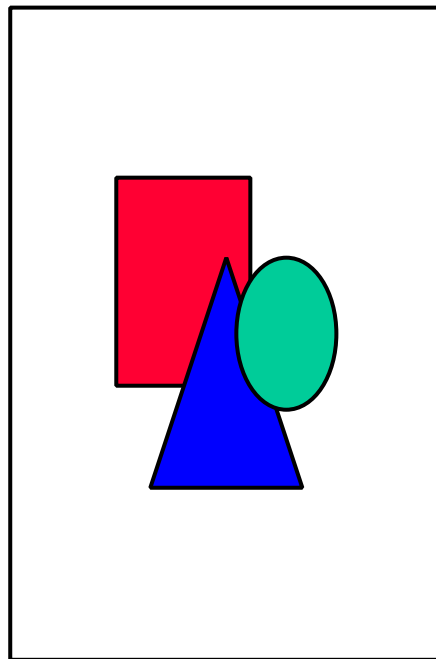


COUNCIL Business Paper



AUGUST 31, 1999



NOTICE OF COUNCIL MEETING

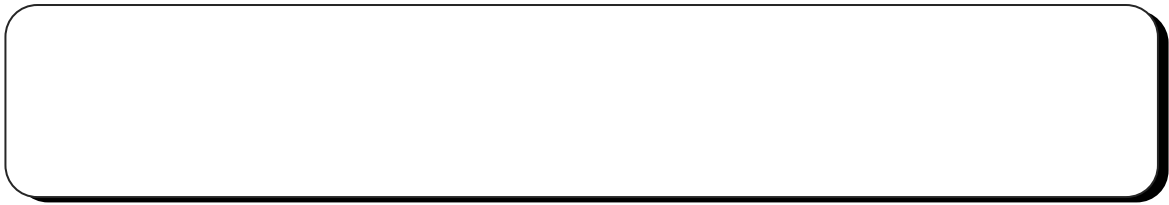
An **ORDINARY MEETING** of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on **TUESDAY, AUGUST 31, 1999**, at 6.00pm and members of Council are requested

to attend.

(Ken Gainger)

GENERAL MANAGER

August 24, 1999



PUBLIC ACCESS SESSION:

PAGE NO.

Mr Reg Baxter re Rescission Motion

1

PUBLIC QUESTION TIME:

OPENING OF MEETING AND PRAYER (MAYOR):

APOLOGIES AND LEAVE OF ABSENCE

CONFIRMATION OF MINUTES - 10/8/99

CONDOLENCES

DISCLOSURE OF INTEREST

MAYORAL MINUTES

A - B

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SUSPENSION OF STANDING ORDERS

(Consideration of the Suspension of Standing Orders to debate matters raised during Public Access).

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CONFIDENTIAL MATTERS - COMMITTEE OF THE WHOLE

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Questions Without Notice:

CONFIDENTIAL MATTERS - Committee of the Whole:

CITY OF LISMORE

NOTICE OF RESCISSION MOTION

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

That Council rescind its previous decision(s) to proceed with the Joint Pool Venture with the Southern Cross University.

COUNCILLOR F F Swientek

COUNCILLO A L Riddell
R

COUNCILLOR K R Gallen

DATE August 17, 1999

(99-13894: P6768, S719)

CITY OF LISMORE

NOTICE OF MOTION

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

- 1 *That Council oppose the closure of the Memorial Baths and support its repairing, restoration and improvements with funds for the project to come from the \$4M planned to be invested in the LCC/SCU Joint Venture Pool proposal.*
- 2 *That Council proceed with the construction of the proposed Goonellabah Indoor Sports & Leisure Centre utilising the original reserves set aside for the Goonellabah Aquatic and Leisure Centre and obtained from the sale of public land property in Goonellabah.*
- 3 *That Council encourage the SCU and SCU Union to proceed with the construction of their 25m heated indoor pool independently as previously stated by SCU.*

COUNCILLOR F F Swientek

DATE August 18, 1999

STAFF COMMENT BY: Group Manager-Corporate & Community Services

- 1 Council's \$4 Million contribution to the Joint Venture is detailed in the 1999/2000 Management Plan as follows:

	<u>\$'000</u>
Loans	2,456
Community Facilities Reserve	310
Aquatic Reserve	790
CityWide S94	144
Sport & Recreation Grant	<u>300</u>
	\$4,000
	=====

- 2 The Goonellabah Indoor Sports & Leisure Centre is subject to a separate report in this business paper.

CITY OF LISMORE

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 support the continuation of the Local Government Association Presidents Tours concept and inform the LGA that we oppose any change to the practice that has been in place for decades.

Note by Proposer: These annual tours give regional and rural cities and shires face to face contact with the Presidents and senior staff (Department Heads, etc.) of the Associations.

COUNCILLOR K R Gallen

DATE August 17, 1999

STAFF COMMENT BY: Group Manager-Corporate & Community Services:

Joint tours of the Local Government Association and Shires Association are generally well attended by councils which are in close proximity to the host council and provides an opportunity to meet with members of the Executives of the Associations.

It is understood that the Shires Association will discontinue these tours and it may be difficult to justify a trip by the Local Government Association Executive to country areas to visit members of the LGA only.

(99-13652: S47)

Subject/File No: DEVELOPMENT APPLICATION NO. 99/360 - FOR THE PROPOSED CONSTRUCTION OF A SHOPPING CENTRE IN TWO STAGES, INCORPORATING SPECIALTY SHOPS, ASSOCIATED CARPARKING FACILITIES, A NEW ROAD & A SUBDIVISION TO CREATE 6 LOTS.
(DC:MJK: DA99/360)

Prepared By: Development Assessment Planner - Damian Chappelle

Reason: Consent is required to construct the proposal.

Objective: For Council to consider the Development Application.

Management Plan Development Assessment
Activity:

1 PRECIS

Applicant

Aspect North, PO Box 1134, Lismore on behalf of Litevale Pty Ltd.

Zoning

Lismore Local Environmental Plan 1992 (as amended) zoned 3(a) Business Zone. The proposed use is permissible with the consent of Council.

Location

The land on which the subject application will be developed is Lot 62 DP 786720, 44 Oliver Avenue, Goonellabah, Lot 11 DP 623122, 21 Eggins Place, Goonellabah, Lot 513 DP 774504, 12 Eggins Place, Goonellabah, Lot 20 DP 845781, 44B Oliver Avenue, Goonellabah and Lot 10 DP 845782, 44A Oliver Avenue, Goonellabah.

Proposal

The proposal is to carry out an integrated Development Application for a two stage development comprising:

Stage 1 - supermarket, 2 specialty shops, associated carparking facilities, a new road and subdivision of 5 lots to create 6 lots.

Stage 2 - additional specialty shops and associated carparking facilities.

The development is significantly smaller than previous consent issued for the subject site, with the total gross floor area totalling 5,300m².

A full description of the proposed development and an assessment incorporating the relevant statutory provisions is addressed in the Consultant's Report attached.

2 CONSULTANT'S PROCESSING OF DEVELOPMENT APPLICATION

As a second mortgagee of the land involved in the application, external consultants (ERM Mitchell McCotter) were engaged to assess the Development Application. A copy of the Consultant's comprehensive report is appended to this report.

Council's Planning and Development Group has reviewed the Consultant's Report in light of the Development Application, as submitted by Aspect North on behalf of Litevale Pty Ltd. It is considered that the assessment undertaken and conclusions reached is consistent with the provisions of the Environmental Planning Instruments utilised in the assessment.

The Consultant's Report advises that the release of the Subdivision Certificate should be deferred until the completion of Stage 2 of the development. However, Council's Planning and Development Group consider that with appropriate conditions of consent, which reflect the provision of appropriate infrastructure and the timing of works upon the site, such a requirement will not be necessary.

3 PUBLIC NOTIFICATION

The proposal was advertised in "The Echo" with the exhibition period from June 8 to July 2, 1999. Adjoining owners and local commercial owner/ occupiers were notified and given the opportunity to comment. At the end of the exhibition period three (3) submissions had been received, one (1) incorporating a petition signed by the owners of Rous Road Shopping Centre and five (5) tenants. The matters raised within the submissions have been dealt with in the attached external Consultant's Report.

4 OTHER GROUP COMMENTS

Comment from Council's other groups have been included in the attached Consultant's Report, and relevant conditions included in the recommendation.

5 CONCLUSION

Council's Planning and Development Group has reviewed the attached Consultant's Report and endorses the recommendations made therein. It is considered that the assessment undertaken pursuant to Section 79C of the Environmental Planning and Assessment Act 1979 by ERM Mitchell McCotter for the proposed Integrated Development addresses all the necessary aspects of the proposal, with the conclusions reached consistent with both Council adopted policy and associated environmental legislation.

In accordance with Procedure PD12, Council's Planning and Development Group referred Draft Without Prejudice Conditions of Consent to the proponents of the Development Application for comment. In this regard, Litevale Pty Ltd sought verbal clarification of a number of conditions as follows:

- Condition 3 - sought to have the hours of construction extended from 8.00am to 1.00pm on Saturday to 8.00am to 4.00pm. This was considered acceptable by Council's Planning and Development Group.
- Condition 17
 - (a) - sought to have the road works conditioned to reflect the nature of Figure 7.1 concerning the road shape of the proposed high street. This was considered acceptable by Council's Planning and Development Group.
 - (d) - sought to have the reduction of a contribution to the Rous Road Roundabout from 27% to 14% in accordance with traffic generation figures, as provided within the Consultant's Traffic Engineering

LISMORE CITY COUNCIL - Meeting held August 31, 1999

Development Application No. 99/360 - Proposed Shopping Centre

Report. The amendment to 14% was considered acceptable by Council's Planning and Development Group.

- Condition 32 - sought to have the length of footpath to be constructed from the northern side from Cambridge Avenue to DA Olley Drive to be amended to reflect that the footpath extend only for the full length of the property. This was considered acceptable by Council's Planning and Development Group.
- Condition 51 - the applicant sought the removal of the \$20,000 landscaping bond, questioning the legality of Council to require a bond from the proponent. In this instance it is considered that the deletion of the bond will not remove the main objective of preserving tree species and requiring the proponent to continue maintenance practices to enable the trees to be well established upon the property. Council's Planning and Development Group raise no objection to the proposed amendment.

The amendments, as negotiated between Council's Planning and Development Group and the proponent have been incorporated within the recommended conditions. In addition, further amendments have been made to the conditions proposed by ERM Mitchell McCotter to better reflect the nature of the development, with specific reference to the release of the Subdivision Certificate. All amendments to conditions proposed by ERM Mitchell McCotter report are highlighted in bold text.

RECOMMENDATION (PLA55)

- (1) That Council, as the consent authority, approve Development Application 99/360, subject to recommendations A and B contained in ERM Mitchell McCotter's planning report, appended to this report, subject to the following conditions (amendments in bold):
 - A That Council grant delegated authority to the General Manager - subject to the concurrence of the Development Control Unit, 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.
 - B That Council, as the consent authority, approve Development Application 99/360 for the subdivision of land, construction of a shopping centre and associated road construction in two stages;

General Conditions

- 1 In granting this development consent, Council requires:
 - All proposed buildings be constructed in accordance with any amendment or modification outlined in these conditions;
 - All proposed works be carried out in accordance with any amendment or modification outlined in these conditions;
 - Any proposed use of buildings or land be in accordance with any amendment or modification outlined in these conditions;
 - all roads/civil works;
 - lot boundaries; and
 - areas subject to any amendment or modification called for in the following conditions.
-

to be substantially in accordance with the stamped approved plan(s) No. SK101 issue C, SK102 Issue D, SK103 Issue B, SK105 Issue A dated March 3, 1999 and Figure 3a: Subdivision of Town Centre submitted June 3, 1999 and/or supporting documents submitted with the application. Copies of the approved plan are attached to this consent.

Reason: *To correctly describe what has been approved. (EPA Act Sec 79C)*

COMMERCIAL BUILDING CONDITIONS

Environmental Conditions

- 2 An assessment of road traffic noise occurring as a result of the development must be undertaken prior to release of the Construction Certificate. The assessment must provide sufficient information which would enable Council to develop a Traffic Management Plan (TMP) for the surrounding area. Council's TMP should be able to identify preferred truck routes, restricted access areas in residential zones, particularly during sleeping hours and quiet zones etc.

The assessment must give consideration to the NSW Environment Protection Authority document "Environmental Criteria for Road Traffic Noise" (May 1999), in particular Appendix C Sections C1 and C2.

Reason: *To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))*

- 3 The hours of work for any noise generating activity of the proposed development are to be limited to the following time restrictions:

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 4.00pm

No noise generating construction activities are to take place on Sundays or public holidays.

Reason: *To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))*

- 4 The proposed landuse shall not result in the emission of offensive noise.

Offensive noise means: noise that by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstance, is likely to:

- a) be harmful to,
- b) be offensive to,
- c) interfere unreasonably with the comfort or repose of,

a person who is:

- (i) if the offensive noise is made in premises that are not a public place - outside those premises,

or

- (ii) if the offensive noise is made in premises that are a public place - within or outside those premises.

Reason: *To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))*

- 5 The use and occupation of the premises, including all plant and equipment installed thereon, and the undertaking of normal operational activities must not give rise to any offensive noise or vibration within the meaning of the Pollution of the Environment Operation Act 1997.

In this regard it will be necessary to provide a detailed noise assessment report from a recognised acoustical engineer specifying how this will be achieved for:

- a) all plant and equipment;
b) loading and unloading activities, particularly at the site marked loading dock.

The report must be provided prior to release of the Construction Certificate and must satisfy Council's Environmental Health Unit.

Reason: *To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))*

- 6 Stormwater management measures to improve the quality of stormwater running off the carpark area must be provided as detailed in the additional information submission dated July 7, 1999, provided by Aspect North.

Reason: *To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))*

- 7 Plans and specifications showing details of all proposed mechanical ventilation systems must be submitted to Council's Environmental Health Unit for approval prior to release of the Construction Certificate.

Details submitted must comply with the requirements of AS1668 and the NSW Public Health Act Regulation, Microbial Control as necessary.

Reason: *To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))*

- 8 Plans showing the interior layout of all proposed food premises, including the location and method of installing all fittings etc, wall, floor and ceiling finishes; lighting and ventilation details being submitted to Council's Environmental Health Unit for approval prior to fitting-out the premises.

Reason: *To ensure adequate health standards will apply to the development.*

- 9 Adequate provisions being made for the storage on-site and disposal of solid wastes. In this respect it will be necessary to provide details of the location and method of storing and disposing of solid wastes.
-

Any garbage storage room or trade waste compactor or container equipment proposed to be used in the development must be approved by Council's Environmental Health unit and therefore full details, including plans and specifications must be submitted prior to release of the Construction Certificate.

Reason: To ensure adequate health standards will apply to the development.

- 10 A waste minimisation and waste disposal strategy is to be submitted with the Construction Certificate. Full details of recyclable products is to be provided.

Engineering Conditions

- 11 Hard surface areas, landscaped areas, roof water and subsoil drainage systems shall be designed by a suitably qualified person experienced in Hydraulic design and submitted to the Principal Certifying Authority prior to release of the Construction Certificate. Drainage is to direct all water to a Council approved drainage system to prevent discharge runoff onto adjoining land. This system shall be constructed in accordance with Council's Development, Design and Construction Manuals (as amended). All drainage lines over adjoining land are to be located within drainage easements. All costs shall be the responsibility of the proponent.

Reason: To ensure that the land or adjoining land is not damaged by the uncontrolled discharge of concentrated runoff from any buildings and paved areas that may be constructed on the land. (EPA Act Sec 79C(b))

- 12 Prior to release of the Compliance Certificate, a suitably qualified person or Principal Certifying Authority is required to furnish a statutory certificate confirming:
- all drainage lines have been located within the respective easements,
 - roadworks are in accordance with the approved design plan,
 - any other structures like retaining walls are located in accordance with the Construction Certificate,
 - all stormwater has been directed to a Council approved drainage system.

