc in order to ensure its success.

Delegations necessary for the proposed Games Committee

The Games Organising Committee should be delegated total responsibility for

- * the development of policies and procedures for the conduct of the Games:
- * the framing and monitoring of a Games budget (see budget section)
- * the establishment and monitoring of key sub-committees
- * marketing, planning and sponsorship procurement and determining benefits relevant to sponsors and participants
- * liaison with local and district sporting bodies
- * recruitment
- * setting fees for the event
- * approving expenditure related to Games matters.

The Steering Committee recommends the appointment of a Games Co-ordinator with sports management experience and a knowledge of the Lismore region. The Games Co-ordinator would liaise directly with the Organising committee and duties would include:

- * the implementation of policy as determined by the Organising Committee;
- * providing administrative and operational assistance to each of the sub-committees;
- * volunteer recruitment and management;
- * liaison with all sporting organisations/convenors associated with the Games;
- * general organisational and administrative duties associated with the day-to-day running of the Games;
- * media liaison, preparation of publicity materials and
- * development of further sponsorship proposals and the servicing of existing sponsors.

The Games Co-ordinator is to be appointed by the General Manager

As financial considerations are the major concern relevant to the proposal the Games Co-ordinator is to provide a monthly operational and financial report to the General Manager. This recommendation is proposed in order to further “contain” the risk of over expenditure.

Budgetary Considerations

a) **General**

The budget shown reflects the results of many discussions, investigations of other regional Masters Games and multi-sports events. The income and expenditure projections in the budget are based on an estimated 800 competitors, a figure that the Committee is confident can be achieved (and probably exceeded).

b) **Income**

The income shown in the budget projections is from general entry fees and sponsorship. In relation to entry fees, the committee proposes that a two-tier entry fee be charged to Games competitors as follows:

- i) A general entry fee of \$33.00 to cover the general administrative, marketing and other costs of conducting the Games.
- ii) A sport-specific entry fee to cover the costs of conducting the events in each sport. This fee varies from sport to sport and has to be set at such a level as to recoup all the costs of conducting each specific sport. Accordingly, no income or expenditure related to the conduct of sporting events is included in the projected budget as this is not part of the Games Committees proposed delegations and not part of the “risk”.

c) **Expenditure**

EXPENDITURE

Administrator 1 (500 hours @ \$20.00)	10,000.00
Administrator 2 (200 hours @ \$15.00)	3,000.00
Office Expenses	1,680.00
Postage	4,000.00
Printing	3,000.00
Telephone/Fax	1,300.00
Meeting Expenses (30 meetings/10 people @ \$3.00)	900.00
Other Administration Expenses	300.00
Awards (winners & runners up) 300 @ \$6.00	1,800.00
Facility/Venue Hire	3,300.00
Volunteers - lunch - 60 people - 3 days @ \$4.00	720.00
Volunteers' Shirts - 60 @ \$12.50	750.00
Marketing Promotion (See Marketing Plan)	10,000.00
Hospitality/Sponsors	2,000.00
Ceremonies - Street Party free to participants? Closing Ceremony	6,000.00
Games bags - 1,000 @ \$5.00 (to be handed out at registration, containing maps, draws, tags etc.)	5,000.00
Other licences, etc.	500.00
Participants' identification (tickets)	2,000.00
Merchandise	??
Contingency	2,000.00
Insurance (indicative quote \$3.00 per head)	3,000.00
TOTAL	\$61,250.00

INCOME

Participants - 800 @ \$33.00 (includes street party, registration, ceremonies, etc.)	26,400.00
Sports Fees/Sponsor (sports @ \$500)	7,500.00
Naming rights sponsor	10,000.00
Lismore City Wide	5,000.00
Associate sponsor - 2 @ \$5,000	10,000.00
Council (already 5,000)	5,000.00
Other income	??
TOTAL	63,900.00

Note I The more sponsors generated the better marketing emphasis i.e. additional income will be channelled towards attracting more participants.

Note II Grants will be sought

Sponsorship Overview

Following the decision by Council to pursue the option of a Lismore Masters Games) it was the task of the Marketing and Fundraising sub-committee to pursue corporate sponsorship support. to the value of \$20 000 as per the feasibility recommendation. Dave Arthur was subsequently appointed to handle the sponsorship aspect of the Marketing Sub-Committee.

Levels of sponsorship

Initially the sub-committee discussed the levels of sponsorship that could be offered as well as the price attached to each level. It was decided to offer the following:-

- 1 x naming rights sponsor @ \$15,000
- 4 - 6 x associate sponsor @ \$ 5,000
- 3 x media sponsor @ contra
- Other sponsorship as required

Such a course was taken to:

- 1 ensure we met our funding targets; and
- 2 enable us to effectively market and promote the Games were they to proceed.

Proposal Development

Following various meetings a generic sponsorship proposal was developed that included all the major benefits sponsorship of the Games could offer a prospective supporter. This generic proposal was subsequently altered to suit each target in turn. An example of the prospectus is included with this report.

Naming Rights Sponsorship

To date no naming rights sponsor has been secured for the Masters Games. Owing to the significant financial outlay required the decision is likely to be made at Board level and need a long lead time, significant information and a definite event. There is no doubt that our package represents great “value for money” but corporations are unwilling to proceed with the consideration of sponsorship unless the event is definitely taking place. *It is our opinion that a naming rights sponsor will be secured should the event proceed although it may be necessary to reduce the overall price of the package or accept a cash/contra arrangement.*

Associate Sponsorship

Lower level (associate) sponsors have been sought in a variety of industry sectors. To date the following have agreed to be involved:

- Southern Cross University (\$5 000 cash)
- Lismore Unlimited (\$5 000 cash)

corporations. Once again the problem in seeking sponsorship has been the uncertainty associated with the event. *However it is felt that the level of sponsorship will be easier to fill once the event has been given the final go ahead as it represents value for money and is accessible to local and regional corporations.*

Media Sponsorship

Media Sponsorship is essential for the event to be marketed effectively and efficiently and also allows the price of associated sponsor packages to be increased. Two of the three primary media forms have been approached thus far.

Television Sponsorship to the value of approximately \$10 000 has been secured with either NBN or Prime,

Newspaper Sponsorship to the value of approximately \$5 000 has been secured with The Northern Star

Radio Sponsorship will be sought from 2LM in the future.

Other Sponsorship

Other sponsorship will be secured should the Games be endorsed by Lismore City Council. This will involve the procurement of sponsors in a variety of situations e.g. to supply certain goods and/or services, to sponsor certain sports etc. Help will also be given to sporting organisations conducting the sports that comprise the Games.

Sponsorship Summary

To conclude, although the Lismore Rainbow Region Masters' Games does not yet possess a naming rights sponsor, considerable corporate support has been achieved. To date this figure stands at approximately \$35,000 that is comprised both cash and contra. The sub committee believes that a naming rights sponsor, together with other lower level sponsors will be secured once the issue of Games confirmation is resolved. The naming rights issue is not insurmountable with a number of targets expressing interest given the above confirmation. In addition many organisations will not allocate funding for the 1999/2000 financial year until January/February at the earliest and as such, another round of sponsorship proposal remittance may prove successful by this date.

Local Impact/Benefits

Given similar competitor numbers, the economic impact of a Masters Games could reasonably be expected to be greater than that generated by the 1995 NCUSA Games due primarily to the fact that the typical Masters competitor has a significantly different profile to the typical student competitor.

Therefore. based on 1000 competitors. Lismore could conservatively expect \$350.000 to be injected

taking a risk on organising/sanctioning or underwriting such an event we must not lose sight of the fact that sport and socialising are the orders of the day. These are the two things that must be well catered for in order for the proposed event to have an extended life. The Australian Sports Commission have, on many occasions, acknowledged the health benefits acquired by continuing, recommencing or starting an involvement in active recreation once into the senior or Masters years. I am not entirely convinced that health benefits will be the primary reason for participants involvement though it could be an end product of continued entry into this and other events/competitions.