Reason: To ensure the development is completed in accordance with the conditions and approved engineering construction design plans. (EPA Act Sec 79C(a))

- 13 Full design details of the proposed stormwater quality treatment devices are to be submitted to the Principal Certifying Authority for approval prior to the issue of a Construction Certificate. These devices are to be contained wholly within the subject property and are to remain privately owned. The devices shall be adequately maintained and operated by the proponent at all times.
- 14 All constructed open swale drains are to have easements for open drains created over their entire length. The proponent shall be responsible for the on going maintenance of the swales.
- 15 The proponent shall provide the following roadworks with associated stormwater drainage structures that have been designed and constructed in accordance with Council's Development, Design and Construction Manual (as amended), **prior to the release of the Occupation Certificate.** The

Development Application No. 99/360 - Proposed Shopping Centre

proponent shall be responsible for any costs, including maintenance, for a period of twelve months from the date of approval of completion of the work. Required roadworks include:

- a) Construction of an urban, bitumen sealed road **generally in accordance with Figure 7.1 contained in TTM Consulting P/L Report dated 24/5/99**. The road is to be a min. 16.2m between kerbs incorporating a thru lane and parking lane with associated traffic management systems in each direction. Minimum road standards shall be: nature strip 3.5m, parking lane 2.5m, thru lane 3.5m, turning lane 3.25m, median 4.2m, residual median 1.2m and bus bays 3.3m.
- b) Construction of a circulating roundabout at the junction of Cambridge Dr., Oliver Ave. and the proposed access road in accordance with AUSTRROADS Pt 6 "Roundabouts".
- c) Construction of **the pavement for** a two lane circulating roundabout including underground conduits at the junction of Gordon Blair Drive and the proposed access road in accordance with AUSTRROADS Pt 6 "Roundabouts". Council shall **complete the construction of** the roundabout with the Gordon Blair Drive extension.
- d) Based on traffic counts provided by the applicant, a contribution of **14%** of the cost shall be made to Lismore City Council for the construction of the Rous Road / Oliver Avenue / Jubilee Avenue roundabout.

An accredited certifier or practising qualified surveyor or engineer shall submit to the Principal Certifying Authority for approval prior to the release of the compliance certificate, a "works-as-executed" set of plans and construction certification. The compliance certificate for construction shall detail satisfactory completion of all roads, drainage and civil works required by this development consent and Construction Certificate.

Reason: *To ensure an adequate road network in accordance with adopted standards. (EPA Act Sec 79C(a))*

- 16 Full design plans of the proposed engineering works to satisfy condition(s) 15 shall be submitted to the Principal Certifying Authority for approval prior to the issue of a Construction Certificate. If such plans are approved by Council, a checking fee of \$110 per lot, being \$220 is payable on submission of engineering design plans for drainage or roadworks.

Reason: *To ensure an adequate road network in accordance with adopted standards. (EPA Act Sec 79C(a))*

- 17 The grade from the road pavement to each lot shall permit the construction of vehicular access in accordance with Council's Design and Construction Specification (Vehicular Access). Engineering design working drawings shall provide evidence of the feasibility of lot access. Such drawings shall be submitted for Council approval prior to release of the Construction Certificate.

Reason: *To ensure the development is completed in accordance with the conditions and approved engineering construction design plans. (EPA Act Sec 79C(b))*

- 18 Road names proposed for the development shall be submitted for Council approval prior to lodgement of the Construction Certificate. A suitable name for any new road/s shall be in accordance with Council's adopted policy.

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Development Application No. 99/360 - Proposed Shopping Centre

Reason: *To ensure activities relating to the development do not interfere with the movement of traffic along the public road. (EPA Act Sec 79C(b))*

- 19 The proponent shall provide a plan of management for the construction of all civil works outside the real property boundaries of the proposed development. The plan shall table scheduling of works so as to be completed in the shortest possible time with minimal impact on the general community. Such plan shall include a Traffic Control Plan. This plan of management shall be provided and approved by the Principal Certifying Authority prior to the release of the Construction Certificate.

Reason: *To ensure no conflict occurs between civil works and general public during construction.*

- 20 The bus bay to be provided on the proposed public road shall be located to ensure safe sight distance is provided between the bus area and the pedestrian crossing point.

- 21 **The central median in the proposed public road shall be continuous from the northern entrance/ exit to the southern entrance/exit.**

- 22 The proposed exit from the proposed angle parking area shall be deleted and the northern carpark access point moved towards the northern entrance/exit to allow traffic flow from the angle parking area to the northern entrance/exit.

- 23 Driveways, access aisles and parking areas shall be provided with a bitumen sealed or other approved surface. Such a surface shall be on a suitable pavement, constructed and maintained in accordance with Council's Development, Design and Construction Manuals (as amended).

Reason: *To provide adequate off street parking space for the anticipated traffic that will be generated by the development. (EPA Act Sec 79C(a))*

- 24 All loading and unloading shall take place within the property boundaries, including the parking of construction and private vehicles associated with the development.

Reason: *To provide adequate off street parking space for the anticipated traffic that will be generated by the development. (EPA Act Sec 79C(a))*

- 25 Vehicles using any off-street loading/unloading and/or parking area must enter and leave in a forward direction, in accordance with Council's Development Control Plan No. 18 - Off Street Carparking Requirements. All driveways and turning areas shall be kept clear of obstructions that prevent compliance with this condition.

Reason: *To ensure adequate access to and from the development. (EPA Act Sec 79C(c))*

- 26 The 14 carparking spaces adjacent to the northern boundary of the development shall be signposted and utilised as staff parking

Reason: *To ensure adequate access to and from the development. (EPA Act Sec 79C(c))*

- 27 Provision shall be made for bicycle parking within the site.

Reason: *To ensure adequate access to and from the development. (EPA Act Sec 79C(c))*

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- 28 A vehicle drop off area as shown in TTM Consulting's plan drawing no 7.3199/1 **within TTM Consulting Pty Ltd Report dated May 24, 1999**, shall be provide at the entrance to the shopping centre.

Reason: To ensure adequate access to and from the development. (EPA Act Sec 79C(c))

- 29 The internal medians at the southern entrance/exit shall be constructed as shown in TTM Consulting's plan drawing no 7.3199/1 **within TTM Consulting Pty Ltd Report dated May 24, 1999**.

Reason: To ensure adequate access to and from the development. (EPA Act Sec 79C(c))

- 30 **The proponent shall construct a 1.2m wide reinforced concrete, paving block or equivalent footpath, in the following locations:**

Oliver Avenue - north side for the full frontage of the development

Proposed Road / Gordon Blair Drive - west side from Oliver Avenue to Ballina Road

Allingham Place cul de sac to Gordon Blair Drive at 2 locations

Eggins Place cul de sac to the site.

At the end of the existing footpath reserve leading from Hayes Street

All works are to be at no cost to Council and be in accordance with Council's Development, Design and Construction Manuals (as amended). Any costs shall be the responsibility of the proponent.

Reason: To meet the anticipated demand for open space by residents of the development. (EPA Act Sec 94)

- 31 **The proponent shall provide pedestrian access points consisting of centre refuges bollards and ramped access to footpaths at the following locations,**

Ballina Road / Gordon Blair Drive roundabout

Between the site and future development to the east of the proposed development

At the Oliver Avenue / proposed new access road roundabout.

Between the site and Lismore City Council chambers.

- 32 The marked pedestrian crossing indicated on the proposed public road is to be tested against the warrants for marked pedestrian crossings and approved by Local traffic committee prior to its installation.

- 33 A marked pedestrian crossing shall be provided near the entrance to the shopping centre linking to the carpark.
-

LISMORE CITY COUNCIL - Meeting held August 31, 1999

Development Application No. 99/360 - Proposed Shopping Centre

34 The proponent shall provide a tapered bus bay including a timber and metal clad bus shelter in accordance with Council's standard Drawing No. SD1256. Such shelter shall be located adjacent to the proposed development within the proposed access road.

Reason: To provide for adequate public transport infrastructure (EPA Sec 79C(e))

35 Prior to release of the Occupation Certificate, documentary evidence is to be provided to the Principal Certifying Authority indicating telephone services to the premises have been installed.

Reason: To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))

36 Prior to the issuing of the Occupation Certificate, the proponent shall install underground electrical power to the premises, including adequate street lighting for the development as required by an authorised electricity supplier.

Reason: To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))

37 Measures shall be put in place to control stormwater runoff. These control measures shall be in place prior to the commencement of works and shall prevent soil erosion and the transport of sediment from the development site into either:

- adjoining land
- natural drainage courses
- constructed drainage systems, or
- waterways.

All disturbed areas shall be stabilised and revegetated. Turfing or another approved seeding method shall be undertaken in each part of the development within 14 days of completion of earthworks. Topsoil shall be preserved for site revegetation. **The applicant shall submit a Erosion and Sedimentation Management Plan incorporating revegetation works, to the Principal Certifying Authority and Department of Land and Water Conservation** for approval prior to release of the Construction Certificate.

Reason: To ensure protection from the effects of subsidence and/or slip. (EPA Act Sec. 79C(c))

Water and Sewer Conditions

38 The proponent shall provide water works to service the development. The works shall include:

- a) A conventional water reticulation that comprises a water service to each allotment. Water reticulation works shall be designed and constructed in accordance with Lismore City Council's adopted standards. Any costs shall be the responsibility of the proponent. The proponent shall be responsible for the full cost of any associated water maintenance considered necessary by Lismore City Council's Manager-Water and Sewerage for a period of twelve months from the date of approval of the works. After satisfactory completion of this work, a practising qualified surveyor shall submit a "works-as-executed" set of 1:1000 transparency plans and plans in digital format (Autocad or similar) showing these works.
-

LISMORE CITY COUNCIL - Meeting held August 31, 1999

Development Application No. 99/360 - Proposed Shopping Centre

Reason: *To provide adequate services for the development (EPA Act Sec 79C(c))*

- 39 The proponent shall provide sewerage reticulation to service the development.

The works shall include:

- a) A conventional gravity sewer reticulation that comprises a sewer junction to service the lowest ground level of each allotment. Sewerage works shall be designed and constructed in accordance with Lismore City Council's adopted standards. Any costs shall be the responsibility of the proponent. The proponent shall be responsible for the full cost of any associated sewerage maintenance considered necessary by Lismore City Council's Manager-Water and Sewerage for a period of twelve months from the date of approval of the work. After satisfactory completion of this work, a practising qualified surveyor shall submit a "works-as-executed" set of 1:1000 transparency plans and plans in digital format (Autocad or similar) showing these works.

Reason: *To provide adequate services for the development (EPA Act Sec 79C(c))*

- 40 The water supply connection shall be designed, installed and maintained to prevent contaminants from being introduced into Lismore City Council's potable water supply system.

Full details of the proposed backflow method and cross connection controls shall be designed and installed in accordance with Australian Standard 3500.1 and submitted prior to the release of the Construction Certificate.

Reason: *Required by NSW Code of Practice "Plumbing and Drainage".*

- 41 The water supply service shall be sized in accordance with Australian Standard 3500.1 to service the whole development.

Reason: *Required by NSW Code of Practice "Plumbing and Drainage".*

- 42 Trade Waste discharge from the premises in which the development is located shall not enter Lismore City Council's sewer until an Approval to Discharge Trade Waste (under Section 68 of the Local Government Act 1993) has been issued. Applications are available from Lismore City Council.

An application to discharge trade waste shall be submitted to Lismore City Council prior to issue of a Construction Certificate.

Reason: *To ensure adequate protection of utility services. (EPA Act Sec 79C(b))*

- 43 Prior to issue of an Occupation Certificate by the Principal Certifying Authority, the proponent must apply to Lismore City Council under s.24 of the Water Supply Authorities Act, 1987, and obtain from Lismore City Council a Certificate of Compliance under s.26 of the Water Supply Authorities Act 1987.

Following the making of an application under s.24 of the Water Supply Authorities Act, Lismore City Council under s.25 of the Water Supply Authorities Act, 1987, may require the proponent to do either or both of the following:

LISMORE CITY COUNCIL - Meeting held August 31, 1999

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- a) to pay a specific amount to the Lismore City Council by way of contribution towards the cost of such works as are specified in the notice, being existing works or projected works, or both
- b) to construct works to serve the development.

Reason: *To provide adequate services for the development (EPA Act Sec 79C(c))*

- 44 Full design plans of the proposed engineering works to satisfy **water and sewerage** condition(s) shall be submitted to Lismore City Council **prior to release of the Construction Certificate**. Such plans must be approved by the Manager-Water and Sewerage before the issue of the Construction Certificate. Construction of these works will need to be completed before a Certificate of Compliance is issued by Lismore City Council under s.26 of the Water Supply Authorities Act 1987.

Reason: *To provide adequate services for the development (EPA Act Sec 79C(c))*

- 45 The proponent is to provide peak instant and peak day water demands for the proposed development to Council's Water and Sewerage Department, **prior to release of the Construction Certificate**. Council's Water and Sewerage Department will then assess the effects of this demand and advise the proponent of the size and other details of the water main that is required to be constructed. The proponent is required to construct, at their cost, and hand over to Council this water main in the public road being created, and in the public road reserve, linking the Bruxner Highway to Oliver Avenue as per condition below.

Metered water services would then be taken off this main. Reticulation of water within the development would be constructed, owned and operated by the proponent or subsequent owners of the development.

Reason: *To provide adequate services for the development (EPA Act Sec 79C(c))*

- 46 The proponent is required to construct, at their cost, and hand over to Council a 150mm diameter sewer main in the public road being created **prior to release of the Occupation Certificate**. This sewer main is to discharge sewerage from the development to the existing 225mm sewer via a manhole to be constructed by the proponent in the vicinity of Council's sewer manhole number 16FU1. The reticulation of sewer pipework within the development would be constructed, owned and operated by the proponent or subsequent owners of the development.

Reason: *To provide adequate services for the development (EPA Act Sec 79C(c))*

- 47 The proponent shall pay to Council all Water and Sewerage Headworks Levies deemed necessary by Council and in accordance with Section 64 of the Local Government Act 1993, as detailed in the attached schedule. Such levies shall be paid prior to release of Construction Certificate.

Reason: *To provide funds for the provision of services and facilities identified in Lismore City Council's Section 64 Contributions Plan dated February 1996 as required by the increased population or activity. (EPA Act Sec 94)*

Landscaping Conditions

- 48 Council grants consent to the pruning or removal of those trees **only** nominated on Plan A239/1 dated July 20, 1999.

Reason: To conform to the provisions of the Tree Preservation Order, gazetted in accordance with Local Environmental Plan 1992 - (City of Lismore). (EPA Act Sec 79C(a))

- 49 A detailed landscaping plan (in duplicate) shall be submitted to Council prior to release of the **Construction Certificate**. Landscaping plans shall be in accordance with Council's Landscaping Code and the requirements of Development Control Plan No. 27 - Buffer Areas and other relevant Development Control Plans. Species identified in Council's Landscaping Code shall be planted wherever possible. Landscaping plans shall indicate:

- location of Council's sewer (if applicable)
- proposed location for planted shrubs and trees
- botanical name of shrubs and trees to be planted
- mature height of trees to be planted
- location of grassed areas
- location of paved areas
- location of trees identified for retention in the development application plans
- Construction details of retaining walls, planter boxes, paving, edging, tree grates, fencing and/or screening panels.
- Planting details for the planting of retaining walls and preparation and laying of turf.
- A more detailed plant schedule and plan, including species listed by botanic and common names; quantities of each species; pot sizes; the estimated size (height and spread) of the plant at maturity; and planting distances for tube and potted plants.
- Inclusion of additional tree species for use in Area 2 to lessen the visual impact of the centre. Such species could include Flame Tree (*Brachchiton acerifolius*), Lacebark Tree (*Brachchiton discolor*), Snow Wood (*Parachidendron pruinosum*), Deep Yellow Wood (*Rhodosphaera rhodanthema*), Australian Teak (*Flindersia australis*), or Oliver's Sassafras (*Cinnamomum oliveri*).
- Inclusion of ground cover and/or perennial species for use in Area 1 to reduce maintenance.
- Maintenance details, including irrigation or tap location, and allocation of responsibility for ongoing maintenance.
- Landscaping of the eastern elevation of the Coles building for stage one, and details of proposed on-site relocation of trees upon commencement of works for stage 2.

Council approved landscaping shall be completed prior to the release of the **Occupation Certificate**. Landscaping shall be maintained at all times to the satisfaction of Council. Trees identified for retention in the development application plans shall not be removed without separate Council approval.

Reason: To ensure that appropriate landscaping is provided. (EPA Act Sec 79C(c))

- 50 Species to be planted in accordance with the landscape plan shall be maintained by the Applicant in a healthy and vigorous condition for a minimum period of three years from the date of release of the landscape plan *or* until they attain the minimum height for protection by Council's Tree Preservation Order. Prior to the end of this three-year period, *or* prior to protection by Council's Tree Preservation Order, any of the aforementioned plant species found to be in a poor condition

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(damaged, dying or dead) shall be replaced by the Applicant with a tree, shrub or ground cover of the same species.

Reason: *To ensure that appropriate landscaping is provided. (EPA Act Sec 79C(c))*

- 51 To prevent the spread of undesirable and invasive species and to ensure the preservation of urban bushland with the Local Government area, all weeds identified by the Far North Coast County Council as local noxious species, and those identified by Lismore City Council's Environmental Weeds Species List shall be removed from the development site prior to completion of the works.

Reason: *To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))*

Planning Conditions

- 52 Provision shall be made for 265 carparking spaces, **prior to release of an Occupation Certificate for Stage 1 of the development**, with a bitumen sealed surface constructed and landscaped in accordance with the requirements of the Council's Development Control Plan No. 18 Off Street Carparking Requirements. **The proponent shall also provide bikerack facilities within Stage 1 of the development.** Documentary evidence to be submitted to the Principal Certifying Authority prior to the release of an Occupation Certificate.

Reason: *To provide adequate off street parking space for the anticipated traffic that will be generated by the development. (EPA Act Sec 79C(a))*

- 53 A sign shall be erected to clearly indicate off-street parking is available.

Reason: *To ensure the free flow of traffic and comply with traffic regulations. (EPA Act Sec 79C(c))*

- 54 The construction of the approved land use shall not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products or grit, oil or otherwise.

Reason: *To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))*

- 55 All tenants intending to use the retail specialty shops shall be required to obtain development consent from Lismore City Council prior to either occupation or the commencement of internal fitouts of the premises.

Reason: *To comply with the provisions of Local Environmental Plan 1992 - City of Lismore. (EPA Act Sec 79C(a))*

- 56 All the requirements of this consent shall be required to be carried out as part of the first stage of development, excluding:

- a) Any requirements relating to the additional specialty shops; and
- b) The additional 54 carspaces required for the additional shops.

***Reason:** To ensure the development is completed in accordance with the conditions and approved engineering construction design plans. (EPA Act Sec 79C(b))*

- 57 Details regarding the design and construction of the Stage Two carpark will be required prior to the Construction Certificate.

***Reason:** To provide adequate off street parking space for the anticipated traffic that will be generated by the development. (EPA Act Sec 79C(a))*

- 58 Any additional signage on-site will require a separate development application. This signage should comply with the requirements of DCP No. 36. Outdoor Advertising Structures.

***Reason:** To comply with the provisions of Local Environmental Plan 1992 - City of Lismore. (EPA Act Sec 79C(a))*

- 59 The applicant is to provide satisfactory details of measures proposed to increase the safety of patrons using the centre and pedestrians using accessways within the site. This detail will be required prior to the issuing of the construction certificate

***Reason:** To preserve the amenity of the area. (EPA Act Sec 79C(b))*

- 60 No access for construction works will be permitted via Eggins Place or Allingham Place.

***Reason:** To preserve the amenity of the area and traffic safety. (EPA Act Sec 79C(b))*

- 61 The submission of a sample sheet of all material and colours to be used externally for the development prior to the issuing of a construction certificate.

***Reason:** To preserve the amenity of the area. (EPA Act Sec 79C(b))*

- 62 Landscaping on the western boundary retaining wall shall be designed to retain views for adjoining residents to the east whilst screening the developments roof area. Satisfactory details prior to the issuing of the construction certificate.

***Reason:** To ensure that appropriate landscaping is provided. (EPA Act Sec 79C(c))*

- 63 The applicant is to obtain a Permit under Part 3 A of the Rivers and Foreshores Improvement Act, 1948, prior to **release of the Construction Certificate**, prior to commencement of any works **within 40 metres of the watercourse.**

***Reason:** To protect the environment. (EPA Act Sec 79C(b))*

- 64 The applicant shall obtain a Dredging and Reclamation Permit from the NSW Department of Fisheries prior to commencement of any works over the watercourse, **prior to release of the Construction Certificate.**

***Reason:** To protect the environment. (EPA Act Sec 79C(b))*

- 65 The applicant to submit details with the Construction Certificate on what measures will be taken for energy conservation. The energy audit shall be carried out to increase/maximise the energy efficiency
-

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of the proposed development. The audit is to be undertaken by a suitably qualified persons/consultancy, the recommendations of the audit are to be incorporated into the proposal, details of which shall be submitted to Council with the Construction Certificate for approval.

Reason: To protect the environment. (EPA Act Sec 79C(b))

- 66 Payment of contributions levied under Section 94 of the Environmental Planning and Assessment Act and Lismore City Council S94 Contributions Plan 1994 (as amended) are required. Such levies shall contribute towards the provision of public services and/or amenities identified in the attached schedule. Such levies shall be calculated at the rate(s) in effect on the date the Construction Certificate is granted. The rates and amounts applying at the date of this notice, totalling \$85,820, are set out in the schedule for your information. Where the total contribution payable exceeds \$20,000 payment to Council must be by bank cheque or cash. Personal cheques are not acceptable. All contributions, bonds etc. shall be paid prior to the Construction Certificate is granted.

Should levies set out in the attached schedule not be paid within twelve (12) months of the date of this consent, the rates shall be increased in accordance with the percentage increase from the date of approval to the date of payment, as notified by the Consumer Price Index (Sydney).

Reason: To provide funds for the provision of services and facilities identified in Lismore City Council's Section 94 Contributions Plan dated July 1999 as required by the increased population or activity. (EPA Act Sec 94)

- 67 Heavy transport freight deliveries to the complex or the collection from the complex of refuse and wastes shall not occur within the hours of 10.00pm to 7.00am, Monday to Sunday.
- 68 Appropriate strategies must be put in place to encourage patrons to return trolleys to the trolley store areas. Details of proposed strategies must be submitted for consideration with the Construction certificate. Strategies will need to be reviewed an ongoing process and appropriate actions implemented to ensure that the intent of this condition is complied with at all times.
- 69 All unsightly matter shall be stored out of sight from any adjacent premises or public place.

Reason: To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))

- 70 Display lighting, other than that required for reasonable security, shall not be used between the hours of 9.00pm and 6.00am. AD3

Reason: To preserve the amenity of the area and traffic safety. (EPA Act Sec 79C(b))

- 71 The proponent shall comply with all conditions of Development Consent Notice 99/475 at all times.

Building and Regulation

ACTIVITIES APPROVED UNDER THE LOCAL GOVERNMENT ACT 1993, IN CONJUNCTION WITH THIS APPLICATION:

- (a) Carry out water supply work.
- (b) Carry out sewerage work.

- (c) Carry out stormwater drainage work.
- (d) Connect a private drain with a public drain.
- (e) Connect a private sewer with a public sewer.

72 The following building works are to be certified by Council or by an Accredited Certifier in the form of a Compliance Certificate.

- (a) Footings - the foundation trenches are open and the steel reinforcement is in position, prior to concrete being placed.
- (b) Drainage - the drainage lines have been laid externally by the plumber and drainer, so that a water test may be carried out, prior to the pipes being covered. The internal drainage is to be certified by the plumber and or drainer and a layout plan to be submitted to Council prior to pouring of the concrete slab.
- (c) Slab - the slab reinforcement is in position, prior to concrete being placed.
- (d) Framework - the framework is completed, wet area flashing in place, waterpiping and electrical wiring in place, external brickwork erected (where applicable) and the roof covering in position, prior to fixing the internal linings.
- (e) Occupation - the building is completed and an Occupation Certificate is issued.

In the event that Council is the Principal Certifying Authority, you are required to notify Council at least 24 hours prior to the inspection.

Reason: *To assess compliance with this approval.*

73 The building is not to be occupied until an Occupation Certificate is issued by the Principal Certifying Authority.

Reason: *To meet statutory requirements and to ensure compliance with this approval.*

74 Council to be advised on completion of the building work.

Reason: *To assess compliance with this approval.*

75 Provide an on-site sign, in prominent visible position, stating:

- (a) That unauthorised access to the site is not permitted, and
- (b) Showing the name of the builder or person responsible for the site and a telephone number at which such person can be contacted outside working hours.

Reason: *Required by Clause 37A of the Local Government (Approvals) Regulation.*

76 Provide a fence, hoarding or other measure to restrict public access to the site, when work is not in progress or the site is otherwise unoccupied. The fence is to be provided prior to any work commencing on site.

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Reason: *Required by Clause 37A of the Local Government (Approvals) Regulation.*

- 77 Before work is commenced Council must be informed in writing of the name and accreditation number of the Principal Certifying Authority who has been appointed to do the work.

Reason: *Required by Section 113 of the Local Government Act.*

- 78 Temporary toilet facilities must be provided on the site, prior to commencement of building work and must be maintained until permanent facilities are provided. Pit or pan toilets are not permitted without the prior consent of Council.

Reason: *To ensure the provision of minimum amenities to the site.*

- 79 A soil erosion and sediment control plan of management must be submitted and approved by Council prior to any earthworks commencing. The plan must outline what changes are proposed and the action that will be taken to alleviate or minimise any erosion or sedimentation.

Reason: *To draw attention to the need for approval and sedimentation control.*

- 80 Structural Engineering details for the footings and slab must be submitted and approved by the Principal Certifying Authority prior to commencement of the work.

Reason: *To ensure the adequate structural design of the building components.*

- 81 Structural Engineering details for the structural steelwork must be submitted and approved by the Principal Certifying Authority prior to the work commencing.

Reason: *To ensure the adequate structural design of the building components.*

- 82 The primary building elements must be protected against attack by subterranean termites by physical barriers in accordance with AS 3660.1-1995 "Protection of Buildings from Subterranean Termites".

Reason: *Required by Clause B1.1 of the Building Code of Australia.*

- 83 Where an excavation extends below the level of the footings of a building on adjoining land, any person causing the excavation must give seven days notice of their intention to excavate to the adjoining owner and furnish such owner with particulars of the work they propose in order to preserve and protect such building from damage.

Reason: *Required by the Environmental Planning and Assessment Act 1979.*

- 84 Provide 6/3 litre dual flush toilet suites to all water closets.

Reason: *To conserve water.*

- 85 To prevent contamination of the reticulated water supply, backflow and crossconnection controls must be installed in accordance with the National Plumbing and Drainage Code AS 3500 Part 1.

Reason: *Required by NSW Code of Practice "Plumbing and Drainage".*

86 Access for the disabled in accordance with AS1428.1 is to be provided to the main entrance of the building.

Reason: *Required by Clause D3.2 of the Building Code of Australia.*

87 Facilities for the use of the disabled must be provided as specified in Clause F2.4 Building Code of Australia and shall be constructed to the requirements of AS 1428.1-1993 "Design for Access and Mobility".

Reason: *Required by Clause F2.4 of the Building Code of Australia.*

88 Provide signs to the disabled facilities in accordance with AS 1428.1-1993 "Design for Access and Mobility".

Reason: *To highlight the availability of facilities for disabled persons.*

89 Provide car parking spaces for the disabled, including signage, in accordance with the requirements of AS 2890.1 - 1993 "Off-Street Car Parking" Cl 2.4.5(b).

Reason: *Required by Clause D3.5 of the Building Code of Australia.*

90 Disabled toilet facilities must be unisex.

Reason: *Required by Policy 03.01.31 of the Lismore City Council.*

SUBDIVISION CONDITIONS

Environmental Conditions

91 An assessment of road traffic noise occurring as a result of the development must be undertaken prior to release of the Construction Certificate. The assessment must provide sufficient information which would enable Council to develop a Traffic Management Plan (TMP) for the surrounding area. Council's TMP should be able to identify preferred truck routes, restricted access areas in residential zones, particularly during sleeping hours and quiet zones etc.

The assessment must give consideration to the NSW Environment Protection Authority document "Environmental Criteria for Road Traffic Noise" (May 1999), in particular Appendix C Sections C1 and C2.

Reason: *To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))*

92 The hours of work for any noise generating activity of the proposed development are to be limited to the following time restrictions:

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 4.00pm

No noise generating construction activities are to take place on Sundays or public holidays.

Reason: To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))

- 93 Stormwater management measures to improve the quality of stormwater running off the carpark area must be provided as detailed in the additional information submission dated July 7, 1999, provided by Aspect North.

Reason: To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))

Engineering Conditions

- 94 Hard surface areas, landscaped areas, roof water and subsoil drainage systems shall be designed by a suitably qualified person experienced in Hydraulic design and submitted to the Principal Certifying Authority prior to release of the Construction Certificate. Drainage is to direct all water to a Council approved drainage system to prevent discharge runoff onto adjoining land. This system shall be constructed in accordance with Council's Development, Design and Construction Manuals (as amended). All drainage lines over adjoining land are to be located within drainage easements. All costs shall be the responsibility of the proponent.

Reason: To ensure that the land or adjoining land is not damaged by the uncontrolled discharge of concentrated runoff from any buildings and paved areas that may be constructed on the land. (EPA Act Sec 79C(b))

- 95 Measures shall be put in place to control stormwater runoff. These control measures shall be in place prior to the commencement of works and shall prevent soil erosion and the transport of sediment from the development site into either:

- adjoining land
- natural drainage courses
- constructed drainage systems, or
- waterways.

All disturbed areas shall be stabilised and revegetated. Turfing or another approved seeding method shall be undertaken in each part of the development within 14 days of completion of earthworks. Topsoil shall be preserved for site revegetation. **The applicant shall submit a Erosion and Sedimentation Management Plan incorporating revegetation works, to the Principal Certifying Authority and Department of Land and Water Conservation** for approval prior to release of the Construction Certificate.

Reason: To ensure protection from the effects of subsidence and/or slip. (EPA Act Sec. 79C(c))

- 96 Prior to release of the Compliance Certificate, a suitably qualified person or Principal Certifying Authority is required to furnish a statutory certificate confirming:

- all drainage lines have been located within the respective easements,
 - roadworks are in accordance with the approved design plan,
 - any other structures like retaining walls are located in accordance with the Construction Certificate,
 - all stormwater has been directed to a Council approved drainage system.
-

***Reason:** To ensure the development is completed in accordance with the conditions and approved engineering construction design plans. (EPA Act Sec 79C(a))*

- 97 Full design details of the proposed stormwater quality treatment devices are to be submitted to the Principal Certifying Authority for approval prior to the issue of a Construction Certificate. These devices are to be contained wholly within the subject property and are to remain privately owned. The devices shall be adequately maintained and operated by the proponent at all times.
- 98 All constructed open swale drains are to have easements for open drains created over their entire length. The proponent shall be responsible for the on going maintenance of the swales.
- 99 The proponent shall provide the following roadworks with associated stormwater drainage structures that have been designed and constructed in accordance with Council's Development, Design and Construction Manual (as amended), **prior to release of the Subdivision Certificate**. The proponent shall be responsible for any costs, including maintenance, for a period of twelve months from the date of approval of completion of the work. Required roadworks include:
- a) Construction of an urban, bitumen sealed road **generally in accordance with TTM Figure 7.1 contained in TTM Consulting Pty Ltd Report dated 24 May 1999. The road is to be kerbed incorporating a landscaped median and is to be constructed between Oliver avenue and the existing pavement in Gordon Blair Drive.**
 - b) Construction of a two lane circulating roundabout at the junction of Cambridge Drive, Oliver Avenue and the proposed access road in accordance with AUSTRROADS Pt 6 "Roundabouts".
 - c) Construction of **the pavement for** a two lane circulating roundabout including underground conduits at the junction of Gordon Blair Drive and the proposed access road in accordance with AUSTRROADS Pt 6 "Roundabouts". Council shall **complete the construction of** the roundabout with the Gordon Blair Drive extension.
 - d) Based on traffic counts provided by the applicant, a contribution of **14%** of the cost shall be made to Lismore City Council for the construction of the Rous Road / Oliver Avenue / Jubilee Avenue roundabout.

An accredited certifier or practising qualified surveyor or engineer shall submit to the Principal Certifying Authority for approval prior to the release of the compliance certificate, a "works-as-executed" set of plans and construction certification. The compliance certificate for construction shall detail satisfactory completion of all roads, drainage and civil works required by this development consent and Construction Certificate.

***Reason:** To ensure an adequate road network in accordance with adopted standards. (EPA Act Sec 79C(a))*

- 100 Full design plans of the proposed engineering works to satisfy condition(s) 99 shall be submitted to the Principal Certifying Authority for approval prior to the issue of a Construction Certificate **for the subdivision**. If such plans are approved by Council, a checking fee of \$110 per lot, being \$220 is payable on submission of engineering design plans for drainage or roadworks.

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Reason: *To ensure an adequate road network in accordance with adopted standards. (EPA Act Sec 79C(a))*

- 101 The grade from the road pavement to each lot shall permit the construction of vehicular access in accordance with Council's Design and Construction Specification (Vehicular Access). Engineering design working drawings shall provide evidence of the feasibility of lot access. Such drawings shall be submitted for Council approval prior to release of the Construction Certificate.

Reason: *To ensure the development is completed in accordance with the conditions and approved engineering construction design plans. (EPA Act Sec 79C(b))*

- 102 Road names proposed for the development shall be submitted for Council approval prior to lodgement of the Subdivision Certificate. A suitable name for any new road/s shall be in accordance with Council's adopted policy.

Reason: *To ensure activities relating to the development do not interfere with the movement of traffic along the public road. (EPA Act Sec 79C(b))*

- 103 The proponent shall provide a plan of management for the construction of all civil works outside the real property boundaries of the proposed development. The plan shall table scheduling of works so as to be completed in the shortest possible time with minimal impact on the general community. Such plan shall include a Traffic Control Plan. This plan of management shall be provided and approved by the Principal Certifying Authority prior to the release of the Construction Certificate.

Reason: *To ensure no conflict occurs between civil works and general public during construction.*

- 104 **The central median in the proposed public road shall be continuous from the northern entrance/ exit to the southern entrance/exit.**

- 105 The bus bay to be provided on the proposed public road shall be located to ensure safe sight distance is provided between the bus area and the pedestrian crossing point.