The Future

Should the event be a resounding success there is scope to involve other nearby Councils. Some participating sports have already indicated that various Ballina Shire venues may be required should attendance numbers be excessive. The local Masters Swimming group have chosen Alstonville Pool as their preferred venue. It's far too early to seriously formulate such ideas though its worth storing them in the "semi hard" basket for now.

Public Consultations

Surveys forwarded and returned and meetings held with relevant sporting and community based organisations such as SCU, Lismore Unlimited, Sport & Recreation, local media outlets, potential sponsors etc plus liaison with other games organisers.

Other Group Comments

Manager-Economic Development

The Lismore Economic Development Advisory Panel has identified the significant contributions organised sporting events make to the local economy.

Contributions to local business is in the form of accommodation, catering, retail, services, tourism and much more.

The Economic Development Unit is supportive of the development of a Masters Games for Lismore.

Director of Tourism

The proposal for a Masters Games to be held in Lismore has the support of the Tourism Office and the Lismore Tourism Advisory Panel.

The event offers tourism potential and the opportunity to further promote the City. Further to this, the Committee has considered the timing of the event with an aim to increase accommodation occupancy levels in 'trough' periods. The Lismore Visitor & Heritage Centre is committed to establishing a booking process for accommodation during the event and assisting with event marketing and administration systems.

There is no doubt that a successful Masters Games will provide a significant economic contribution to Lismore, which is one of the major reasons for Council endorsing this proposal in the first place. However, as mentioned in this report there is a risk in staging an event such as this. I understand that the recent Masters event held at Coffs Harbour was an example of what can go wrong, with a combination of events, such as bad weather and changes in the organising committee, resulting in the overall event being far less successful than planned.

With this in mind, as Council is being effectively asked to underwrite this proposal, it is essential that Council has a financial strategy in place to cover all possibilities.

The first financial issue I wish to canvass is the fact that a significant proportion of the planned expenditure will be incurred before the revenue is received. As mentioned earlier in the report, it will be necessary for Council to effectively carry an overdraft on this proposal, until the revenue is collected. The total amount of expenditure predicted (i.e. total budget of \$62,000) will not impact greatly on Council's monthly turnover, which is approximately \$4.2 million, therefore I would not recommend Council charging any sort of overdraft fee. The only issue here will be as at June 30, 1999, when the Games Committee will have expended a reasonable proportion of their expenditure budget, without the matching income received. In order not to show any impact on Council's "bottom line", or working fund result, it will be necessary to fund any shortfall from a defined revenue source, such as Council's internal reserves. Before concerns are raised over the use of internal reserves I wish to emphasise that this is essentially only a book-entry as at June 30, 1999 to account for a timing difference in the revenues and expenses. This book entry will be reversed as at July 1, 1999. The actual reserve used can be endorsed by council as part of the 1998/99 financial statements.

The second financial issue is the overall financial outcome of the games. If a profit is generated then it would appear reasonable to seed fund a further event, along with a pro-rata spread of the profit to the participating parties (possibly including Council). Unfortunately if a loss is incurred there will not be such a willingness to share. If possible, Council should look at sharing the loss with other major players such as SCU. Even if this is, or is not a viable option, it will still be necessary for Council to fund its part of any loss incurred. In order to do this it will be necessary for Council to include as part of its 1999/2000 budget a contingency amount for this event. The actual amount may well have to be up to \$50,000. Hopefully the contingency will not be needed and Council during the 1999/2000 year will be able to reallocate these funds to other priorities.

Finally, I wish to emphasise that this scenario is unlikely to happen as the Games committee have been very conservative in their budgeting to ensure that at least a break-even situation is achieved.

CONCLUSION

The major aims of the Steering Committee were to see whether there was sufficient logistical and

The committee found that there is substantial support for the conduct of a Lismore Masters Games from sporting, business and community groups, Southern Cross University and others.

Furthermore, the committee believed there is sufficient expertise, experience and facilities in Lismore to conduct such an event. In fact, an event of similar magnitude, the NCUSA Games, was successfully conducted in 1995.

Marketing and Promotion are undoubtedly key factors in the success of events such as a Lismore Masters Games. The Committee is confident that with aggressive marketing a Lismore Masters Games would “break even”, provide for another event and generate significant economic benefits for the Lismore Community. It is projected that a Games of 1,000 competitors would result in over \$350,000 being injected into the local economy, as well as having other tourism and social benefits.

The Committee recommends that Council host the Games and conduct them under its auspices via a committee with delegations as determined. Most Masters Games are initially instigated by a local or regional body with a view to stimulating visitation and local participation. This proposal is no different.

Overall, the committee believes that a well run and adequately promoted Lismore Masters Games would generate major benefits to Lismore. Furthermore, the hosting of major sporting events is consistent with Council’s stated objectives in relation to economic and socio-cultural development.

And perhaps most importantly, the staging of a major event such as the Lismore Masters Games would serve to reinforce Lismore’s standing as an important regional centre and add to the confidence that Council has generated via strategic initiatives listed on pages 3 of this report.

With respect to sponsorship matters more attention will have to be given to attracting a naming rights sponsor. As it is our desire to promote the proposal at a number of up and coming Masters Events, brochures/flyers etc will have to be produced leaving space for the addition of a naming rights sponsor in the future. The Steering Committee has effectively met its \$20 000.00 sponsorship target though it is evident that a higher level of external contribution is required. A Sponsorship update is to be drafted for Councils consideration March 1999.

RECOMMENDATION (COR50)

- 1** Council sanction the Masters Games Event as detailed and conduct it under its Auspices.
- 2** Council disband the Games Steering Committee and thank all participants for their efforts.
- 3** Council sanction formation of a Lismore Masters Games Organising Committee (under section 355 of the LGA 1993) and endorse its operation with the following delegations and

- * establishment and monitoring of key sub-committees
- * marketing, planning and sponsorship procurement and determining benefits relevant to sponsors and participants
- * liaison with local and district sporting bodies
- * recruitment of volunteers and secondment of other professional advisers
- * setting fees for the event (subject to Council endorsement)
- * approving expenditure related to Games matters.
- * appoint people to sub-committees

The Organising Committee membership be as follows:

Councillors x 2

NOCAS x 1

Southern Cross University x 2

Lismore Economic Development Advisory Board x1

Community Sport/Lismore District Sports Association x 2

Lismore Unlimited x 2

Southern Cross University Student Union x 1

Tourism Office x 1

NSW Sport and Recreation x 1

4 Individuals appointments to the Committee be as follows:-

Councillors - Cole, Larsen

NOCAS - Jak Carroll

Southern Cross University - Peter Cordery, Alison James

Lismore Economic Development Advisory Board - Dave Arthur

Community Sport/ Lismore District Sports Association - T Crollick, P Deegan

Lismore Unlimited - J Bondfield and 1 other

Student Union - Dave Graham

Tourism Office - Andrea Roberts

Sport & Recreation - Paul Hernage

- 5** A Games Co-ordinator be appointed to service Committees and implement games strategies
- 6** The Games Organising Committee commence promoting and organising the event immediately
- 7** A Sponsorship/Games update report be compiled for Councils consideration March 1999
- 8** Council endorse the inclusion of a contingency fund in the 1999/2000 budget for the Masters Games Event.

Prepared By: Manager-Administrative Services - Graeme Wilson

Reason: Request by Department of Local Government

Objective: To meet the guideline requirements.

Management Plan Administrative Services

Activity:

Background:

In 1997 the Department of Local Government issued a set of guidelines on the administrative processes associated with the completion of Pecuniary Interest Returns. These were distributed to all Councillors.

The new procedures did not change the intent of the Act but were designed to regulate uniformly throughout NSW how it is applied. The result was a minor increase in associated administration, including the need for completed Pecuniary Interest Returns to be tabled at a council meeting.

In accordance with the procedure, tabled are Returns for Councillors and Designated Staff.

Manager - Financial Services Comments

Not required.

Public Consultations

Not required.

Other Group Comments

Not requested.

Recommendation

That the report be received and noted.