- 106 The marked pedestrian crossing indicated on the proposed public road is to be tested against the warrants for marked pedestrian crossings and approved by Local traffic committee prior to its installation.

- 107 The proponent shall provide a tapered bus bay including a timber and metal clad bus shelter in accordance with Council's standard Drawing No. SD1256. Such shelter shall be located adjacent to the proposed development within the proposed access road.

Reason: *To provide for adequate public transport infrastructure (EPA Sec 79C(e))*

- 108 Prior to release of the Occupation Certificate, documentary evidence is to be provided to the Principal Certifying Authority indicating telephone services to the premises have been installed.

Reason: *To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))*

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109 Prior to the issuing of the Occupation Certificate, the proponent shall install underground electrical power to the premises, including adequate street lighting for the development as required by an authorised electricity supplier.

Reason: *To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))*

Water and Sewer Conditions

110 The proponent shall provide water works to service the development. The works shall include:

- a) A conventional water reticulation that comprises a water service to each allotment. Water reticulation works shall be designed and constructed in accordance with Lismore City Council's adopted standards. Any costs shall be the responsibility of the proponent. The proponent shall be responsible for the full cost of any associated water maintenance considered necessary by Lismore City Council's Manager-Water and Sewerage for a period of twelve months from the date of approval of the works. After satisfactory completion of this work, a practising qualified surveyor shall submit a "works-as-executed" set of 1:1000 transparency plans and plans in digital format (Autocad or similar) showing these works.

Reason: *To provide adequate services for the development (EPA Act Sec 79C(c))*

111 The proponent shall provide sewerage reticulation to service the development.

The works shall include:

- a) A conventional gravity sewer reticulation that comprises a sewer junction to service the lowest ground level of each allotment. Sewerage works shall be designed and constructed in accordance with Lismore City Council's adopted standards. Any costs shall be the responsibility of the proponent. The proponent shall be responsible for the full cost of any associated sewerage maintenance considered necessary by Lismore City Council's Manager-Water and Sewerage for a period of twelve months from the date of approval of the work. After satisfactory completion of this work, a practising qualified surveyor shall submit a "works-as-executed" set of 1:1000 transparency plans and plans in digital format (Autocad or similar) showing these works.

Reason: *To provide adequate services for the development (EPA Act Sec 79C(c))*

112 The water supply connection shall be designed, installed and maintained to prevent contaminants from being introduced into Lismore City Council's potable water supply system.

Full details of the proposed backflow method and cross connection controls shall be designed and installed in accordance with Australian Standard 3500.1 and submitted prior to the release of the Construction Certificate.

Reason: *Required by NSW Code of Practice "Plumbing and Drainage".*

113 The water supply service shall be sized in accordance with Australian Standard 3500.1 to service the whole development.

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Reason: *Required by NSW Code of Practice "Plumbing and Drainage".*

- 114 Prior to issue of a Subdivision Certificate or an Occupation Certificate by the Principal Certifying Authority, the proponent must apply to Lismore City Council under s.24 of the Water Supply Authorities Act, 1987, and obtain from Lismore City Council a Certificate of Compliance under s.26 of the Water Supply Authorities Act 1987.

Following the making of an application under s.24 of the Water Supply Authorities Act, Lismore City Council under s.25 of the Water Supply Authorities Act, 1987, may require the proponent to do either or both of the following:

- a) to pay a specific amount to the Lismore City Council by way of contribution towards the cost of such works as are specified in the notice, being existing works or projected works, or both
- b) to construct works to serve the development.

Reason: *To provide adequate services for the development (EPA Act Sec 79C(c))*

- 115 Full design plans of the proposed engineering works to satisfy **water and sewerage** condition(s) shall be submitted to Lismore City Council **prior to release of the Construction Certificate**. Such plans must be approved by the Manager-Water and Sewerage before the issue of the Construction Certificate. Construction of these works will need to be completed before a Certificate of Compliance is issued by Lismore City Council under s.26 of the Water Supply Authorities Act 1987.

Reason: *To provide adequate services for the development (EPA Act Sec 79C(c))*

- 116 The proponent is to provide peak instant and peak day water demands for the proposed development to Council's Water and Sewerage Department, **prior to release of the Occupation Certificate**. Council's Water and Sewerage Department will then assess the effects of this demand and advise the proponent of the size and other details of the water main that is required to be constructed. The proponent is required to construct, at their cost, and hand over to Council this water main in the public road being created, and in the public road reserve, linking the Bruxner Highway to Oliver Avenue as per condition below.

Metered water services would then be taken off this main. Reticulation of water within the development would be constructed, owned and operated by the proponent or subsequent owners of the development.

Reason: *To provide adequate services for the development (EPA Act Sec 79C(c))*

- 117 The proponent is required to construct, at their cost, and hand over to Council a 150mm diameter sewer main in the public road being created. This sewer main is to discharge sewerage from the development to the existing 225mm sewer via a manhole to be constructed by the proponent in the vicinity of Council's sewer manhole number 16FU1. The reticulation of sewer pipework within the development would be constructed, owned and operated by the proponent or subsequent owners of the development.

Reason: *To provide adequate services for the development (EPA Act Sec 79C(c))*

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118 The proponent shall pay to Council all Water and Sewerage Headworks Levies deemed necessary by Council and in accordance with Section 64 of the Local Government Act 1993, as detailed in the attached schedule. Such levies shall be paid prior to release of Construction Certificate.

Reason: To provide funds for the provision of services and facilities identified in Lismore City Council's Section 64 Contributions Plan dated February 1996 as required by the increased population or activity. (EPA Act Sec 94)

Landscaping Conditions

119 Council grants consent to the pruning or removal of those trees **only** nominated on Plan A239/1 dated July 20, 1999.

Reason: To conform to the provisions of the Tree Preservation Order, gazetted in accordance with Local Environmental Plan 1992 - (City of Lismore). (EPA Act Sec 79C(a))

120 A detailed landscaping plan (in duplicate) shall be submitted to Council prior to release of the **Subdivision Certificate**. Landscaping plans shall be in accordance with Council's Landscaping Code and the requirements of Development Control Plan No. 27 - Buffer Areas and other relevant Development Control Plans. Species identified in Council's Landscaping Code shall be planted wherever possible. Landscaping plans shall indicate:

- location of Council's sewer (if applicable)
- proposed location for planted shrubs and trees
- botanical name of shrubs and trees to be planted
- mature height of trees to be planted
- location of grassed areas
- location of paved areas
- location of trees identified for retention in the development application plans
- Construction details of retaining walls, planter boxes, paving, edging, tree grates, fencing and/or screening panels.
- Planting details for the planting of retaining walls and preparation and laying of turf.
- A more detailed plant schedule and plan, including species listed by botanic and common names; quantities of each species; pot sizes; the estimated size (height and spread) of the plant at maturity; and planting distances for tube and potted plants.
- Inclusion of additional tree species for use in Area 2 to lessen the visual impact of the centre. Such species could include Flame Tree (*Brachchiton acerifolius*), Lacebark Tree (*Brachchiton discolor*), Snow Wood (*Parachidendron pruinosum*), Deep Yellow Wood (*Rhodospaera rhodanthema*), Australian Teak (*Flindersia australis*), or Oliver's Sassafras (*Cinnamomum oliveri*).
- Inclusion of ground cover and/or perennial species for use in Area 1 to reduce maintenance.
- Maintenance details, including irrigation or tap location, and allocation of responsibility for ongoing maintenance.
- Landscaping of the eastern elevation of the Coles building for stage one, and details of proposed on-site relocation of trees upon commencement of works for stage 2.

Council approved landscaping shall be completed prior to the release of the **Occupation Certificate**. Landscaping shall be maintained at all times to the satisfaction of Council. Trees

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Development Application No. 99/360 - Proposed Shopping Centre

identified for retention in the development application plans shall not be removed without separate Council approval.

Reason: To ensure that appropriate landscaping is provided. (EPA Act Sec 79C(c))

- 121 Species to be planted in accordance with the landscape plan shall be maintained by the Applicant in a healthy and vigorous condition for a minimum period of three years from the date of release of the linen plan *or* until they attain the minimum height for protection by Council's Tree Preservation Order. Prior to the end of this three-year period, *or* prior to protection by Council's Tree Preservation Order, any of the aforementioned plant species found to be in a poor condition (*damaged, dying or dead*) shall be replaced by the Applicant with a tree, shrub or ground cover of the same species.

Reason: To ensure that appropriate landscaping is provided. (EPA Act Sec 79C(c))

- 122 To prevent the spread of undesirable and invasive species and to ensure the preservation of urban bushland with the Local Government area, all weeds identified by the Far North Coast County Council as local noxious species, and those identified by Lismore City Council's Environmental Weeds Species List shall be removed from the development site prior to completion of the works.

Reason: To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))

Planning Conditions

- 123 The construction of the subdivision shall not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products or grit, oil or otherwise.

Reason: To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))

- 124 No access for construction works will be permitted via Eggins Place or Allingham Place.

Reason: To preserve the amenity of the area and traffic safety. (EPA Act Sec 79C(b))

- 125 The applicant is to obtain a Permit under Part 3 A of the Rivers and Foreshores Improvement Act, 1948, prior to **release of the Subdivision Certificate**, prior to commencement of any works **within 40 metres of the watercourse**.

Reason: To protect the environment. (EPA Act Sec 79C(b))

- 126 The applicant shall obtain a Dredging and Reclamation Permit from the NSW Department of Fisheries prior to commencement of any works over the watercourse, **prior to release of the Subdivision Certificate**.

Reason: To protect the environment. (EPA Act Sec 79C(b))

- 127 The proponent shall submit an application for a Subdivision Certificate for Council certification. Such application shall be accompanied by a \$260 Subdivision Certificate fee.
-

Reason: To comply with environmental planning instrument. (EPA Act Sec 79C(a))

128 All unsightly matter shall be stored out of sight from any adjacent premises or public place.

Reason: To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))

129 The proponent shall comply with all conditions of Development Consent Notice 99/475 at all times.

***Information to Applicants
Advisory Notes***

NOTE 1: Water and/or Sewerage Headworks levies payable under the Water Supply Authorities Act 1987 totalling \$106,795 will need to be paid to Council prior to Council issuing a Compliance Certificate under s.26 of the Water Supply Authorities Act 1987.

NOTE 2: An application fee is payable on the submission of a Trade Waste Application to Council. The current application fee can be obtained by contacting Council.

NOTE 3: A connection fee is payable on the connection of a dwelling to the water supply. The current connection fee can be obtained by contacting Council.

NOTE 4: On completion of works and prior to issue of a compliance certificate under s.26 of the Water Supply Authorities Act 1987, Council will require a maintenance bond to be paid to Council.

NOTE 5: Council could choose to have a larger water main constructed than what is required to service the development. This will be negotiated with the applicant/developer at the detailed design stage.

NOTE 6: The Part 3A permit from the Department of Land and Water Conservation will be issued on the basis that:

- the bed of the channel is not lowered;
- any construction work shall be secured to withstand flow velocities at the backfill discharge;
- the works will be constructed to Councils Engineering specifications;
- any fill shall be protected to prevent it from being eroded;
- no materials shall be used that may pollute the stream or create a risk to public safety;
- all scrub, undergrowth and timber removed from the site shall be disposed of so that debris cannot be swept back into the stream in the event of stormwater runoff from the site;
- if in the opinion of any reasonable officer of the Dept of Land and Water Conservation any work is being carried out in such a manner that it may damage or detrimentally affect the stream, the operation in that section of the stream shall cease forthwith upon written or oral direction of that officer;

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- the site shall be restored and revegetated to the satisfaction of the Dept of Land and Water Conservation;
- the permit holder is responsible for any excavation, removal or replacement of material or construction of works undertaken by any other person or company at the site;
- operations shall be conducted in such a manner as to not cause damage or increase erosion of adjacent bed and banks;
- sediment control measures shall be provided for the duration of works and until the site is stabilised;
- operations are to be conducted in such a way that there is no reduction in waterway or diversion of the stream from the existing alignment of the high banks; and
- if the permit conditions are breached, the permit holder shall restore the site to the satisfaction of the department. If the works as directed are not completed, then the permit holder shall pay a fee prescribed by the department for the initial breach inspection and all subsequent inspections.

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LISMORE CITY COUNCIL

DEVELOPMENT CONSENT NO: 99/360

ADDRESS: 44 Oliver Avenue, Goonellabah

IMPORTANT TO NOTE

The rates and amounts shown against the various items below are those applicable as at date of original consent. If these levies are not paid within twelve (12) months of the date of original consent, the rates shall then be increased on an annual basis in accordance with the prevailing Australian Bureau of Statistics Consumer Price Index (Sydney), as applicable at the time of payment.

To be read in conjunction with advice of development consent.

The levies imposed by Condition No. 66, as contributions towards the cost of meeting increased demand for public services and amenities that will result from the development, are identified in this Schedule.

The following Levies are charged under Section 94 of the Environmental Planning and Assessment Act 1979 and amounts payable are set out below.

** Note: For discount see Lismore Contributions Plan 1999*

Levy Area	Account No.	No. of ET's	Cost Per ET	Amount Payable
Open Space				
Urban Roads				
Arterial Roads				
Commercial Development	1655-5	5330m ²	\$16 per m ² (GFA)	\$85,280
Total				\$85,280

ET'S CORRECT - PLANNING SERVICES OFFICER DATE/...../.....

LEVIES CORRECT - FINANCIAL SERVICES OFFICER DATE/...../.....

Total levies at current rates (actual amount to be calculated when final plan submitted).

A COPY OF THIS ADVICE MUST BE PRESENTED WHEN MAKING PAYMENT

DATE:

RECEIPT NO:
CASHIER:

COUNCIL USE ONLY

Cashier to Note:

This section must be completed by the Manager-Financial Services, the Expenditure Accountant or the Financial Accountant prior to receipt.

I hereby certify that the fees payable have been checked to ensure that;

- a) the number of ET's is in accordance with the development application;

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Development Application No. 99/360 - Proposed Shopping Centre

-
-
- b) the cost per ET is in accordance with the relevant Lismore Contributions Plan and/or Section 64 Plan applicable, as at the date of development application approval;
 - c) the Consumer Price Index has been applied to the schedule of Section 94 fees and the Building Price Index to Section 64 fees, where the period between the date of consent and the date of payment is in excess of twelve (12) months.

.....
FINANCIAL SERVICES OFFICER

...../...../.....
DATE

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LISMORE CITY COUNCIL

DEVELOPMENT CONSENT NO: 99/360

ADDRESS: 44 Oliver Avenue, Goonellabah

To be read in conjunction with advice of development consent.

The levies imposed by Note No. 1 are identified in this Schedule.

The rates and amounts shown against the various items are those current at the date of this notice. If these levies are not paid within twelve (12) months of the date of this consent these rates shall be increased annually from the date of this notice, in accordance with the percentage increase from the date of approval to the date of payment, as notified by the Building Price Index (Sydney).

The following Levies are charged under and amounts payable are set out below.

Levy Area	Account No.	No. of ET's	Cost Per ET	Amount Payable
Water and Sewerage Headworks Levies are charged under Division 2 of Part 3 of the Water Supply Authorities Act 1987 (as amended) of the Local Government Act 1993 and amounts payable are set out below.				
Water Headworks				
Urban Reservoir Zone				
Goonellabah				
- Wyreema Avenue	8175-1	14	1898	\$26,572
Rous County Council				
All areas except Nimbin Per Allotment	9200-2	14	1257	\$17,598
Sewerage Headworks				
Goonellabah	7175-1	14	4175	\$62,625
Total				\$106,795

ET'S CORRECT - WATER & SEWER SERVICES OFFICER **DATE**/...../.....

LEVIES CORRECT - FINANCIAL SERVICES OFFICER **DATE**/...../.....

Total levies at current rates (actual amount to be calculated when final plan submitted).

A COPY OF THIS ADVICE MUST BE
PRESENTED WHEN MAKING PAYMENT

DATE:

RECEIPT NO:
CASHIER:

Subject/File No: REZONING PROPOSAL - EASTPOINT SHOPPING VILLAGE,
BALLINA ROAD/HOLLAND STREET, GOONELLABAH
(HM: S746)

Prepared By: Manager Strategic Planning - Helen Manning

Reason: To advise Council of the proposed rezoning and analyse planning issues

Objective: To obtain Council's direction concerning initiation of the rezoning

Management Plan Strategic Planning

Activity:

Background:

In early 1998 Council considered a proposal to rezone land at the corner of Ballina Road and Holland Street to enable the development of a neighbourhood shopping centre. Council initially resolved to prepare an amending LEP and exhibit it to gauge response from other shopping centres. At exhibition 24 submissions were received, 14 objecting to the proposal and 10 in support.

Council then resolved not to proceed with the LEP amendment.

Subsequently, a strategy was prepared for the location of neighbourhood shopping centres in Goonellabah, and this strategy recommended the subject site as one of several possibilities for such development.

Capminster Property Services has now re-submitted the application to rezone Lot 21, DP 835735, at the corner of Ballina Road and Holland Street, from 2(a) Residential to 3(b) Neighbourhood Business, to permit the development of the 'Eastpoint Shopping Village'. This is to comprise approximately 1500 square metres gross leasable area and associated parking.

A comprehensive report addressing the planning issues is to be circulated separately to Councillors.

Views of Government Departments

No objections were received from Government authorities during the previous exhibition. However, both the Department of Urban Affairs & Planning and the Roads and Traffic Authority raised concerns about the suitability of the location adjacent to the Bruxner Highway, and the RTA recommended that there be no vehicular or pedestrian access from the Highway, and that no parking be permitted along the Highway. Both Departments must be consulted again should Council resolve to support the rezoning proposal and should these Departments not retract their concerns then the Minister may be reluctant to agree to a rezoning which does not include the recommendations of the RTA.

Manager - Finance & Administration Comments

The only issue that appears to be of concern is the possible requirement for Council to contribute towards the construction of a roundabout at this location as no funding is allocated to this facility. If Council

determines to proceed with this rezoning, the potential impact on our resources should also be assessed and reported for consideration.

Rezoning Proposal - Eastpoint Shopping Village

Public Consultations

If supported by Council the draft LEP amendment must be exhibited for public comment for a minimum of 28 days.

Other Group Comments

City Works

The traffic impact report provided by Ray Sargent & Assoc. assumes the ring road system will travel north along Holland Street before turning right onto the Bruxner Highway. This route has now been amended with the ring road travelling east from the Holland St./Oliver Ave. intersection, travelling through the Toongahra estate and accessing the Bruxner Highway at the proposed new Pineapple Road intersection.

The need for a roundabout is still identified, however the percentage of traffic would be much less. This would indicate that although the broader community will benefit from the construction of the roundabout a greater benefit will be towards the development.

It is recommended that an updated traffic impact report specific to the development be undertaken and tested within the model provided by Council's consultant, TEC. This would then allow for the roundabout to be separated from other Section 90 works and identify a financial contribution towards the roundabout in relation to the percentage of traffic being generated from the development. It may then be possible to negotiate any credit from S94 levies towards the roundabout construction and any shortfall in the benefit obtained.

(NOTE: An updated Traffic Impact Report would be required at the DA stage.)

Conclusion

It should be possible to rezone the land while meeting the concerns of the Government departments and those of adjoining property owners. A draft amending LEP is to be attached to the comprehensive report for Council's consideration.

Recommendation (PLA58)

That Council resolve, pursuant to S54 of the Environmental Planning and Assessment Act, to prepare Draft Amendment No. 3 to Lismore Local Environmental Plan 1999 to rezone the site to 3(b) Neighbourhood Business and to exhibit the proposal for public comment.

Subject/File No: DRAFT LEP 1999 AMENDMENT NO. 2 - HERITAGE
(JD: S393/12, S697)

Prepared By: Strategic Planner - Jemina Dunn

Reason: To advise Council of the outcome of exhibition of Draft LEP 1999 Amendment No. 2 - Heritage

Objective: To note the contents of this report and consider the recommendations of a supplementary report to be provided prior to the Council Meeting.

Management Plan Strategic Planning

Activity:

Background:

Council in March 1999 resolved to place on public exhibition Draft LEP Amendment No. 45 - Heritage. This Amendment, which is now known as Draft Amendment No. 2 to LEP 1999, rather than Draft Amendment 45 to LEP 1992, was exhibited for a period of twenty eight (28) days from Thursday July 29 to Wednesday August 25, 1999.

As was outlined in recent advice to Councillors contained within the General Manager's *Update* of July 28, 1999, it was necessary to streamline the previously proposed exhibition process and modify the proposed amendment to enable the matter to be dealt with by the current Council. This was considered prudent due to the logistical difficulties and unnecessary duplication that would be involved in adequately briefing a new Council on this project which Councillors will appreciate has an extremely long and complex history.

In order to ensure the matter could be dealt with at Council's meeting of August 31, 1999, it is necessary that a supplementary report detailing submissions received be prepared and faxed to Councillors following the close of exhibition on Wednesday August 25. To ensure Councillors are adequately familiar with issues and concerns raised in submissions and during the exhibition period the Strategic Planning Section will hold a briefing session on Monday August 30, 1999 between 6-8pm at the Council Chambers. This will ensure Councillors will have an adequate grasp of the matter to allow consideration of the report.

As noted above, several changes were made to both the amendment itself and the proposed exhibition period to allow the matter to be dealt with expeditiously. All care was taken to ensure that these changes undermined the intentions of the Heritage Study Steering Committee's previously endorsed proposed exhibition process as little as possible. The positive response displayed to date by the public to the draft amendment indicate that this has been achieved.

In regard to the amendment itself the following changes were made:

- *The proposed new Heritage Provisions were omitted and the existing provisions retained.*
-
-

This change was made for a number of reasons including the complexity and detail of the new provisions and the fear and concern such complexity could engender in landowners in the absence of a suitable Plain English version. Due to the obvious time constraints associated with

Proposed Amendment No. 2 to LEP 1999 - Heritage

tabling this matter at the final meeting of the current Council it was logistically impossible to produce a Plain English document in the time available. Accordingly it is proposed that the new provisions, that are effectively a duplication of the existing conditions in a slightly more comprehensive format, be included in a future LEP Amendment.

- *Proposed Removal of a number of Landscape Items in private ownership for inclusion in a future LEP amendment*

Due to severe time constraints prior to the exhibition period and problems identifying some properties Council was unable to contact several owners of proposed landscape items by mail. Accordingly it is recommended that these properties be omitted from the current amendment and included within a future amendment to LEP 99. A full list of properties proposed to be omitted from the amendment for this reason will be included in the proposed supplementary report.

- *Proposed Removal of a number of rural Landscape Items in private ownership for further investigation and identification of an alternative more suitable management technique*

Due to a number of difficulties that became apparent in the days preceding exhibition of the proposed amendment, landowners likely to be affected by the previously proposed group property rural landscapes (for example. Tuckean Swamp and Terania Creek Valley) were unable to be notified by mail of their proposed inclusion in the draft amendment. Following review of this issue by the Strategic Planning Section in the intervening period it is considered that an alternative management technique for conservation of the visual/aesthetic integrity of these often large areas may be more appropriate. This is a matter which has previously been grappled with on a number of occasions by Council and due to the very large number of properties likely to be effected, the difficulty in correctly identifying them and the lack of precedent elsewhere in NSW currently, it is recommended that the issue of management of these areas be further investigated by Council.

Should Council decide to proceed with inclusion of these items in Schedule 2 of the LEP they would need to be included in a future amendment due to the fact that landowners affected have not been contacted by mail during the recent exhibition period despite their inclusion within the proposed amendment. As previously noted this situation is a result of difficulties associated with preparation of the amendment in the time available. Further detail of this matter will be included in the proposed supplementary report.

Public Consultations

In regard to Public Consultation the amendment was exhibited for twenty eight (28) days as opposed to six (6) weeks as previously resolved by Council. This was necessary to ensure a report could be considered by Council at it's August meeting and was outlined in the General Manager's July *Update* to Councillors.

Exhibition of the amendment was advertised in *The Northern Rivers Echo* and *The Northern Star* on several occasions with press releases also being issued. *NBN News* and several radio stations also reported on the draft proposal. Copies of the document were available for viewing at Council's

LISMORE CITY COUNCIL - Meeting held August 31, 1999

Proposed Amendment No. 2 to LEP 1999 - Heritage

Administration Office, the Lismore Branch of the Richmond Tweed Library and the Nimbin Community Centre.

In order to ensure maximum public exposure to information regarding the draft amendment several public Heritage Information Days were held in Lismore and Nimbin. These were staffed by Council's Heritage Adviser Wendy Laird and Strategic Planner Jemina Dunn and were scheduled both during and outside working hours to allow full public access. These sessions were not well attended despite affected landowners being advised in notification letters. Of those landowners who did attend the most commonly asked questions related to Council's Heritage Funding Scheme.

As resolved by Council, notification letters were sent to landowners in proposed new conservation areas and those whose properties were proposed new listings as individual items in Schedule 2 of the LEP with the exception of proposed landscape items discussed above. Those whose properties were proposed to be removed from Schedule 2 of the LEP were also advised. Letters were personalised as much as practicable in the time available and discussed implications of listing or removal from listing.

As noted above a report detailing the outcome of public exhibition of the draft amendment will be faxed to Councillors as soon as practicable after the close of exhibition (25 August) and will be discussed at a proposed Councillor briefing session.

Other Group Comments

Any comments from Council's Property Services Section regarding the proposed amendment will be included within the report to be forwarded to Councillors following the close of exhibition.

Conclusion

As Councillors will be aware, this draft Amendment has a very long and complex history dating from preparation of the Heritage Study in 1995. After many years of consideration and negotiation between the NSW Heritage Office, affected landowners, Heritage Study Steering Committee members and Council staff, the amendment that has recently been exhibited has finally been prepared.

As noted above, at the time of drafting of this report (18 August) there has been only two submissions received with both seeking additional information and neither objecting to listing. Furthermore, although there have been a number of telephone queries and visitors to Strategic Planning Section Heritage Information sessions seeking further advice regarding the implications of listing, there have been no landowners who have sought to have their property removed from listing to date.

As the exhibition period has not closed at the time of drafting of this report it is inappropriate to make a recommendation to Council regarding whether the draft Amendment should proceed at this stage. Following close of exhibition, submissions will be considered by the Strategic Planning Section and a report, including recommendations and copies of submissions, will be prepared and distributed to Councillors.

Recommendation (PLA59)

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Proposed Amendment No. 2 to LEP 1999 - Heritage

That Council note this report and consider the recommendations of a supplementary report regarding the matter which will be distributed in the week prior to the Council meeting.

Subject/File No: FEASIBILITY STUDY INTO THE DEVELOPMENT OF AN INDOOR SPORT AND LEISURE CENTRE AT GOONELLABAH (S736)

Prepared By: Recreation Planner, Alex Wilford

Reason: Advise Council of the Outcome of the Feasibility Study

Objective: Council Adopt the Feasibility Study Report

Management Plan Community Services

Activity:

Introduction:

The need for an Indoor Sports and Leisure Centre in Goonellabah was identified in the Recreation Needs Study undertaken by Michael King and Associates in 1998. A detailed Feasibility Study into the development of such a facility was recently completed by Venue Group Consultants (copy of Final Report separately attached). The Final Report recommends that an Indoor Sports and Leisure Centre be developed in two stages at the Goonellabah Town Centre Site opposite the Council Chambers.

This report provides a brief summary of the feasibility study, outlining the project scope, methodology, community consultation, concept design, cost estimates, financial projections and key findings and recommendations.

Background:

On 30 March 1999, the former Recreation Planner, David Edwards submitted a report to Council seeking Council's support for the development of an indoor sports and leisure centre at Goonellabah. Council resolved the following:

- 1. That Council agree, in principle, to the development of an outdoor sports and leisure centre in Goonellabah.*
- 2. That Council commence investigations on location, user needs, funding, design and cost.*
- 3. That a progress report be submitted to Council in three months time.*
- 4. These investigations include an outdoor 25 metre recreational swimming facility.*

In June 1999, quotations were invited to undertake a Feasibility Study into the development of an indoor sports and leisure centre at Goonellabah. Following assessment of the 9 quotations received, Brisbane based consultants, Venue Group Consultants were commissioned to undertake the study. The study commenced on 28 July and the Final Report was received on Wednesday, 11 August 1999. The Lismore and District Sports Association acted as the Steering Committee to oversee the project.

Feasibility Study Summary:

Project Scope

The scope of the project, as detailed in the consultancy brief and confirmed by the Steering Committee, included the following elements:

Feasibility Study - Indoor Sport & Leisure Centre at Goonellabah

- Consult with user groups and Lismore and District Sports Association
- Seek advice and investigate partnerships with the Department of Sport and Recreation
- Research Industry Trends
- Identify funding options and opportunities
- Scope design characteristics
- Estimate capital and recurrent costs
- Investigate suitable site options

Methodology

The following methodology was applied for this project:

- Situation Analysis;
- Trend / Demographic Analysis;
- Existing Attendance / Customer Satisfaction Data;
- Review of Existing and Planned Facilities;
- Operational Review;
- Consultation Process (community survey, stakeholder interviews);
- Management Options;
- Design Elements, Cost Estimates;
- Financial Projections.

Trend / Demographic Analysis

Local and national trends in leisure participation were reviewed to identify areas that need to be considered in the planning and development of facilities. A comprehensive list of trends is provided in Section 4 of the Final Report.

The demographic profile of Lismore was also reviewed and analysed. A summary of relevant demographic features is included in Section 6 of the Final Report.

Consultation Process and Findings

The study drew on relevant findings from community consultation undertaken as part of the 1998 Lismore Recreation Needs Study.

Interviews were held with the following groups to ascertain whether the findings of the Recreation Needs Study were still valid and whether there were any other considerations that should be investigated.

Lismore and District Sports Association (Steering Committee)
Alstonville Leisure and Entertainment Centre
Department of Sport and Recreation - Regional Director
Kadina High School - Sports Director
Trinity College - Sports Master
Lismore Amateur Basketball Association

Lismore and Districts Netball Association
Lismore City Council - Executives and Staff

Further details in relation to community consultation are provided in Section 8 of the Final Report.

Concept Design

Attachment F of the Final Report contains the concept plans for stages 1 and 2 of the proposed facility. The concept plans have been prepared by Venue Group Consultants and Guymer Bailey Architects, who have considerable experience in the design of indoor sports and aquatic facilities.

The proposed design reflects the outcomes of consultation and the need for the facility to be more than just a sports facility, but also a community focused leisure centre and meeting place. The need to provide the right level of customer service, while minimising staff costs, has also been considered in the proposed design.

Stage 1 includes the following:

- Two indoor multi-purpose courts with sprung timber floors
- Tiered seating for 300 spectators
- Change rooms / toilets
- Reception
- Coffee shop / kiosk
- Internet Café
- Meeting room / occasional child care
- Administration office
- Car parking (92 cars)
- Storage areas

Stage 2 includes:

- Indoor 25 metre x 6 lane heated swimming pool
- Additional change rooms / toilets
- Additional seating
- Plant room
- Indoor climbing wall*

* The indoor climbing wall could be developed separately as Stage 3 if desired.

The preference for an indoor, rather than outdoor, swimming pool was agreed upon early in the study by the Steering Committee. An indoor pool would allow year round use and would be a more viable option. The concept design includes a series of motorised roller shutters in the wall adjacent to the swimming pool. These would provide direct access to, and a view over, landscaped outdoor areas.

Further details in relation to the design requirements are provided in Section 10 of the Final Report.

Estimated Development Costs

The estimated development costs are:

Stage 1 - \$1,848,000

Stage 2 - \$1,380,000

A more detailed breakdown of the estimated costs is provided in Section 11 of the Final Report.

The cost estimates are based on floor area rates for standard buildings of this type and do not make allowance for site conditions, additional Council requirements (landscaping, etc.) or road extensions. While, it is difficult to estimate these costs until site investigations have been undertaken and development conditions are known, the consultant has suggested that 10% of the capital costs (\$190,000) should be allowed.

Funding

The study assumes that the capital costs of the development (stage 1) would be funded through Section 94 funds (approx \$900,000) and loans (approximately \$1,000,000). Interest for the loan has been calculated at 8% over a repayment period of 15 years.

A similar ratio of Section 94 funding (\$680,000) and loan funding (\$700,000) has been assumed for Stage 2.

Management Options

Three main models exist in the management of local government owned indoor sports and aquatic centres.

- Model 1. Managed by Local Government Business Unit
- Model 2. Council Manages Centre, Leases Café Operation
- Model 3. Seek Operator of Sports Centre through Tender Process.

The consultant recommends that model 2 be used initially, until the Centre is used to maximum and the aquatic component is developed. Following this initial evaluation period, Model 3 should be considered (operator through tender process).

Financial Projections

Financial estimates (for 5 years of operation) and the underpinning assumptions are detailed in Section 13 of the Final Report.

Revenue and Expenditure estimates indicate that Stage 1 of the facility would achieve an operating profit (\$27,800) from year two (before loan repayments and depreciation). Year 1 would result in a loss (\$62,100).

The revenue and expenditure estimates indicate a greater operating profit could be achieved once the Stage 2 aquatic component is developed (\$69,325 in year 5).

The financial projections assume that Stage 2 would be developed in year 3 and be operational in year 4. Loan repayments are calculated at 8% over 15 years. Depreciation has been calculated over 50 years.

Key Findings and Recommendations

The Final Report contains numerous key findings and recommendations. These are presented below:

Key Findings

- As Goonellabah has the highest urban population and is the fastest growing urban area of Lismore LGA, it is the preferred location for development of an indoor sports and aquatic centre.
- Industry trends indicate that the Lismore area could service up to four more indoor courts.
- A high demand exists for an indoor sports and aquatic facility.
- A strong need existed for a community focused centre for both sport and a meeting place for youth and seniors.
- The Goonellabah Town Centre site is the preferred site for the development of the indoor sports and aquatic centre.