Prepared By: Financial Accountant - Graeme Blanch

Reason: To comply with Section 625 of the Local Government Act

Objective: To Invest Council's Surplus Funds to best advantage to comply with Council's investment policies

Management Plan General Purposes Revenues
Activity:

Information:

The attached list of investments held by Council with various financial institutions has been made in accordance with Section 625 of the Act and in accordance with Council's investment policies.

Council's total investments for August amounted to \$21,860,383.06, with an average interest return of 4.30% compared to 5.42% for the previous month. Interest rates at the same time last year were an average of 6.16% on an investment base of \$23,248,615.52.

Manager - Financial Services Comments

Included in the body of the report.

Public Consultations

Not required

Other Group Comments

Not requested

Recommendation (COR47)

That the report be received and noted.

Prepared By: Graeme Davis - Property Services Manager

Reason: Request by applicant, Drulcope Pty Ltd

Objective: To gain Council endorsement of the application and to resolve any concerns which may be raised as a result of the non-public road.

Management Plan N/A

Activity:

Background:

Council received a letter of request and joint application to the Department of Conservation and Land Management from the abovementioned applicant to close that portion of the non-public road situated within Lot 1 DP 358225 (NB. Part Lismore City Council, part Kyogle Shire Council).

The applicant has first sought and received approval from Kyogle Shire for that section of roadway in Kyogle Shire and now seeks Lismore City Council's consent for that section of roadway in Lismore Council's area.

The application for this road closure is straight forward and, if Council adopts my recommendation, then Drulcope Pty Ltd can lodge the endorsed application with the Department of Land and Water Conservation and, if approved, should be successful in obtaining their desired outcome.

Public Consultations

If the application is endorsed by the Department of Land and Water Conservation, then the application will be advertised in the public notices calling for public comment.

Other Group Comments

Group Manager - City Works: Council's Fire Control Officer has liaised with local Bush Fire Brigade Members who have confirmed they envisage no need for this road. The City Works Group has no other use for this section of road.

Group Manager Planning & Development - Planning and Development Group advises that they have no objection to the road closure and the recommendations as advised by the Property Services Manager.

Prepared By: Group Manager Business and Enterprise - Craig Kelly

Reason: Councillor attendance at an interstate conference

Objective: To obtain Council authorisation for Cr Crowther to attend the Australian Airports Association conference in Longreach Queensland (Policy No. 1.2.2.)

Management Plan Airport
Activity:

Background:

The Airport Owners Association conference will be held in Longreach, Queensland from October 18, 1998 to October 21, 1998. It is customary for the Chairman of the Aerodrome Advisory Panel and either the Group Manager - Business and Enterprise or Airport Manager to attend.

The conference is the single largest gathering of airport owners in Australia and represents a substantial lobby group to aviation policy makers.

The expected cost of attendance at the conference is estimated to be \$1,100. This amount is to be allocated to Councillor Professional Development. (A/C 2055.2)

A copy of the conference agenda is attached, together with copy of Policy No. 1.2.2.

Conclusion

Attendance at the Australian Airports Conference is considered to be necessary and consistent with prior years.

Recommendation (ENT32)

That Council resolve to authorise the attendance of Cr John Crowther to the Australian Airports Conference in Longreach, Queensland.

M/s Bernadette Alvos on behalf of Mr Bill Rixon, MP, Messrs Michael Baldwin (*Roads and Traffic Authority*), Chris Mallam (*Lismore Unlimited*), Snr Const Brian Buckley (*Lismore Police*), together with Mrs Wendy Johnson (*Road Safety Officer*) and Mr Bill MacDonald (*Traffic and Law Enforcement Co-Ordinator*).

Apologies:

An apology for non-attendance on behalf of Mr Bill Rixon, MP, was received and accepted and leave of absence granted.

Minutes of Traffic Advisory Committee Meeting - August 19,

1998

Members were advised that the Minutes of the meeting held on August 19, 1998 were adopted by Council at its meeting of September 15, 1998.

Disclosure of Interest: Nil

Correspondence:

1. **Lismore Heights Post Office and General Store;** seeking the introduction of a half-hour parking zone on the northern side of Ballina Road, Lismore Heights, between High Street and the Shell Service Station.

Members were advised that problems were being experienced with some vehicles parking in the area in question for long periods during the day. As there was a limited number of spaces available, this made it difficult for customers to access the General Store or Post Office. It was suggested that the area in front of the Shell Service Station should be included in any time limited parking and upon liaison with the Proprietor of the Service Station, he had agreed that this would be a good idea.

TAC155/98

RECOMMENDED that half-hour parking be introduced along the northern side of New Ballina Road, between High Street and the eastern driveway to the Shell Service Station (*including the area in front of the Service Station*).

(98-13232,98-13613:S352,P7198)

2. **Residents of No. 37 Uralba Street, Lismore;** advising of difficulty being experienced with the garbage collection service due to motorists parking their vehicles adjacent to the mobile receptacles in Diadem Lane and seeking an amicable solution.

The Committee was advised that Diadem Lane was very narrow and vehicles from the flats fronting McKenzie Street were often parked in Diadem Lane, resulting in difficulty for larger vehicles (such as garbage trucks) to negotiate the lane. The

Uralba Street.

(98-13807:R6045,R6018)

'Bus Parking' facilities in close proximity to the CBD.

Mrs Lyn Beaumont and Messrs Bob Marsh and Bob Justice were present for this item.

The Bus & Coach Association Representatives pointed out that some difficulties were being experienced as a result of the relocation of several Bus Zones within the CBD. Three (3) locations were nominated where it was suggested that part-time Bus Zones would assist -

- a) Molesworth Street: Eastern side, adjacent to the T&G Building
- b) Molesworth Street: Eastern side, adjacent to Nesbitt House or the former Post Office
- c) Molesworth Street: Western side, in front of the Memorial Baths during swimming seasons.

It was noted that Mr Justice had been appointed as the contact person for the Association in relation to traffic issues. This was seen as a positive move.

Concerns were also expressed regarding the inability for rural bus operators to access the Bus Zone at the Transit Centre due to some Kirklands buses parking at this site for lengthy periods. It was pointed out that this issue had been raised with Kirklands and it had agreed to speak with its drivers to ensure this did not happen in the future. This practice will be monitored by Council and the bus operators.

TAC157/98

RECOMMENDED that a part-time Bus Zone (8.00am to 9.00am) be introduced on the eastern side of Molesworth Street adjacent to the T&G Building with existing parking conditions at other times.

TAC158/98

FURTHER RECOMMENDED that a part-time Bus Zone (8.00am to 9.00am) be introduced on the eastern side of Molesworth Street, either in front of Nesbitt House or the former Post Office, with existing parking conditions at other times.

TAC159/98

FURTHER RECOMMENDED that investigations be carried out into the provision of a part-time 'No Parking' Zone on the western side of Molesworth Street in front of the Memorial Baths during the swimming season, at which location bus operators and parents could drop off and collect students attending the Baths. (98-13945:R7319)

4.

D Russell; drawing attention to the number of incidents which occur on the 'bend' in the vicinity of No. 33 James Street, Dunoon, and requesting appropriate preventative action be taken.

It was noted that these accidents had occurred at night and an inspection had revealed that there was a need to highlight the 'bend' for greater night time visibility.

TAC160/98

RECOMMENDED that a double white centre line be painted around the 'bend' with reflectors installed on same.

approval.

The Committee had no objection to the section of Walker Street in front of the former Clunes School being closed to through traffic for the proposed billy cart races.

TAC162/98

RECOMMENDED that approval be given for Walker Street, from immediately north of the Rural Fire Station to the northern end of Walker Street, to be closed to through traffic on October 31, 1998, between the approximate hours of 1.00 pm to 2.30 pm. (98-14161:P25787)

6.

JD Bebb; drawing attention to the traffic hazard which exists at the junction of Muller Road and Willis Road, Tregeagle, and suggesting suitable measures be installed to highlight this intersection.

An inspection revealed that the Willis Road intersection was situated just beyond a left-hand 'bend' in Muller Road and it was felt that there was a need to highlight its existence.

TAC163/98

RECOMMENDED that a T-junction sign be installed on Muller Road prior to the Willis Road intersection.