Recommendations

- The proposed staged development of the Centre be approved, with the available funding for Stage 1 being:

\$900,000	Section 94 (approx)
<u>\$1,000,000</u>	Loan Funds
<u>\$1,900,000</u>	

- It is recommended to wait before finalising the layout and design of the aquatic elements (Stage 2) until the outcome of the negotiations for the joint venture of the proposed regional aquatic facility at the Southern Cross University.
 - It is initially recommended that Council manage the Centre and lease out the coffee shop until the maximum usage is achieved and the aquatic stage is developed. Following the initial evaluation period Council could then determine to seek an operator through the tender process.
 - If the joint venture does not proceed then the layout for the Town Centre site at Goonellabah should be revisited.
-

Manager - Finance & Administration Comments

The Feasibility Study supports the proposal that a facility such as this is sustainable in Goonellabah. The methodology used is well based and appears to be most applicable to the situation.

From a financial perspective, it would be logical to further evaluate the specific financial implications of the project including;

- the development costs - site and DA,
- funding sources and availability - capital and operational,
- management structure, and
- timing of the project.

before committing to the development of this facility.

Other Group Comments

Group Manager-Planning & Development

The use of Section 94 funds collected for the Aquatic & Leisure Centre project and earmarked for the Urban Catchment East area is in accordance with the Lismore Contributions Plan recently adopted by Council.

Utilisation of approximately \$900,000 of these funds would effectively take up all existing reserves. Unless growth rates pick up much more significantly than envisaged, it is doubtful that a further \$680,000 in developer contributions is likely to be raised over the next 3-4 years to supplement the funding required for Stage 2 (aquatic facility) as has been suggested. It may therefore be necessary for Council's contribution to Stage 2 to be increased if the recommended timetable for these works to be completed is to be met.

Conclusion

In response to Council's resolution of 30 March 1999, Venue Group Consultants were commissioned to undertake a Feasibility Study into the development of an Indoor Sports and Leisure Centre in Goonellabah. The results of the study indicate a high demand for an indoor sports and aquatic facility and a need for such a facility to also serve as a community meeting place.

The Final Report recommends the two staged development of an indoor sports and leisure centre at the Goonellabah Town Centre Site. Facilities proposed for Stage 1 include; 2 indoor multi-purpose courts, coffee shop, Internet café, amenities, meeting room, spectator seating, storage areas and car parking. Facilities proposed for Stage 2; include an indoor 25 metre swimming pool, additional amenities, additional seating and an indoor climbing wall.

The layout and design for Stage 2 (aquatic elements) should not be finalised until an outcome is reached in regard to the Joint Venture Regional Aquatic Centre. Further investigations will also be required in regard to specific site work requirements, development approval conditions, sources of funding and management options.

While the feasibility study demonstrates the need and viability for an indoor sports and leisure centre in Goonellabah, the final siting, layout, design and staging should be deferred until the future of the proposed Joint Venture Regional Aquatic Centre is confirmed and further investigations in regard to site conditions, development conditions and funding sources are undertaken.

Recommendation

1. That Council adopt the Feasibility Study into the development of an Indoor Sports and Leisure Centre in Goonellabah..
2. That further evaluation of specific financial implications of the project be undertaken including;
 - the development costs - site and DA;
 - funding sources and availability - capital and operational;
 - management structure; and
 - timing of the project.
3. That the results of the above evaluation be provided in a report to Council prior to March 2000, with the objective to include the project in the 2000/2001 budget.
4. That the outcome of negotiations for the proposed Joint Venture Regional Aquatic Centre be resolved prior to finalising the layout and design of an Indoor Sports and Leisure Centre at Goonellabah.

LISMORE CITY COUNCIL - Meeting held 31 August 1999

Report - Clunes Old School Site

Subject/File No: CLUNES OLD SCHOOL SITE
(P25786)

Prepared By: Craig Kelly Group Manager – Business & Enterprise

Reason: Council Resolution 420/98

Objective: Seek Council resolution of this matter.

Management Plan NA
Activity:

Background:

At Council's meeting of November 17, 1998 a report addressing the funding requirements for the purchase of the former public school site in Walker Street, Clunes was considered. Upon receipt of that report Council resolved that .."the Property Services Manager commence consultation with the Clunes community and interested parties to identify any surplus land associated with the Old School site and submit a further report to Council." (Resolution 420/98/2)

Council engaged the services of Walker & Newton to review the Concept Plan prepared for the Site by the Clunes Old School Association Inc (COSA) to provide Council with advice on the proposals of COSA and in particular to identify the most practical site for a subdividable lot should one exist. A copy of the Walker & Newton report (Ref 99/397) is included as a Attachment (A) to this report. A copy of the COSA concept Plan is Attachment (B)

In that report Walker & Newton identified a potential lot for subdivision. The creation of the lot would have an area of 1,300 square metres. This lot would be consistent with other lots to the north of the site and although not referred to in the report, Walker & Newton have verbally confirmed that the lot would not require removal of any mature trees. See Attachment (C).

In reaching this conclusion Walker & Newton reviewed the site and the COSA concept plan for the site. It was noted in the concept plan that the intended uses of the proposed area are rainforest regeneration and playground with a pine bark surface.

Should Council accept such a proposition the outcome of any sale is uncertain, however net of subdivision and other development costs Council could see a return in the order of \$50,000 for the sub-divided lot. Such proceeds if realised would assist greatly in the reduction of the loan of \$97,500 which was borrowed to fund the purchase.

Manager - Finance & Administration Comments

This is an opportunity for Council to 'subsidise' the purchase of this site. It is clear that the proposal has opposition, but benefits could be reaped by both COSA and Council if the subdivision and sale proceeds.

Report - Clunes Old School Site

A compromise might be that the net proceeds of sale be split between the parties. This would provide COSA will funds to develop the site and for Council to reduce its level of indebtedness. I would suggest that the majority of the proceeds should remain with Council, say 80%. Based on net proceeds of sale of \$50,000, this would equate to \$40,000 meaning COSA's share would be \$10,000.

Public Consultations

The report prepared by Walker & Newton was discussed with representatives of COSA and the Clunes Progress Association at a meeting held in the Council offices. At that meeting, the best means of conducting community consultation was discussed. It was considered opportune that an edition of 'The Clunes Clues' was about to be published and a suitable presentation of the proposal in that journal would be the most effective means of informing the broader Clunes community and interested parties of the proposal. A copy of the relevant section of 'The Clunes Clues' is attachment (E).

You will note that 'The Clunes Clues' refers to a petition against the proposed sub-division. This petition has not been received by Council at the time of writing.

A submission was received from the Clunes Progress Association stating that the Association had resolved to oppose any planned subdivision. A copy of their submission is attachment (F).

No other submissions were received at the time of writing.

Finally it is proposed to have a site meeting with representatives of COSA, the Clunes Progress Association, Councillors and representatives of Walker & Newton prior to the Council meeting so that a visual assessment of the proposed lot can be made.

Other Group Comments

Alex Wilford – Recreation Planner

Clunes has almost the largest population (Total Population 461 - ABS 1996) of all Lismore LGA rural villages and has a high concentration of children and youth. Villages of its size and demographic make-up warrant the provision of a range of recreational opportunities.

The existing recreational land in Clunes includes the Village Green on Main Street, the Smith Street Reserve (\$30,000 spent on earthworks, shelter, play equipment and planting in 1998/99) and the sports field at the Clunes Primary School.

While the existing provision of recreational land appears adequate, the facilities proposed in COSA's concept plan for the Clunes Old School site would certainly be a welcome addition that would enjoy considerable community use.

While the proposed subdivision would limit the recreation potential of the site (in area and scope), it would still allow for many of the improvements proposed in the concept plan. A contribution from the proceeds of the sale of land may see these improvements realised in the near future.

Report - Clunes Old School Site

A major concern with the proposed subdivision is that two fig trees are located along the driveway to the proposed development lot. These trees are important to the visual amenity of the site and for the shade they provide. The impact upon these trees and any other native flora should be investigated and considered.

The proposed development lot and its driveway would also need to be sensitively buffered (landscaping, mounding etc) to maintain the community value of the Clunes Old School site.

Conclusion

A resolution of this matter will put to rest an outstanding issue that has been ongoing since the decision to acquire the former public school site. The sale of a subdividable lot would generate funds needed by Council to retire debt and reduce the impact of this activity on the general fund however COSA have plans for the entire site. Any reduction in available land may be seen to compromise that plan.

Recommendations (ENT15)

- 1 That Council subdivide 17 Walker Street, Clunes (DP 859126) into two lots in accordance with the broad principle outlined in the map prepared by Walker & Newton.
- 2 That once created, the new lot is to:
 - a) retain its "operational" classification and
 - b) be referred to a valuer to determine its market value.
- 3 The General Manager be authorised to offer the newly subdivided lot for sale at a price no less than the market valuation referred to in (2).
- 4 That the General Manager be authorised to sign subdivision plans, contracts of sale and transfers necessary to bring about the action.

LISMORE CITY COUNCIL - Meeting held August 31, 1999

Subject/File No: FAR NORTH COAST BASEBALL ASSOCIATION - ALBERT PARK - FINANCIAL ASSISTANCE (P16984)

Prepared By: Financial Accountant - Graeme Blanch

Reason: Advise Council of current financial position of repayment.

Objective: Determine action Council wishes to take.

Management Plan Financial Services

Activity:

Background:

Councillors will be aware that the Far North Coast Baseball Association (FNCBA) received an advance of \$25,000 during 1995. These funds allowed the FNCBA to enter into a financial arrangement with the Australian Baseball Federation to "establish Lismore as the training camp venue for the National Baseball Association until the year 2000."

The advance was funded from Council's reserve (Oakes Oval development seating reserve) and the arrangement was made for full repayment due by June 30, 1999.

The FNCBA made a payment of \$2,000 in June, 1995 leaving a balance of \$23,000

In 1997 the FNCBA requested that the debt be waived urging that "consideration be given to the conspicuous financial and work contribution that this association has already made to elevating Albert Park to its current national status, as well as the economic benefits to the wider community".

There can be no argument that the FNCBA, in conjunction with the Council, has done a magnificent job in improving Albert Park and there are obvious flow on benefits to the community.

Council, at its meeting on April 22, 1997 resolved to defer payment of the \$23,000 advance to the FNCBA for a period of twenty four months (ie payment due by June 1999).

Council, at its meeting on August 25, 1998 considered a request that Council act as guarantor for a loan of \$120,000 from the Summerland Credit Union Ltd. The funds relate to expenditure required to complete the building of the clubhouse facility at Albert Park.

Council, as part of acting as guarantor for the loan of \$120,000, reinforced its requirements that the current debt of \$23,000 be repaid in full by June 30, 1999.

Council reminded the FNCBA on June 21, 1999 of their obligation to repay their advance by June 30, 1999.

LISMORE CITY COUNCIL - Meeting held August 31, 1999

In response, a meeting was arranged with representatives (including their Treasurer) from the FNCBA. They advanced a number of reasons as to why they were not in a financial position to meet their current obligation. These included the weather washing out a number of their special events, or limiting their potential to generate income, the regular season hampered due to the wet, the cost to build the new clubhouse and meeting the new loan commitment.

LISMORE CITY COUNCIL - Meeting held August 31, 1999

FNC Baseball Association

The FNCBA advised that in a year of reasonable weather conditions they would have been in a financial position to meet all their commitments. The FNCBA made a payment of \$3,000 on August 2, 1999 leaving a balance of \$20,000

The FNCBA's representatives have now offered that full repayment of the advance will be made by December 31, 2000. They advised that they have a number of special events proposed between now and December 31, 2000 and that after each successful event, they will remit a significant amount of the profit from that event to Council. (A copy of their letter is attached)

Other Group Comments

Not required

Comments - Manager-Finance & Administration

Council has no other option available to recover these funds as the original loan was 'unsecured'. This is consistent with a number of other loans we have outstanding with other community and sporting groups.

I would like to add that FNCBA did indicate at the meeting and clearly reinforce in their letter that they have every intention of meeting this obligation.

Recommendation (COR41)

- 1 That Council defer payment of the outstanding balance of \$20,000 from the Far North Coast Baseball Association until December 31, 2000.
- 2 Far North Coast Baseball Association remit to Council a significant amount of the profit of each successful event to be held prior to December 31, 2000 until the amount of \$20,000 is paid in full.

Subject/File No: ANNUAL COMMITTEE REVIEW
(S36)

Prepared By: Administrative Services Manager - Graeme Wilson

Reason: Council policy.

Objective: To ensure all Council committee are relevant.

Management Plan N/A

Activity:

Background:

As Councillors are aware, each committee/working party is subject to annual review. The key components of this review process are contained within Policy No. 1.2.3 - Duties and Responsibilities of Committee/Panel Chairpersons. These are reproduced below:

- “4 They (chairpersons) will call an annual meeting of their committee, panel or working party in July each year.
- 5 Business to be considered at each such annual meeting shall include:
- An election for the position of Chairperson for the ensuing year; and
 - the preparation of a strategy plan for at least the ensuing twelve months outlining:
 - * Performance objectives; and
 - * Performance indicators,which are consistent with funds allocated by the Council in its annual Management Plan.
 - An evaluation of the performance of the committee, panel or working party over the past twelve month period measured against its strategy plan for that period.
- 6 They will be responsible for overseeing the preparation of an annual report for submission to the Council in August of each year which includes a summary of the performance evaluation for the committee, panel or working party over the preceding twelve month period in accordance with the provisions of Clause 5 of this policy.
- 8 If the annual report/strategy plan is not forthcoming by the due date, then the composition, operation and overall need for the committee shall be reviewed by the Council in September/October.”

During the term of this Council, the Annual Reports/Strategy Plans have been submitted to “Council” either by inclusion in the Bulletin or by direct distribution to Councillors.

LISMORE CITY COUNCIL - Meeting held August 10, 1999

Given that this Council is coming to the end of its term it was considered appropriate that such Annual Reports/Strategy Plans be formally considered by Council. This would allow Councillors, with the benefit of their knowledge gained over the past four years, to consider the benefits of such committees with a view to them continuing into the next Council. This report is not intended to be a major review of Council's committee structure as occurred in June 1997.

Annual Committee Review

It should be noted that it has not been possible, due to time constraints brought about by this "early" report for all committees to have completed their obligations. This in itself should not be a reason to remove or admonish a committee.

Detailed below are Council's Discretionary Committees/Panels/Working Parties along with appropriate comments.

SPECIAL PURPOSE COMMITTEES

Section 94 Committee

This committee had two main functions, i.e. to review the Section 94 Plan and to bring staff together to give a co-ordinated response to Section 94 issues.

As Council is aware, the Section 94 review has been completed. In addition, staff re-organisation and the introduction of appropriate procedures have ensured that internal communications problems have been overcome. As a result, the chairperson of the Committee, Councillor Roberts, considers that the Committee has completed its tasks and can be disbanded.

Land Category Rate Appeals

Chairman's Comment

This Committee provides Council with the following resources:

1. Deals with the harder, more sensitive applications that Council staff would like resolved.
2. Prevents unresolved issues coming before Council and taking longer to resolve because each member of the Council sees the application in a different way. We tried this in the first Council I was on where we had approximately 10 applications and the first one took over half an hour. The Committee was reconvened again after this meeting.
3. Meets only as required approximately twice a year.
4. Not an impost on servicing staff because of above.

Staff Comment

- a) The Committee meets to consider applications for a change in rating category not able to be approved by the Rating Services Co-ordinator, who has delegated authority to approve applications only.
 - b) This involves the interpretation by Councillors of sections of the Local Government Act dealing with rating issues and the history of the various precedents established by the Land & Environment Court when dealing with appeals against a council's decision in relation to category matters.
 - c) As this matter appears to be more of an administrative nature than a policy function, it is suggested that category applications should be dealt with administratively, rather than by Councillors.
 - d) Should the need be seen for a review of the decision process, a process could be established whereby decisions to refuse a change in category made by the Rating Services Co-ordinator could be referred to Council's Management Group Meeting for review.
-

LISMORE CITY COUNCIL - Meeting held August 10, 1999

Annual Committee Review

ADVISORY PANELS

Aerodrome

The Panel was last reviewed by Council in October 1998, resulting in a new structure. The annual meeting of this Panel will be held following the attendance of the Chairperson at the Annual Airport Owners Association Conference - August 8-12, 1999.

Civic Design

This Panel is conducting a review of its activities - see attached minutes of its meeting held June 7 and August 9, 1999. Upon completion of the review a report will be submitted to Council.

Lismore Tourism

A copy of the Annual Report and Strategy Plan are included within the attachments. The Chairperson has indicated that this Panel is working well and that as its structure was reviewed in July 1998 no further adjustments are required.