TAC164/98

FURTHER RECOMMENDED that several black and orange hazard markers be erected around the 'bend' prior to Willis Road. (98-14365:R5304,R5305)

7.

C Pearson; highlighting the increasing number of speeding vehicles through the Eltham Village and seeking suitable treatment measures be installed.

Mr MacDonald advised that an on-site meeting had been held with Mr Pearson and another Eltham resident. It would appear that the new bridge had improved conditions to allow faster speeds on the approach to the Village from the east. It was noted that several roundabout proposals had been prepared for the intersection of Eltham Road and Johnston Road, just west of the bridge. However, these were beyond current budget allocations.

Signage on approaches to the Village was relatively poor and it was felt that this could be upgraded. Some type of 'slow point' in the vicinity of the Hotel may also be appropriate if sight distance permitted.

TAC165/98

RECOMMENDED that signage on the approaches to the Village be upgraded, including 'C' size 60 kph signs.

TAC166/98

FURTHER RECOMMENDED that investigations be carried out into the possibility of installing some type of 'slow point' / 'squeeze point' within the Village. (98-14618:S352)

8.

Wyrallah Primary School P & C Association; seeking the creation of a permanent bus bay in Agnes Street, Wyrallah, adjacent to the School, as well as appropriate signage.

It was pointed out that Council had recently spread aggregate off the road shoulder

8. **Wyrallah Primary School P & C Association** (Cont'd)
TAC167/98 **RECOMMENDED** that a Bus Zone be signposted with the times of 8.15am-9.15am and 2.30pm-3.30pm School Days, to be located from the front School gate to a point 18m south.
- TAC168/98** **FURTHER RECOMMENDED** that the request for the provision of a permanent bus bay be referred to Council's Roads & Infrastructure Section for investigation.
(98-14832:R5234,S599)
9. **NSW Roads and Traffic Authority;** advising that funding for the current financial year is fully committed and therefore installation of a roundabout at the intersection of Ballina and Dibbs Streets, Lismore, is unlikely.
It was pleasing to note from the content of the letter that the RTA was now not objecting to the installation of a roundabout at the intersection but merely could not fund the project at this stage. Mr Baldwin (RTA) pointed out that he was not sure this was the case. The Chairperson suggested that Council could install a temporary facility in the short-term at a relatively low cost. It was noted that several rear-end accidents had recently occurred at the intersection of Ballina and Hunter Streets. The road width at the approach to this intersection had been reduced due to the installation of guardrail at the pedestrian underpass and it was noted that Council had proposed some time ago to close this intersection to right-turning and cross traffic movements. If this was to occur, a roundabout at the intersection of Ballina and Dibbs Streets would be even more important.
- TAC169/98** **RECOMMENDED** that a plan of proposed traffic control measures for the section of Ballina Street between Diadem and Dibbs Streets be brought back to the next meeting.
- TAC170/98** **FURTHER RECOMMENDED** that after acceptance by Council and the community through advertising the proposed plan, Council write to the RTA advising that it would install a temporary roundabout at the intersection of Ballina and Dibbs Streets.
(98-14835:S342)
10. **Larnook Public School;** seeking the implementation of a 40 kph School Zone on Cawongla Road, adjacent to the School.
It was noted that a 60 kph School Zone already existed in front of the Larnook School which was appropriate when exiting the general limit of 100 kph. School Zones of 40 kph were only installed when the general speed limit was 60 kph. This was not appropriate for the area in question due to the lack of development.
- TAC171/98** **RECOMMENDED** that Council advise the writer that it is unable to install a 40 kph School Zone for the reasons set out above.
(98-14973,98-15152:S352,P25867,R2302,S346)

- writer and the organisation agrees that this would be most suitable.
- TAC172/98** **RECOMMENDED** that a disabled parking bay be installed on the western side of Cullen Street in front of Johnsons Butchers. (98-15209:R1701)
12. **M/s C Nilon;** advising of the traffic hazard which exists in Dixon Place, Lismore Heights, due to the conflict caused by the extensive number of parked vehicles on the road verges and the excessive speed of traffic, and seeking a positive solution.
As Dixon Place was a dead-end road and predominately used by University students, it was felt that a speed bump in this situation could be appropriate providing a suitable location could be found.
- TAC173/98** **RECOMMENDED** that a Watts profile speed bump be installed in Dixon Place provided a suitable location can be ascertained. (98-15150:R7112,S352)
13. **P Mathers on Behalf of Nimbin Community Development Association;** seeking approval for the part closure of Sibley Street, Nimbin, on Market Days (*third Sunday of each month*), between the hours of 8.00 am to 4.00 pm.
The Committee had some reservations about closing Sibley Street every month for the proposed Aquarius Fair Markets and how this would be accepted by the rest of the community. It was felt that the Applicant would need to demonstrate the general support of the community and more particularly, the residents and business houses directly affected.
- TAC174/98** **RECOMMENDED** that approval for the closure of Sibley Street, between Cullen and Thorburn Streets, once per month only be granted if Council were satisfied that sufficient community consultation had taken place and support shown for such a proposal. (R1703)

General Business

14. **Woodlawn Road - Double White Lines**
Councillor Cole advised that there had been another ‘near miss’ during the previous week as a result of a motorist overtaking a bus when it was pulling up to collect children.
The Committee felt that the best option was to widen the road shoulder of Woodlawn Road at its intersection with Savins Road which would allow buses to turn into that road to collect children rather than children being required to cross the road.
- TAC175/98** **RECOMMENDED** that this proposal be referred to Council’s Roads & Infrastructure Section with a view to widening the road shoulder of

TAC176/98 Esmonde Street at its intersection with Cathcart Street.
RECOMMENDED that the above work be carried out. (R6035,R7415,R7436)

Members were advised that a gap already existed in the centre median in front of No. 109 Ballina Street with kerb crossings on each side of the road. It was only a matter of installing bollards and advanced warning signs to formalise the facility. The Chairperson advised that a request had also been received for a pedestrian refuge to be installed in Ballina Street between Wyrallah Road and Brewster Street. It was noted that there was a refuge in this area close to the new roundabout but there may be a need for another refuge further along in the vicinity of Brewster Street.

TAC177/98 **RECOMMENDED** that the refuge situated in front of No. 109 Ballina Street be formalised by way of signage as indicated above.

TAC178/98 **FURTHER RECOMMENDED** that another pedestrian refuge be installed on Ballina Street, west of Brewster Street, if a suitable location could be ascertained.
(R6002)

17. Rowing Club Carpark

The Committee was advised that Council had resolved to review the parking in the Rowing Club Carpark two months after the opening of the Transit Convenience Centre. It was acknowledged that the current three-hour parking appeared not to be working. Mr MacDonald suggested that as the Bennelong Carpark was about to be extended to provide additional two-hour parking, it may be appropriate to install paid parking in the Rowing Club Carpark. Charges could be as low as \$1 per day or 20¢ per hour.

The vacant block beside the Centre Point Motel was currently operating as a paid carpark with many Telstra employees using the facility for \$2 per day. Two machines would be required in the Rowing Club Carpark and could be installed for an approximate cost of \$15,000 for both. This would be recouped in the first six months.

It was suggested that it may be appropriate to submit such a proposal for public comment and in the meantime the carpark could revert back to unrestricted parking.

TAC179/98 **RECOMMENDED** that the proposal to introduce paid parking be advertised inviting comment, with a report on the results to be submitted to a future meeting.

TAC180/98 **FURTHER RECOMMENDED** that in the interim, the Rowing Club Carpark revert back to unrestricted parking.
(P15856)

18. Sale of Vehicles on Roadsides

The Committee was advised that the sale of vehicles situated on roadsides, particularly of a weekend, continued to be a problem. Specific areas identified comprised the reserve on the northern side of Ballina Road, opposite the Media Centre, and McLean Park at the corner of Ballina Street and Wyrallah Road. The erection of signs in these areas prohibiting the sale of vehicles would make it easier

As pointed out in Item No. 9, problems were being experienced with west-bound traffic on Ballina Street wishing to turn right into Hunter Street. Current line-marking and recently erected guardrail along Ballina Street restricted the ability of motorists to manoeuvre around vehicles propped to turn right into Hunter Street. Part of an overall traffic management plan for Ballina Street that was advertised in May 1995 included a proposal to close the intersection of Ballina and Hunter Streets to right-turn movements and cross traffic by way of a centre median along Ballina Street. With roundabouts proposed for the intersections of Ballina and Diadem Streets and Ballina and Dibbs Streets, the closure as proposed at Hunter Street, was still considered the most appropriate solution. These were the last three intersections along Ballina Street which required some type of treatment. The Chairperson pointed out that it was eventually proposed to have four (4) lanes of traffic along the full length of Ballina Street.

TAC182/98 **RECOMMENDED** that the advertised plan be amended to show proposed traffic facilities for the three remaining intersections along Ballina Street and the amended plan be advertised for public comment. (R6002,R6030)

20. **RTA Technical Direction on Pedestrian Facilities**

The Chairperson advised that he had attended a meeting in Sydney on September 9, 1998 at which RTA Representatives were present to discuss the Authority's proposal to amend pedestrian facilities to conform with the new Direction. It was clearly pointed out at the meeting that the Technical Direction was written without the best interests of the public and was primarily an exercise to protect the RTA. The RTA had agreed to distribute an updated Technical Direction which should allow the existing situation to remain provided there was sufficient signs in place.

It would appear that Magellan Street can be declared a 'Shared Zone' which will require the erection of signs at all entry points advising motorists that they are entering a Shared Zone with a set speed limit of 10 kph.

TAC183/98 **RECOMMENDED** that Magellan Street, between Molesworth and Keen Streets, be declared a 'Shared Zone' with the speed limit set at 10 kph.

TAC184/98 **FURTHER RECOMMENDED** that signposting at other crossings be upgraded in accordance with any amended Technical Direction. (S363,S342)

21. **Larnook Public School Bus Service**

Mr MacDonald advised that Mr Geoffrey Bruce of Bruce's Bus Service had raised concern regarding the way in which he must cross Cawongla Road against oncoming traffic to drop children off at the Larnook School on the School side. Although this had not presented any real problem in the past, morning peak hour traffic travelling to Lismore had increased significantly. The section of Cawongla Road near the School was narrow with little possibility of providing a

21. **Larnook Public School Bus Service** (Cont'd)
This would enable the children to be dropped off on the School side with the bus heading in the right direction. Unfortunately this could not happen on the afternoon service.
In the longer term there may be a need to provide a turnaround area near the School.
- TAC184/98** In the meantime it was **RECOMMENDED** that Council support any representations Mr Bruce may submit to the NSW Department of Transport to allow him to retain the first group of children on the bus and continue to Cawongla prior to returning to the School as outlined above. (R2302)
22. **Access to Spinks Park off Market Street**
Snr Const Buckley raised concerns about a proposal to close vehicular access to Spinks Park via Market Street and the rear of the Memorial Baths. The Chairperson stated the area directly behind the Lismore City Bowling Club was being used by employees of the CBD as a carpark and had not been constructed as a carpark. This use was causing maintenance problems. The possibility of closing the area to general parking was being investigated. However, Police concerns regarding vehicular access would be taken into account.
- TAC185/98** **RECOMMENDED** that the above be noted. (P6763)

This concluded the business and the meeting terminated at 12.15 pm.

CHAIRPERSON

TRAFFIC & LAW
ENFORCEMENT CO-ORDINATOR

COUNCIL 6/10/98

The following documents have been prepared in accordance with previous resolutions of the Council and/or the provisions of the Local Government Act, 1993 and other relevant statutes.

It is now proposed that the Council authorise the signing and sealing of these documents.

Recommendation:

The following documents be executed under the Common Seal of Council:-

Annual Review of Banking Facilities

“Application for Advance” to be completed and executed under seal and returned to the Commonwealth Bank together with Council’s 1998 audited financial statements.

(98-15078: S373)

Management Agreement - City Hall

Fresh agreement with NORPA for management of the City Hall for the period 1/1/99 - 30/6/99

(98-14932: P6816)

Council to Jopol Pty Limited (Pollard) - Lease

Lease agreement - Suite G2, 186 Molesworth Street - 1/7/98 - 30/6/99

(98-15835: P6832)

Re-certification of S88B Instrument - Council & M & A Walton - Industry Drive, East Lismore

This matter was before Council on 4/8/98. Re-certification due to anomaly in wording.

(D97/356)

Deed of Agreement - Council to Shearman

Acquisition of land at Goolmangar for road purposes.

(98-15837: R2801)

Contract of Sale and Transfer - Council to Wade

Purchase of land 28 City View Drive for proposed Operational land - report to Council 25/8/98.

(98-15834: P25878)

TUESDAY, SEPTEMBER 15, 1998 AT 6.00PM.

Present: Her Worship the Mayor, Councillor Irwin; Councillors Champion, Cole, Crowther, Gallen, Gates, King, Larsen, Roberts, Swientek and Wilson, together with the General Manager; Group Managers-City Works, Planning & Development, Business & Enterprise; Acting Corporate & Community Services (Paul Hickey), Manager-Community Services, Recreation Planner, Manager-Client Services, Development Control Planner (Brendan Toohey) and Manager-Administrative Services.

340/98 **Apologies/**
Leave of
Absence: Leave of absence was granted to Councillor Riddell by Council on March 31, 1998.

Chairperson: At this juncture the Mayor, Councillor Irwin, vacated the chair and for the remainder of the meeting it was chaired by the General Manager.

ELECTION OF MAYOR AND DEPUTY MAYOR

A motion was moved that the election of Mayor and Deputy Mayor be by preferential voting.

(Councillors Crowther/Roberts)

On submission to the meeting the MOTION was DEFEATED.

Voting Against: Councillors Roberts, Larsen, Wilson, Champion, King, Cole, Gallen and Gates.

341/98 **RESOLVED** that the election of Mayor and Deputy Mayor be by open voting.
(Councillors Wilson/Champion)

ELECTION OF MAYOR

Nominations

Nominations for the position of Mayor were received for Councillor Champion, Councillor Crowther, Councillor Irwin and Councillor Swientek.

The nominees gave a short presentation in accordance with Policy No. 1.2.10.

Election

The ballot for the position of Mayor was as follows:

The General Manager declared Councillor Crowther excluded from the ballot for the position of Mayor and proceeded to a second ballot.

Second Ballot

Councillor Champion	5	(Councillors Gates, Champion, Cole, King and Crowther)
Councillor Irwin	4	(Councillors Irwin, Roberts, Wilson and Larsen)
Councillor Swientek	2	(Councillors Gallen and Swientek)

The General Manager declared Councillor Swientek excluded from the ballot for the position of Mayor and proceeded to a third ballot.

Third Ballot

Councillor Champion	5	(Councillors Gates, Champion, Cole, King and Crowther)
Councillor Irwin	6	(Councillors Irwin, Roberts, Wilson, Larsen, Gallen and Swientek)

The General Manager declared Councillor Irwin elected as Mayor for the ensuing 12 months.

ELECTION OF DEPUTY MAYOR

Nominations

The ballot for the position of Deputy Mayor was as follows:

First Ballot

Councillor Cole	5	(Councillors Cole, Champion, Gates, King and Roberts)
Councillor Crowther	1	(Councillor Crowther)
Councillor Gallen	2	(Councillors Swientek and Gallen)
Councillor Larsen	3	(Councillors Irwin, Wilson and Larsen)

The General Manager declared Councillor Crowther excluded from the ballot for the position of Deputy Mayor and proceeded to a second ballot.

Second Ballot

Councillor Cole	4	(Councillors Cole, Champion, Gates, King)
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Third Ballot

Councillor Cole

4

(Councillors Cole, Champion, Gates, King)

Councillor Larsen

7

(Councillors Irwin, Wilson, Crowther, Roberts,
Larsen, Swientek and Gallen)

The General Manager declared Councillor Larsen elected as Deputy Mayor for the ensuing 12 months.