Waste Management

The Panel at its meeting held on May 10, 1999 made the following recommendation to Council:

- “1 That the Waste Management Advisory Panel be terminated at the end of the current councillor term.*
- 2 That an Integrated Waste Strategy Review Team be formed consisting of the Manager-Waste Services, Waste Strategy Officer, Waste and Education Officer, Manager-Environmental Health and two councillors.*
- 3 Subject specific Council workshops be held on waste related topics, with the community invited.*
- 4 That present members of the Waste Management Advisory Panel be thanked for their involvement in the Panel and be invited to participate in waste workshops.”*

Attached to the business paper are the minutes of this meeting and a detailed report from Kieran Wade and Gordon Fraser-Quick.

Public Transport

The annual general meeting was held on July 21 at which a Draft Annual Report and Strategic Plan were tabled for feedback from members. A copy of the drafts are attached to the business paper.

Indigenous

The annual meeting has been scheduled for Thursday, August 19, 1999. This meeting will incorporate a facilitated workshop to develop a Strategy Plan for the next 12 months.

Lismore Economic Development Board

Due to staff changes with EDU the annual meeting was not held in July. This meeting is scheduled for August 23.

Annual Committee Review

SECTION 355 COMMITTEES

Lismore District Sports Association

The annual meeting of this committee will be held on Wednesday, August 11, 1999. The Council should note that the new committee structure as adopted will apply for the new council term.

STEERING COMMITTEES

Masters Games

Attached is the Annual Report of this committee. No new Strategic Plan has been prepared as the committee will wind up shortly after the Games have been held.

Caniaba Village

This committee has not met for upwards of two years. As Council is aware, the development has now been sold to Rous County Council who have and will continue to consult with the local community. Any changes to the development will need to be endorsed by this Council. Accordingly it is suggested the committee be deleted.

Heritage Study

At its meeting of February 4, 1999 the future role of the committee was discussed. It was acknowledged that whilst it was appropriate that the present committee be wound up upon completion of the Heritage LEP Amendment and DCP it was resolved that the committee support formation of a general Heritage Committee upon election of the new council. This committee would oversee ongoing heritage matters and address heritage issues which may arise from time to time. It was agreed that any subsequent committee need not necessarily have the same representatives as the existing committee and should include some resident representatives.

It is proposed that a report on this matter be submitted to the new council.

Koala Management

Council resolved on June 15 that the committee would continue to meet at least until completion of the Plan. Attached is the committee's Annual Report.

Rural Settlement Strategy

This committee met on July 26 and resolved to meet again to discuss submissions to exhibition of the Rural Settlement Strategy at the end of the exhibition period in November/December this year. Depending on the number of submissions received, there may be a need for more than one meeting. However, when submissions have been considered and the Strategy adjusted according to the committee's satisfaction, it is agreed that it should disband. Chair Eleanor Cole suggested that an AGM be deferred and the committee agreed.

WORKING PARTIES

Floodplain Management

Annual Committee Review

The annual meeting of this working party has not been held. The working party will need to continue for approximately 12 months until the adoption of the Floodplain Management Plan.

Annual Committee Review

Library Strategy

A copy of the Annual Report and Strategy Plan is attached to the business paper.

On-site Sewage Management Facilities

This working party concluded the tasks set by Council with the placement on public exhibition of the Draft Lismore City Council On-site Sewage and Wastewater Management Strategy. Accordingly this working party can be deleted.

Roads Committee

The role of this working party has been superseded by the Fix the Roads Working Party. It should therefore be deleted.

Fix the Roads

The recent establishment of this working party has meant that there is no need for an annual meeting. The Strategy Plan is still being developed.

OTHER ISSUES

Length of Appointment of Citizen Representatives

Currently citizen representatives are appointed for the term of the Council. Experience has shown that not all such appointees maintain their enthusiasm for the whole four years.

Accordingly it is suggested that the initial appointment be for two years. At the end of this period new applications will be called for the remaining two years. This will not preclude existing representatives being re-appointed.

Number of Representatives on External Organisations

Concern has been raised that the number of Councillor representatives on external organisations is excessive and could be reduced. By and large, this representation is written into these external organisational structures and cannot be easily altered. It is in Council's best interests to maintain maximum levels of representation.

Annual Meeting of Committees

The requirement to hold an Annual General Meeting to set and review strategies has worked well. The requirement to hold such a meeting in the final year of a council has been questioned.

The election of a chairperson may be somewhat redundant, but there is also benefit in the committee setting a strategy plan for the new council to maintain continuity of purpose. No change is proposed to the policy.

Manager - Finance & Administration Comments

Not requested

Public Consultations

Annual Committee Review

The Strategy Plans have involved discussion with community representatives.

Other Group Comments

Have been included within the report.

Recommendation (COR38)

- 1 That the Annual Reports and Strategy Plans be received and endorsed.
- 2 That the following committees cease to exist at the end of the term of this council:
Section 94 Committee, Land Category Rate Appeals Committee, Waste Management Committee, Caniaba Village Steering Committee, Heritage Study Steering Committee and the Roads Committee Working Party.
- 3 That an Integrated Waste Strategy Review Team be formed consisting of:
Manager-Waste Services, Waste Strategy Officer, Waste and Education Officer, Manager-Environmental Health and two councillors.
- 4 A report be submitted to the next council on the formation of a General Heritage Committee.
- 5 Citizen appointees to committees be for a period of two years.

LISMORE CITY COUNCIL - Meeting held August 10, 1999

Subject/File No: ORGANIC RESOURCE REPROCESSING OPTIONS
(GFQ: S 317)

Prepared By: Waste Strategy Officer

Reason: Review and update Council options in light of Contractor failure

Objective: Inform Council of options available and gain Council directive

Management Plan Waste Minimisation

Activity:

Background:

Lismore Council's first Integrated Waste Management Service was introduced on July 5, 1999. For the first four weeks of the service a Quality Assurance audit was undertaken and this showed the resources collected were consistently arriving with less than 2% by volume contamination. This low level of contamination was most gratifying.

Results of the collection service to date are;

Averages

COLLECTION Loads/ day	Tonnes/ load	Tonnes/ day	Tonnes/ week	Tonne Year
2.7	5.7	15.38	76.89	3998.45

At this rate, with inclusion of the self-haul green waste, the assumed recovery of organic resources per annum is 5,198 tonne per annum.

Council has been experiencing substantial difficulty in getting the organic resource reprocessing contractor to fulfil their commitment under the contract (Tender T99009) with Council. The difficulties have not been of Council's doing nor has any action taken (or not taken) by Council caused or contributed to the difficulties.

Council has continued to work with the contractor to facilitate the performance of the contract, without success.

Council has taken legal advice on this matter and is awaiting further information which will be forwarded under separate cover to Councillors.

Recommendation (PLA63)

That Council accept a supplementary report on this matter.

Subject/File No: IMPLEMENTATION OF PUBLIC TRANSPORT STUDY
(HM: S135)

Prepared By: Manager Strategic Planning - Helen Manning

Reason: To advise Council of a procedure for implementing the Study's recommendations

Objective: To obtain Council's endorsement of this action

Management Plan Strategic Planning

Activity:

Background:

Councillors will recall that 'public transport, access and transport related infrastructure' was the highest priority issue arising from the 2020 Strategic Plan community consultations.

At its meeting of December 1998, Council formally received the completed Public Transport Study and noted that the Public Transport Advisory Panel will review the recommendations of the Study and report back to Council. This report fulfils that requirement by describing the action being undertaken in relation to each recommendation.

Key findings of Study

- Public transport is provided in Lismore in a variety of forms:
 - Town bus services (Kirklands)
 - School bus services (variety of operators)
 - Northern Rivers Community Transport (co-ordinates transport services for people who meet HACC eligibility for transport to medical appointments, bus transport for disabled children and for village residents to Lismore)
 - Intra-regional and long distance bus services
 - Taxi services.
 - The largest concentration of potentially transport disadvantaged people is in urban Lismore where there are 7,000 people under the age of 18 and 6,000 over the age of 55 (1,900 being over 75). Those under 18 are ineligible for a licence, and together with those over 75, could be expected to be heavily reliant on public transport services.
 - The largest concentration of non-car owning households, or with low levels of car ownership, is in urban Lismore where approximately 1,560 households were without a car in 1996. In Nimbin over 35% of households do not have a car. The lack of access to a private vehicle at the household level is generally accepted as an important indicator of social disadvantage, at least potentially. This would be the case particularly in the rural parts of the LGA and in the villages.
-

- In the order of 15% of the Lismore population suffers from a disability which can affect ability to drive, access to a car and walking.
- The 1996 Census shows that the relative transport mode usage for the LGA is:

Implementation of Public Transport Study

Public transport (bus and taxi)	1.3%
Car driver/passenger	69.1%
Bicycle/walk	5.9%
Other mode	3.7%
Other	20.0%

These estimates are not markedly different from those recorded in the 1991 Census.

- Approximately 80% of bus passengers have no real alternative to bus use; however, the timetables do not address the conventional peak period commuter market, there are no evening or night services, limited services on Saturday mornings and on only one route on Sundays. This operational span of hours complies with the minimum standards required by the Department of Transport and in many cases exceeds them.
- School bus services are a major part of conventional public transport. This has a significant impact on other bus services because:
 - (a) the profits from their operation finance the operation of unprofitable route services via cross-subsidy
 - (b) other services are designed around the school service requirements, limiting the provision of route services for commuters
 - (c) the need to maximise efficiency on school bus routes determines the type and size of vehicles, limiting the scope for innovation by, for example, using smaller vehicles on more frequent services.
- Community consultation shows that the perception of people living outside the Lismore urban area is that there is limited, or no, affordable public transport. There are no school bus services on weekends and school holidays, and routes and times are limited. This results in social isolation, premature institutionalisation of the elderly, has a negative effect on the environment, erodes any public transport culture that might be created and diminishes the potential viability of public transport services that might be tried.
- There is strong support for the community transport system, the only criticism being that funding does not permit enough services to be provided (NRCT has 800 registered consumers but funding for bus drivers for only 8 hours per week).
- Urban services have three key passenger destinations: the CBD (35% of passengers), Lismore Shopping Square, and the University.

Council's role in public transport provision

Implementation of Public Transport Study

In that the majority of transport is provided by private interests, it can be said that there is very limited *public* transport in Lismore and surrounds. It is not being suggested that Council provide such transport; rather, Council has an important role in facilitating public transport provision and does so as follows:

Implementation of Public Transport Study

- The adopted Urban Development Strategy aims to limit sprawl and increase densities in urban Lismore, which would have the effect of enhancing the viability of public transport.
- The draft Rural Settlement Strategy requires proximity to a school bus route among the community facilities required for location of rural residential development.
- An agreement with the developers of the new Caniaba Village ensures that a bus service is to be available for initial development.
- DCP 28 - Subdivision requires densities, road location and design and bus stop location to facilitate bus transport. It also contains requirements for cycleways and walkways.
- The S.94 Plan levies developer contributions for footpaths, cycleways and bus shelters, as well as arterial and rural roads.
- Public transport and accessibility is required to be addressed in development applications and rezoning submissions
- A small budget allocation is made for 'Public Transport Education and Promotion'.
- A meeting room and servicing officer is provided for the Public Transport Advisory Panel (PTAP), which includes two staff, Councillors, representatives of transport operators and community representatives.

Study Recommendations and Actions Proposed

The major recommendations of the Study are set out below and are a summary of Section 7 Conclusions & Recommendations. These recommendations have been further broken down into an 'Action Plan' with associated responsibilities and timeframes and which is in the attachment to this Business Paper.

1. *Expand the role of community based demand responsive transport services in urban Lismore and the villages, the aim being to accommodate the needs of people who cannot use existing services because no service is provided, or the cost is perceived to be prohibitive, or physical disability prevents access. The Study assumes that Council will facilitate this by identifying a funding source, preparing service specifications and tender documents, obtaining expressions of interest from transport operators etc.*

Action Proposed: It is by no means certain that this proposal is allowable under current Department of Transport regulations; the Chair of the Public Transport Advisory Panel has initiated discussions with the Regional Manager of the DoT and it is proposed that these discussions continue at present. If it appears that the recommendation can be implemented, in a regulatory sense, then a detailed proposal would need to be put before Council to gain its support.

2. *Council to make representations to the State or Federal Government concerning:*
-

Implementation of Public Transport Study

- *the need for a public transport awareness campaign to change attitudes to the use of public transport;*

- *the need for review of current licensing/regulatory requirements which inhibit innovations in public transport.*

Action Proposed: Implementation requires more than simply writing a few letters; it requires knowledge of the Passenger Transport Act and associated regulations, analysis of their effects on current public transport and preparation of submissions detailing the way in which they might be improved; liaison with transport operators, the PTAP and the Public Transport Development Project of the Northern Rivers Social Development Council. Currently there is no staff member with allocated responsibility for public transport, but it is estimated that approximately two days per week for six months could be required for investigation, analysis, submission preparation, follow-up, etc. It is proposed that this situation be addressed as follows:

Either -

Investigate opportunities to obtain funding from a source other than Council to employ part-time a person to undertake the work for a six month period;

Or - Request Council to allocate funds in a quarterly review of the current Budget or within the next Budget;

Or - Formally allocate responsibility to a staff member in the Strategic Planning or Community Services Sections. Currently there is no capacity in the Strategic Planning Section to take on this role; however the completion of the amending LEP and DCP for heritage items will free up the Strategic Planner for more general strategic planning work which will in turn free up the Manager. It is possible that the role could then be undertaken by the Strategic Planning Manager from January to June 2000. This work would of necessity displace other work of lower priority in terms of community need.

3. *Examine the feasibility of introducing a form of Personalised Public Transport (PPT) in urban Lismore by, for example, offering deviation from the core route network on request.*

Action proposed: This requires investigations of current regulations to determine if amendments are required; investigation of a PPT scheme which has operated apparently successfully in Melbourne for twelve years; and discussions/liason with Kirklands. It is proposed that this work be undertaken by the externally funded part-time position or by the Strategic Planning Manager, with assistance from the PTAP.

4. *Prepare a Disability Discrimination Act Action Plan for public transport.*

Action proposed: Council's DDA needs to include requirements for accessibility relating to footpaths, bus stops etc. This can be undertaken by staff assisted by advice from the Access Committee and the PTAP.

5. *Council to explore the provision of additional bus shelters.*

Implementation of Public Transport Study

Action proposed: No action beyond that required to implement the S.94 Plan Transport Section is proposed at present; however any additional funding opportunities which arise should be pursued.

Implementation of Public Transport Study

6. *Integrate public transport considerations into land use planning decisions.*

Action proposed: Council has already put policies in place, as outlined above, and their implementation is an ongoing process.

7. *Monitor the feasibility and viability of light rail services*

Action proposed: The Study demonstrated that Lismore's population base at present and as projected to 2016 is not sufficient to make light rail a viable proposition. However it states that light rail technology is the subject of research and development which may lead to reduced costs thus enhancing its viability in low density situations, and recommends that any such development should continue to be monitored. In addition, the PTAP recommends that options be kept open by, for example, ensuring that sufficient space to accommodate light rail is included in reservations for transport corridors.

8. *Continuation of marketing and promotion activities.*

Action proposed: that this activity continue to be co-ordinated and undertaken by the PTAP.

9. *Pursue plans for cycleways.*

Action proposed: Council to continue to implement cycleway plans as funds become available.

Manager - Finance & Administration Comments

The implementation of this plan is of relative importance to a significant number of 'transport disadvantaged' people in our area. It is pleasing to see that where it is administratively possible, this has been undertaken already.

In relation to Study Recommendation #2, the suggestion by the Manager - Strategic Planning to 'investigate opportunities to obtain funding from sources other than Council to employ a part-time person to undertake the work for a six month period' is fully supported.

If this is unsuccessful, Council may then like to determine the priority and level of funding allocated to this project.

Public Consultations

Preparation of the Public Transport Study included community consultation, the results of which are reported in the Study and above.

Other Group Comments

Community Services

Implementation of Public Transport Study

In the draft Community and Social Plan that is currently on public exhibition, Community Services staff identified the lack of transport as a common issue across the seven target groups. Within some of the seven target groups transport has been specifically raised as an issue. The strategy chosen within each of these groups is that community services staff will lobby, write submissions and attend relevant meetings in relation to the provision of public transport.

This will occur as the need arises. Community Services staff are on the Management Committee of the Public Transport Development Project (PTDP). This was funded by the Area Assistance Scheme for two years and is now funded by the Department of Transport on an ongoing basis. The role of the project officer is a developmental one for better transport for the region. Attendance on this committee enables staff to be aware of needs, changes and trends in transport for the region as well as piloting ideas.

The Access Committee commented on the draft National Disability Discrimination Act Accessible Public Transport standards. The standards have since been adopted and require all planes, trains, buses and taxis to be accessible for people with a disability within twenty years. The Access Committee would be happy to provide comment/input into individual transport operators' disability action plans if required.

Conclusion

Public transport and its accessibility are clearly of very high priority for the community. With the completion of the Public Transport Study it is now time for Council to allocate some meaningful resources, in terms of either funding or staff, to the Study's recommendation to ensure that it does not become another document which is unable to be implemented.