This concluded the business and the meeting terminated at 6.27 pm.

CONFIRMED this 6TH day of OCTOBER, 1998 at which meeting the signature herein was subscribed.

MAYOR

TUESDAY, SEPTEMBER 15, 1998 AT 6.38PM.

Present: Her Worship the Mayor, Councillor Irwin; Councillors Champion, Cole, Crowther, Gallen, Gates, King, Larsen, Roberts, Swientek and Wilson, together with the General Manager; Group Managers-City Works, Planning & Development, Business & Enterprise; Acting Corporate & Community Services (Paul Hickey), Manager-Community Services, Recreation Planner, Manager-Client Services, Development Control Planner (Brendan Toohey), Manager-Quarries & Aerodrome and Manager-Administrative Services.

342/98 **Apologies/**
Leave of
Absence: Leave of absence was granted to Councillor Riddell by Council on March 31, 1998.

343/98 **Minutes:** The Minutes of the Ordinary Meeting held on August 25, 1998, were confirmed.
(Councillors Crowther/Swientek)

PUBLIC ACCESS SESSION:

Prior to the commencement of the meeting, a Public Access Session was held at which Council was addressed by the following:-

Mrs Merle Fullerton re Notice of Motion - Council & Fullerton

(See Minute No. 345/98)

Mrs Fullerton detailed the history of complaints, the response from staff and disputed claims made against herself.

(98-14494: P8098)

Councillor Don Harvey re Report - Rous County Council Review of Representation

(See Minute No. 348/98)

Councillor Harvey touched on the history of Rous County Council representation. He emphasised that Rous had always acted in a non-parochial fashion and that the reduction of Lismore's representation would reinforce this attitude.

(98-12365: S306)

(S/19)

Mr Laurie Hagan re Report - Southern Cross University/Lismore
City Council Joint Swimming Facility

(See Minute No. 351/98)

Mr Hagan advised of the process followed to this stage. He also mentioned the benefit to the community of a joint venture and in bringing the University and the wider community together.

(S719)

Mr Jim Richardson re Report - DA97/275 - Extractive Industry -
127 Gwynne Road, Jiggi

(See Minute No. 352/98)

Mr Richardson claimed a lack of notice about the report and sought a deferral of determination. He alleged that Council was not complying with current conditions of consent and therefore the community was not confident that new conditions would be complied with.

(DA97/275)

Mr Tony Hart re Report - Draft Amendment No. 47 to Lismore
LEP 1992

(See Minute No. 353/98)

Mr Hart advised he was the proponent of 145 Dawson Street. He advised that houses were currently being moved, a building application would be lodged within three weeks and the development would definitely proceed.

(S701)

Mr Peter Morrow (Council's Auditor) re Report - Financial
Statements 1997/98

(See Minute No. 349/98)

Mr Morrow spoke to the 1997/98 Financial Statements touching on the operating result, expenditure/revenue levels, debt ratios and internal cash reserves.

(S568)

NOTICE OF MOTIONS:

Water Accounts - Policy for Breaks in Mains

(Copy attached)

- 2 This policy be implemented only for major breaks and sufficient proof be provided by the owner and/or plumber verifying the break.
- 3 This concession shall only apply once per household.
- 4 This policy be retrospective to outstanding situations on a merit basis.

(Councillors Gallen/Wilson)

Voting Against: Councillors Irwin, Roberts, King, Gates and Crowther.

(98-14277: S303)

Formal notice having been given by Councillor Crowther it was **MOVED** that a full report be brought to Council on the actions between Council and Mr & Mrs Fullerton of 17 Peate Street, North Lismore, together with the responses to questions asked by Mrs Fullerton at the Council meeting of August 25.
(Councillors Crowther/Cole)

AN AMENDMENT WAS **MOVED** that -

1 A full report be brought to Council on the actions between Council and Mr & Mrs Fullerton of 17 Peate Street, North Lismore, together with the responses to questions asked by Mrs Fullerton at the Council meeting of August 25.

2 When the report is presented to Council, all parties be given prior notice.

(Councillors Wilson/Gallen)

On submission to the meeting the **AMENDMENT** was **DEFEATED**.

Voting Against: Councillors Irwin, Roberts, Larsen, Champion, King, Cole, Swientek, Gates and Crowther.

345/98 **RESOLVED** that a full report be brought to Council on the actions between Council and Mr & Mrs Fullerton of 17 Peate Street, North Lismore, together with the responses to questions asked by Mrs Fullerton at the Council meeting of August 25.

(Councillors Crowther/Cole)

Voting Against: Councillors Larsen, Roberts and Irwin.

(98-14494: P8098)

Workshop - Aquatic Centre

346/98 Formal notice having been given by Councillor Swientek it was **RESOLVED** that if Council decides to proceed with further investigations for a joint venture with Southern Cross University, Council conduct a similar workshop held on September 1, 1998 (which did not welcome the public) and this time invite the public to participate in the process on September 22, 1998 or on a subsequent date when all relevant information is obtained.

The workshop format will involve Council and Southern Cross University as joint participants, include a question session from the public and consider all options for aquatic facilities in Lismore.

(Councillors Swientek/Crowther)

Voting Against: Councillors Irwin and Larsen.

Dissenting Vote:

Councillor Irwin.

(98-14533: S719)

Federal Support for Flood Mitigation

REPORTS

Rous County Council Review of Representation

(Copy attached)

A MOTION WAS MOVED that Lismore City Council resolve that from the next quadrennial election the representation of Rous County Council be:

Lismore City Council	2
Ballina Shire Council	2
Byron Shire Council	2
Richmond River Shire Council	2

(Councillors Roberts/Wilson)

AN AMENDMENT WAS MOVED that Lismore City Council resolve to maintain the representation of Rous County Council as:

Lismore City Council	3
Ballina Shire Council	2
Byron Shire Council	2
Richmond River Shire Council	2

(Councillors Crowther/Gates)

On submission to the meeting the AMENDMENT was APPROVED and became the MOTION.

Voting Against: Councillors Irwin, Roberts, Larsen and Wilson.

348/98 **RESOLVED** that the report be received and Lismore City Council resolve to maintain the representation of Rous County Council as:

Lismore City Council	3
Ballina Shire Council	2
Byron Shire Council	2
Richmond River Shire Council	2

(Councillors Crowther/Gates)

Voting Against: Councillors Irwin, Roberts, Larsen and Wilson.

A FURTHER MOTION WAS MOVED that a report be presented to Council on whether Council can require its delegates to regional authorities to support the position of Council and if they are bound to support the position of Council.

(Councillors Swientek/Gallen)

On submission to the meeting the MOTION was DEFEATED.

Voting Against: Councillors Irwin, Roberts, Larsen, King, Gates and Crowther.

(98-12365: S306)

AN AMENDMENT WAS MOVED that -

- 1 The report be received and Council adopt the 1997/98 financial statements and agree to present them to the public at the meeting to be held October 6, 1998 and invite the public to inspect the statements prior to that meeting date.
- 2 Council be provided with a report outlining full details of legal expenditure for the past five years and presenting a strategy for reining in these costs.

(Councillors Swientek/Gallen)

On submission to the meeting the AMENDMENT was APPROVED and became the MOTION.

Voting Against: Councillors Irwin, Roberts, Larsen, Wilson and King.

349/98 **RESOLVED** that the report be received and -

- 1 Council adopt the 1997/98 financial statements and agree to present them to the public at the meeting to be held October 6, 1998 and invite the public to inspect the statements prior to that meeting date.
- 2 Council be provided with a report outlining full details of legal expenditure for the past five years and presenting a strategy for reining in these costs.

(Councillors Swientek/Gallen)

(S568)

Southern Cross University/Lismore City Council Joint Swimming Facility & Supplementary Report (Tabled)

(Copy attached)

A MOTION WAS MOVED that -

- 1 Council will support in principle a joint venture pool development with Southern Cross University as one of its options but cannot give a full commitment until all the following items:
 - Validity of Market Research
 - Usage of Aquatic Centre
 - Location of Aquatic Centre/facilities
 - Transport, Access and Carparking
 - Legal and Tender Issues
 - Fee Structure
 - Alternative Location on Campus
 - Affordability
 - Overall Pool Strategy for Lismore
 - Input from Professional Pool Operators

MOTION BE PUT

350/98 **RESOLVED** that the motion be put.
(Councillor Wilson)

Cross University as one of its options but cannot give a full commitment until all the following items:

- Validity of Market Research
- Usage of Aquatic Centre
- Location of Aquatic Centre/facilities
- Transport, Access and Carparking
- Legal and Tender Issues
- Fee Structure
- Alternative Location on Campus
- Affordability
- Overall Pool Strategy for Lismore
- Input from Professional Pool Operators
- Management

plus capital and operational costs, Section 94 levies and the rationalisation of Council's existing urban pools (Lismore and South Lismore Lake) are resolved.

- 2 If any research is to be carried out then the form be circularised to Councillors for their approval.

(Councillors Champion/Gates)

(S719)

ADJOURNMENT:

The meeting adjourned at 9.45pm and resumed at 10.00pm.

DA97/275 - Extractive Industry - 127 Gwynne Road, Jiggi

(Copy attached)

A MOTION WAS MOVED that consideration of this application be deferred -

- 1 Pending a report from the Group Manager-Business & Enterprise on the environmental and economic consequences of not opening the quarry and the cost of opening the quarry based on a sealed road to a standard similar to the remainder of Gwynne Road, and
- 2 A 'plain English' version of the report be circularised to the residents of the Jiggi, Billen Cliffs and Mountain Top precinct at least one week prior to the matter being reconsidered by Council.

(Councillors Gates/Swientek)

AN AMENDMENT WAS MOVED that the report be received and -

- A) That Lismore City Council, as the consent authority, approve Development Application 97/275 submitted by Lismore City Council as amended by Amended Plan of the Proposed Gwynne Quarry Extension, prepared by Greg Alderson and Associates Pty Ltd. and dated 22 April 1998 (referred to in letter dated 4 May

- B)** That Council grant delegated authority to the General Manager to approve variations of a minor nature and/or arithmetic nature to conditions of consent applied to this application except where a particular condition has been specifically identified as requiring Council consent if it is to be varied.

STANDARD

1. The development to be undertaken generally in accordance with the application and the Environmental Impact Statement submitted by Balanced Systems Planning Consultants dated August 1997, and in accordance with the amended application and plan pursuant to Clause 48 of the Environmental Planning and Assessment Regulation 1994 submitted by Balanced Systems Planning Consultants dated 4 May 1998, involving an average extraction rate of 4,900m³ per annum over 25 years except as varied or clarified by the conditions hereunder.

QUARRY OPERATION

2. The average rate of extraction *and haulage off site* shall not exceed 4,900m³ annually over 25 years, with a maximum extraction rate of 6,000m³ per annum. Details to be submitted to Council on an annual basis to be lodged in June of each year. Development consent shall be obtained for any extraction in excess of this amount.
3. This consent is in respect of the location of the proposed quarry as depicted on the attached plans only, except for varied by conditions of this consent.
4. All loading and unloading to take place within the curtilage of the quarry site.
5. An Environmental Management Plan (EMP) is to be developed and implemented actively monitoring (*on an annual basis*) the environmental management systems employed. Details are to be submitted to Council within 6 months of the date of commencement of the quarry for the approval of the Council's Group Manager - Planning and Development. This plan is to be in conformity with the requirements of DCP 29 - Extractive Industries and include matters required by other consent conditions and the following matters:
 - a) inspection by Council after the receipt of *the annual* environmental monitoring report,
 - b) control of noxious weeds,
 - c) include perennial native plant species to provide long term stability of batters,
 - d) landscaping, site habitat rehabilitation, and maintenance,
 - e) a stormwater and sediment control plan, including monitoring of discharge,
 - f) the removal of buildings, plant machinery, foundations, vehicles and structures including the access road at the completion of quarrying operations,
 - g) Aboriginal cultural heritage protection,
 - h) truck movement and traffic haulage management.
 - i) a report is to be submitted to Council for assessment every 12 months

7. All hazardous materials are to be appropriately stored so as to prevent environmental damage in case of spillage. All chemicals and oils are to be stored in a secure bunded area with a holding capacity of 110% of the largest container (where flammable and combustible liquids are stored, compliance with AS1940-1993 titled "The Storage and Handling of Flammable and Combustible Liquids" is also required).
8. This consent lapses 25 years from *activation of the consent*. At this time the site is to be inspected to ensure that rehabilitation has been carried out in accordance with the approval.
9. All topsoil shall be progressively stripped from areas to be excavated and stockpiled separately. Stockpiles are to be located away from the general operation of the quarry, stabilised to prevent erosion and be preserved for the future rehabilitation of the quarry. *No topsoil be sold or otherwise removed from the site.*
10. No fixed building, plant or machinery shall be erected on the site without the prior consent of the Council.
11. At the cessation of the operations, all buildings, plant machinery, foundations, vehicles and structures including the access road shall be removed from the site and the site be restored in accordance with the Plan of Management.
12. No material for quarry infilling shall be imported to the site without the prior consent of Council, *unless identified within the EIS.*
13. Operational plants (dozers, front end loaders and excavators), utilised on a temporary and contract basis shall comply with and meet relevant criteria and standards as specified by the Environment Protection Authority.
14. Ngulingah Local Aboriginal Land Council be advised 14 days prior to any proposed removal of topsoil or new site disturbance. A consent to destroy application (made by the applicant) to be approved by NPWS for removal of the stone axe artefact in conjunction with the Ngulingah Land Council prior to commencement of operations in Cells B or C. Aboriginal monitor acceptable to the NPWS and Land Council to be engaged as necessary to inspect the site at time of site works in this regard.
15. To ensure full rehabilitation of the quarry, a Bank Guarantee *or other satisfactory surety*, for the amount of \$4,900 to be lodged with Council prior to activation of this consent. The amount required will be reviewed every 2 years, and should the continued rehabilitation of exhausted areas be to the satisfaction of the Council, the bond may be varied accordingly.
16. That the NSW National Parks and Wildlife Service be immediately advised in the event of the discovery or suspected discovery of any Aboriginal sites or relics as a consequence of the development.
17. The whole quarry site is to be fenced to discourage unauthorised entry and

submitted, certifying that proper investigation has been made and the site is stable and will not be affected by landslip or subsidence above or below the site and that adequate drainage has been provided.

20. All necessary pollution control licences or integrated licensing schedules are to be obtained from the EPA for discharge of waters, air and noise pollution, etc.

NOISE CONTROL

21. Appropriate attenuation measures are to be implemented if necessary so that no noise nuisance shall occur to dwellings within the primary and secondary buffers, noise emanating from use or equipment not exceed the background noise levels by standards as determined by the relevant authority when measured at the site boundaries.

ROADS

22. Full design plans of proposed engineering works to satisfy condition(s) be submitted, for approval by the Group Manager - City Works; prior to commencement of construction of any water, drainage or road works.
23. Traffic signage be erected at suitable locations along Gwynne Road advising of traffic hazards in accordance with the Group Manager - City Works requirements, including installation of hinged "Trucks Entering" warning signs on either side of access to be displayed during operation.
24. Vehicles using off-street loading/unloading and parking area must enter and leave in a forward direction, in accordance with the Motor Traffic Act, and all driveways and turning areas shall be kept clear of all obstructions that would prevent compliance with this condition.
25. The applicant or developer provide the following road works with associated stormwater drainage structures, designed and constructed in accordance with Council's adopted road and drainage standards, at no cost to Council and be responsible for the full cost of any maintenance of this work considered necessary by the Council's City Works Group. Such maintenance to be for a period of 12 months from the date the completed works are approved by Council's City Works Group:
 - a) An internal access road 6.0m wide for a minimum distance of 25m measured from the property boundary with a further 15.0m taper to meet the existing internal access road.
 - b) An 8m wide formation with a gravel width of 8m and a bitumen sealed surface of 6m comprising a minimum of 300mm of compacted gravel, from the quarry entrance, east to the existing bitumen on Gwynne Road.

After satisfactory completion of all roads and drainage, a works-as-executed set of plans be submitted to the Council by a suitably qualified Engineer or Surveyor.

LANDSCAPING

26. Submission of a detailed landscape plan (in duplicate), prepared in conformity with the Council's Landscaping Code. This plan to detail a planting buffer along the

hand weeded and protected prior to commencement of the quarry.

28. The site being progressively landscaped in accordance with the approved landscape plan and maintained at all times to the satisfaction of the Council.

OTHER

29. A permit or approval to be obtained from the Department of Land and Water Conservation as necessary for site clearing works, in accordance with the requirements of the Native Vegetation Conservation Act 1997, having regard for the site being steep land within an area of “State Protected Land”.

NOTE 1: A stormwater and erosion sediment control plan is to be prepared for the plan of management based on the current EPA Guidelines. The plan is to address:

- a) the design and adequacy of the retention basins in relation to moderate soils erodability (K factor 0.03);
- b) detention and sedimentation pond discharge points;
- c) management and monitoring of the works and discharges;
- d) sediment control, stabilising and vegetating topsoil and subsoil stockpiles and landscaping areas;
- e) the design capability, storage volume and surface area of sediment traps is to be based on total run-off area;
- f) the design criteria for catchment diversion drains is to:
 - (a) cater for rainfall of 1:10 years Average Recurrence Interval (ARI)
 - (b) ensure the grade of the channel be selected to cater for run-off at a non-erosive level
 - (c) ensure the outlet of channel is:
 - i) designed to dispose run-off at non-erosive levels, eg. wide level sill
 - ii) located to dispose run-off onto a stable area, and into natural stable drainage line
 - (d) run-off from exposed areas to sediment ponds and drainage from clean areas away from ponds
 - (e) the design and management of sediment ponds is to include irrigation of waters and the timing for de-silting to maintain the ponds at 90% capacity
 - (f) stormwater discharge should generally meet the following performance criteria:
 - i) discharges from the site should contain less than 50mg/L oil and grease and
 - ii) a pH in the range of 6.5 to 8.5
(compliance with the NRF standard may require the use of coagulant injection systems from ponds).

The stormwater and erosion plan is to comply with EPA and Department of Land and Water Conservation requirements, and meet

April 1996

(Councillors King/Champion)

On submission to the meeting the AMENDMENT was DEFEATED.

Voting Against: Councillors Irwin, Roberts, Larsen, Wilson, Cole, Swientek, Champion, Gallen and Gates.

352/98 **RESOLVED** that consideration of this application be deferred -

- 1 Pending a report from the Group Manager-Business & Enterprise on the environmental and economic consequences of not opening the quarry and the cost of opening the quarry based on a sealed road to a standard similar to the remainder of Gwynne Road, and
- 2 A 'plain English' version of the report be circularised to the residents of the Jiggi, Billen Cliffs and Mountain Top precinct at least one week prior to the matter being reconsidered by Council.

(Councillors Gates/Swientek)

(D97/275)

Draft Amendment No. 47 to Lismore LEP 1992

(Copy attached)

353/98 **RESOLVED** that the report be received and Council adopt LEP Amendment No. 47 to Lismore LEP 1992, noting that 152 Ballina Street should have read 150 Ballina Street, and send it to the Department of Urban Affairs and Planning with a request that the Minister make the plan.

(Councillors Gates/Crowther) (S701)

Proposed LEP Amendment No. 49 - Proposed DCP No. 38- Acid Sulfate Soils

(Copy attached)

354/98 **RESOLVED** that the report be received and -

- 1 A copy of the report and the proposed LEP Amendment be forwarded to the ASSMAC Committee, ASSMAC Technical Committee, Richmond River County Council, Cane Growers Association and Richmond River Catchment Committee for their comment.
- 2 When these comments are received, they be incorporated in a report to Council, along with comments on development application fees prior to the matter being placed on exhibition.

(Councillors Champion/Larsen) (S715,S235)

Street Trees - Urban Area

(Conv attached)

be placed 10m and no closer than 5m from existing major trees.

- 4 Street tree planting will only occur after the Parks & Reserves Section has viewed and approved the species list.
- 5 That Council encourage residents to plant suitably sized trees on their own private land, compatible with on-site buildings, services, neighbouring structures and footpaths.
- 6 Where possible, trees to be planted should encourage native fauna.
- 7 That local nurseries be encouraged to assist with recommendations on suitable species for residents to plant within the urban area.
- 8 The September Financial Review process carefully examine the current expenditure on street trees with the intent of allocating additional funds to add to this programme.

(Councillors Swientek/Champion)

AN AMENDMENT WAS MOVED that the report be received and -

- 1 That with all future subdivisions, Developers be required to plant substantial sized, selected trees on the nature strip areas and maintain these trees for a minimum of two years from the release date of the linen plan.
- 2 That the preservation of major existing trees be accompanied by adequate land to support the trees which will include detailed site plans and building envelopes.
- 3 That where a significant tree is to be preserved on the nature strip, any services to be placed 10m and no closer than 5m from existing major trees.
- 4 Street tree planting will only occur after the Parks & Reserves Section has viewed and approved the species list.
- 5 That Council encourage residents to plant suitably sized trees on their own private land, compatible with on-site buildings, services, neighbouring structures and footpaths.
- 6 Where possible, trees to be planted should encourage native fauna.
- 7 That local nurseries be encouraged to assist with recommendations on suitable species for residents to plant within the urban area.

(Councillors Roberts/Larsen)

On submission to the meeting the AMENDMENT was APPROVED and became the MOTION.

Voting Against: Councillor Swientek.

355/98

RESOLVED that the report be received and -

- 1 That with all future subdivisions, Developers be required to plant substantial sized, selected trees on the nature strip areas and maintain these trees for a minimum of two years from the release date of the linen plan.

land, compatible with on-site buildings, services, neighbouring structures and footpaths.

6 Where possible, trees to be planted should encourage native fauna.

7 That local nurseries be encouraged to assist with recommendations on suitable species for residents to plant within the urban area.

(Councillors Roberts/Larsen) (S374)

Proposed Heritage Council Visit

(Copy attached)

356/98 **RESOLVED** that the report be received and Council set aside an amount up to \$2,200 to cover the cost of a Picnic Luncheon, Reception and bus hire as a contribution towards the cost of the Heritage Council's forthcoming visit to Lismore.

(Councillors Roberts/Cole)

Voting Against: Councillors Larsen, Champion, King and Swientek.

(S393)

COMMITTEE RECOMMENDATIONS:

Traffic Advisory Committee 19/8/98

357/98 **RESOLVED** that the minutes be received and the recommendations contained therein be adopted, excluding Item 11 (TAC151/98 and TAC152/98).

(Councillors Wilson/Cole)

DISCLOSURE OF INTEREST:

S459 Councillor Gallen declared an interest in this matter (local resident).

- Item 11 (TAC151/98 and TAC152/98)

358/98 **RESOLVED** that -

1 The upgrading of Kellas Street from the new access road to Ross Street, plus pedestrian facilities be considered as part of any approval.

2 Council investigate the possibility of constructing a slip lane out of Kellas Street onto the Highway in order to reduce congestion at the intersection.

(Councillors Larsen/Wilson)

Voting Against: Councillor Swientek. (S352)

DOCUMENTS FOR SIGNING AND SEALING:

359/98 **RESOLVED** that the following documents be executed under the Common Seal of Council:-

(98-14284: P18052)

Management Agreement - Transit Centre - Council to G J Cross

Management Agreement for period 1/9/98 - 31/12/98

Rescission Agreement – Transit Centre – P F & K T Goodrich

Mr & Mrs Goodrich are terminating their lease agreement which was to expire on

31/12/98 (98-14468: P26647)

(Councillors Roberts/Larsen)

CONFIRMED this 61H day of OCTOBER, 1998 at which meeting the signature herein was subscribed.

MAYOR