Recommendation (PLA56)

It is recommended that:

- 1 Council endorse the actions noted above, being:
 - (a) The Public Transport Advisory Panel continue to liaise with the Department of Transport concerning the regulations affecting Recommendation 1;
 - (b) Manager- Strategic Planning investigate options for obtaining external funding to employ part time a person to lobby the State and Federal governments concerning the regulations affecting public transport;
 - (c) Failing any success in (b) above, and assuming that Council's other priorities will not permit the allocation of Council funds, the Manager - Strategic Planning take on this role early in 2000, with consequent adjustment to the Management Plan (Strategic Planning Section) if necessary.
- 2 Council endorse the Action Plan contained in the attachment to this Business Paper.

Subject/File No: STATE OF THE ENVIRONMENT REPORT 1999
(MK:MJK: S392)

Prepared By: Manager-Environmental Health - Matt Kelly

Reason: Presentation of Draft State of the Environment Report.

Objective: Place the Report on exhibition.

Management Plan Environmental Health
Activity:

Introduction:

The Local Government Act 1993 identifies environmental responsibilities as an integral component of the Charter of Local Government. The Act requires Council to properly manage, develop, protect, restore, enhance and conserve the environment to which it is responsible in a manner which is consistent with and promotes the principles of ecologically sustainable development. These provisions are closely linked to the requirement under the Act for Councils to prepare a State of the Environment Report as part of their Annual Report requirements. State of the Environment Reporting provides an effective mechanism to link environmental responsibilities with formal management planning processes and an avenue for informing the community of the stresses which are being placed upon their immediate environment, present information about impacts of those stresses and responses to such impacts. State of the Environment Reporting, when integrated with environmental management strategies and planning tools can:

- Provide the public, government and other decision makers with regular scientifically sound information about the condition of the environment;
 - Report on the effectiveness of policies and programmes developed in response to environmental change, including highlighting the cumulative effects of individual projects and environmental pressures across catchments or the local area;
 - Assess progress towards achieving environmental standards and targets, and ecological sustainability;
 - Provide input into the development of long term, ecologically sustainable economic and social policies by all levels of Government through integrating environmental information with social and economic information;
 - Identify current and emerging environmental issues and important gaps in knowledge and data collection;
 - Raise community awareness and understanding of their local environment and the contribution individuals make to environmental problems through the use of resources such as energy, water and production of waste.
-

Council's comprehensive State of the Environment Report produced in 1995 and subsequent supplementary reports have been structured to address the ten (10) themes previously identified within Section 428(2)(c) of the Local Government Act. Recent amendments to the Local

State of the Environment Report 1999

Government Act 1993 and the Local Government (General) Regulation 1993 have altered the requirements for the preparation, content and timing of State of the Environment Reports. The original ten (10) themes nominated within the Act created difficulties in reporting as they were vague, overlapped and often were incomplete. The amendments to the Act replaces the existing ten (10) environmental themes with eight (8) environmental sectors, being:

1. land,
2. air,
3. water,
4. biodiversity,
5. waste,
6. noise,
7. Aboriginal heritage,
8. non-Aboriginal heritage.

Further legislative amendments have also clarified links between State of the Environment Reporting and the strategic process of Council management planning. These amendments have enhanced the strategic value of State of the Environment Reporting to Councils and their communities, and have ensured that Councils are accountable for the application of ecologically sustainable development (ESD) principles through a management plan process. In effect the legislation requires Council to be well informed about the environmental circumstances of its area and to apply the principles of ESD in a fully integrated way through the Council strategic management cycle of direction, action and accountability.

Framework

The framework of the State of the Environment Report as previously presented has been developed on the primary objectives of:

1. collation of accurate, reliable and comparable data; and
2. utilisation of data information in a proactive and strategic manner.

However, because of the lack of comprehensive and consistent long term data, there is little trend analysis which is essential for assessing changes in environmental conditions and the effectiveness of environmental policies. To ensure that the framework of the 1999 State of the Environment Report will facilitate trend analysis, existing environmental indicators have been reviewed to determine a set of core indicators to assess pressures, states and responses to the environmental sector. A core indicator is a single indicator (possibly with several components) that provides the clearest picture of the most significant aspect or aspects (either pressure, state or response) of an issue with long term significance to ecological sustainability. Core indicators should bring a number of benefits, being:

- (a) A more comprehensive, yet focused and clear assessment of issues and trends.
 - (b) Sound framework for State of the Environment monitoring by focusing efforts for monitoring and data collection.
-

State of the Environment Report 1999

- (c) Comparisons over time.
- (d) Providing building blocks for the environmental component of sustainable development indicators and contributing to the broad objective of reporting on sustainable development.

Frequency of State of the Environment Reporting

The frequency of Council's State of the Environment Reporting is guided by Policy No. 3.1.13 - State of the Environment Reporting which states:

"A comprehensive review of the state of the environment is to be commissioned once within the elected term of Council, with subsequent annual reporting being a review process of prioritising of issues and actions implemented."

Amendments to the Local Government (General) Regulation 1996 regulates the frequency of comprehensive and supplementary reports. Clause 7(k) of the Regulations states that a Council's State of the Environment Report for the year ending June 30, 1998, must be a comprehensive State of the Environment Report. Clause 7(h) of the Regulation provides for a full four (4) year cycle of SOE reporting to commence with the comprehensive SOE report for the year ending June 30, 2000, with the option of a comprehensive or supplementary reports for the subsequent three (3) years. In response to several requests, the Minister for Local Government provided an opportunity for an exemption from the requirement to prepare a comprehensive SOE report until the commencing of the full SOE reporting cycle, ie reporting year 1999 to 2000.

Council requested an exemption from the Minister on the grounds that the Northern Regional Group of Council's were currently involved in an Australian Local Government Association (ALGA) project to develop environmental indicators relevant to local SOE reporting. As identified, Council's current SOE reporting structure does not effectively incorporate key environmental indicators and the current ALGA project has significantly assisted in development of the preferred structure. The project has also the added advantage of promoting consistency on a Regional basis for SOE reporting. The exemption therefore has assisted the overall management planning process by enabling the concentration of resources for a major consolidated approach. Council received notification of approval of the exemption for the 1997/98 reporting year. In making this submission to the Minister, Council further requested consideration to amending the current reporting requirements of the Regulation to facilitate the preparation of the comprehensive report within the last year of any elected term of Council. The principle reason being that the Council, with the knowledge of the previous three year's experience can confidently determine the environmental strategic direction of the Council for the next period. As identified, the SOE Report is Council's key environmental and ESD management tool and should be determined with an appropriate foundation of knowledge. Council has received no confirmation of this further request to date.

The 1995 report fulfilled Council's policy but not the objective of preparing a comprehensive report within the last year of any elected term of Council, hence the development of this year's comprehensive report.

Manager - Finance & Administration Comments Not required.

Public Consultations Not required.

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Other Group Comments Not required.

Conclusion

This year's comprehensive report presents a revised framework based on:

- The pressure-state-response model (developed by the Organisation for Economic Co-operation and Development);
- Environment indicators, to assess pressures, states and responses; and
- Environmental sectors that determine key environmental issues for reporting.

This year's reporting process has not been supported by any major or specific consultation process. It is considered that Council's 2020 Strategic Plan is still highly valuable in the reflection of community attitudes and expectations in environmental matters. Further key programmes within Council's Management Plan have incorporated community consultation programmes further enhancing the workshops conducted through the 2020 process. Council's Committee/Working Party Structure provides further opportunity for the exposure of environmental matters to Councillor and/or community representatives and subsequent involvement in decision processes.

Please note that a copy of the draft report will be provided to Councillors under separate cover following the proposed workshop.

Recommendation (PLA61)

- 1 That the draft State of the Environment Report 1999 be placed on public exhibition for a thirty day period.
- 2 That a further report be presented to Council, following the exhibition period, for adoption of the State of the Environment Report 1999.

Subject/File No: COMMUNITY AND SOCIAL PLAN
(S429)

Prepared By: Community Services Co-ordinator, Karuna Fielden

Reason: To fulfil Council's statutory requirements

Objective: To seek Council's adoption of the Community and Social Plan

Management Plan Links 5 and 8

Activity:

Background:

At its July 20 Meeting it was resolved that:

- 1 Council endorse the Community and Social Plan and commend staff on the quality of the information provided, and that it be placed on public exhibition for a period of 28 days.
- 2 The following statement be included in the Community and Social Plan in a prominent position in bold print:

“Implementation of this plan is dependent upon budgetary constraints imposed by government funding levels, ratepegging and Council's ability to maintain basic infrastructure. Council will at all times vigorously pursue funding from Government agencies to expedite the implementation of the Plan”

Since the last Council meeting this statement has been included in the Plan. The Plan was on exhibition from July 23rd until August 20th. This report summarises the comments received from the public during the exhibition period. We received 1 written submission and 3 verbal responses.

PUBLIC COMMENTS RECEIVED VERBALLY

Liz Gibbs

Liz said she found that the Community and Social Plan contains very useful information to assist with the preparation of a funding application. The demographic information is helpful because it is presented with detailed reference to a social framework.

Centacare

Jo commented that she liked the clear layout of the document and the way the different target groups were presented in separate chapters.

Lisa Weingarth, TAFE teacher

Lisa referred to Chapter 5- People from culturally and linguistically diverse backgrounds. On page109, Issue 5-Lack of knowledge of the English language, reference is made to TAFE and Lisa thinks the paragraph should include information about the ongoing courses that are held to assist people learn English.

Her comment on the rest of the document is that it is great, informative and interesting.

Community & Social Plan

The Lismore and District Women's Health Centre

The Centre pointed out some changes to their funding arrangements, which affects information on Page 46 of the Plan. They also added that their service now has a great number of women who are adult survivors of sexual assault presenting for treatment and counselling.

They suggested that the Community and Social Plan serves as a good document in considering the needs of the community. They commended staff for doing a wonderful job.

WRITTEN COMMENTS

Kate Lavendar, on behalf of Northern NSW Branch of Coalition of Activist Lesbians Australia

COAL began by congratulating the LCC Community Development Staff on the document, and particularly on including lesbians and gay men as a group within this community. "As the Plan so aptly notes lesbians and gay men have experienced enforced invisibility and this marginalisation impacts negatively on individuals as well as constituting social justice and sometimes legal discrimination. Inclusion in this Plan is a step towards redressing this situation."

COAL suggest some changes to be made to the wording in "Key Issues" para. 2 "it would be more accurate to refer to anti-discrimination and equal opportunity laws than equity law," It is noted that there have been legislative changes in NSW since the publication of the Draft Community and Social Plan and these will now be included in the final Plan.

COAL also reiterates comments about isolation, which is set out under key issues. "Many lesbians and gay men are isolated from each other by distance, poverty, age, lack of a variety of appropriate social and cultural events..." There are further comments about the need for lesbian and gay identified or supportive meeting places, which do not involve alcohol, as outlined in the Consultation section.

There are further comments about the strong need for lesbians and gay men to pursue cultural and community development activities particular to their own communities. Hopefully the recently formed Gay and Lesbian Interagency will achieve this.

COAL also suggests it would be good to include community groups that exist in the area and to include contact points for them in the Key Services Available to Gays and Lesbians table.

COAL's final comment, "We look forward to future LCC Plans reporting on positive developments for the lesbian and gay communities in this LGA It is earnestly hoped that the commitment to social justice and respect for diversity will continue at all levels of the LCC."

Tropical Fruits Inc

Tropical Fruits pointed out an error in their listing on page 120 and 121 in the table Key Services available to gays and lesbians. Their organisation, which has been based in Lismore for over 11 years is not auspiced by ACON; they raise all funds needed for programs and services and provide and receive no other private or government funding.

Community & Social Plan

They wish to be listed as a non-profit community based social and support group for gays and lesbians in the Northern Rivers. They provide referrals, education information and resources and organise social events. They also raise funds to support other organisations including ACON and PFLAG. Some of their initiatives include supporting Outlink, a network established by the Human Rights and Equal Opportunity Commission for rural gay and lesbian youth. They wish to be listed in the Key Services as well as in other relevant Lismore City Council listings.

The organisation also points out the existence of some other organisations, which should be included under Key Services.

Tropical Fruits “thank Lismore City Council for recognising that gays and lesbians in the community suffer from disadvantage and choosing to consult with the gay and lesbian community.” They recommend that “Lismore City Council acknowledge the importance of gay and lesbian tourism to the City in its general marketing and tourism strategies”

“Overall we think that the Draft Community and Social Plan represents a useful starting point for the evolution of the “living document.” We recognise that consultation is also the starting point for practical action to overcome disadvantage” and they “look forward to participating”.

Manager - Finance & Administration Comments

Not applicable

Public Consultations

There was considerable consultation with the community during the compilation of the Community and Social Plan and many people had input at that time.

Other Group Comments

Not applicable

Conclusion

There is very little comment from the public to consider. All the feedback was positive or informed us of changes to services. The final copy of the Plan is available on request from the Community Services section.

Recommendation (COR42)

- 1 That Council adopt the Community and Social Plan.

Subject/File No: MANAGEMENT OF GOONELLABAH COMMUNITY CENTRE

Prepared By: Manager, Client Services - Wayne Franklin

Reason: Recommendation to Council to let a Contract for the Management of the Goonellabah Community Centre

Objective: Council approve letting of the Contract

Management Plan Client Services

Activity:

Background:

The past Management Contract for the Goonellabah Community Centre concluded on 30/06/99. Since that time, the contractor David Ferguson is managing the Centre on a month to month basis whilst Council seeks a new contractor. This report presents the outcome of the tendering process and recommends the Management Contract be awarded to Mrs Janelle Sullivan and Mr Wayne Sullivan for the period 01/10/99 to 30/09/2002.

Information:

The Goonellabah Community Centre has been satisfactorily managed over the past three (3) years by David Ferguson under a contract with Council. Prior to the contract expiring on 30/06/99, tenders were called for a new contractor to commence on 01/07/99. Only one tender was received, that being from Rosemary Davis, wife of then Council employee Graeme Davis. In the tender document, Graeme Davis was named as an associate and as he was a Council employee at the time a clear conflict of interest existed. For this reason, the tender was set aside and fresh tenders called. The tender document was revised with the intention of attracting a wider field of tenderers.

Despite this, at the close of tenders at 2.00 pm on Tuesday August 10, 1999 only one tender had been lodged. That tender was lodged by Mrs Janelle Sullivan and Mr Wayne Sullivan of Goonellabah, with Mrs Sullivan being the principal tenderer and prospective contractor.

The previous Management Contract for the Centre provided for a fixed management payment to the contractor and whilst the Centre was satisfactorily maintained and users accommodated, there was no incentive for the Manager to promote the use of the Centre. As a consequence, the income to the Centre has been steadily falling.

Under the proposed Contract the contractor receives a base fee of \$22,000 per annum (slightly less than the previous years fee). In addition, the contractor receives two types of bonus payments. The first bonus payment comprises the residual (if any) when the total operating costs are subtracted from revenue. This arrangement is maintained until the total revenue reaches \$52,000. The second bonus payment comprises

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of any revenue above \$52,000 which is shared between the contractor and Council, with the contractor receiving ninety percent (90%) of this amount.

The performance target of \$52,000 has been derived by adding together the minimum payment to the contractor of \$22,000 and the projected annual operating and maintenance budget of approximately \$27,000 and a bonus component of up to \$3,000. In comparison the 1998/99 income for the Centre was \$45,500, the management fee \$22,200 and the operation and maintenance cost \$25,360.

Management of Goonellabah Community Centre

It should be noted that all the above figures do not include GST. The terms of the contract will be written to ensure an equitable distribution of liability for this tax.

Manager - Finance & Administration Comments

I concur with the structure of the proposed agreement as it offers significant incentive for the contractor to generate additional revenue above the cost recovery amount.

The fact that the Contract price is consistent with the budget provided for 1999/2000 is a bonus as preliminary expectation suggested that it would be more.

As such, the recommendations are supported.

Public Consultations

Not Required

Other Group Comments

Not available

Conclusion

The Management of the Goonellabah Community Centre has been satisfactorily undertaken by contract over the past three (3) years. The Sullivans have lodged a satisfactory tender with Mrs Sullivans previous experience and general demeanour indicating that she will ably undertake the future management of the Centre. The terms of the contract provide for Mrs Sullivan to maximise the use of the Centre and will return a bonus to Council, should income to the Centre improve above that of previous years.

Recommendation (GM06)

1. The contract for the management of the Goonellabah Community Centre be let to Mrs Janelle and Mr Wayne Sullivan for the period 01/10/1999 to 30/09/2002.
 2. The contract provide a minimum payment of \$22,000 per annum to the contractor plus any residual occurring when the total operating cost is subtracted from the total revenue.
 3. If total income exceeds \$52,000 the income above \$52,000 is shared 90% to the contractor and 10% to Council.
-

Management of Goonellabah Community Centre

4. Appropriate clauses be included in the contract to ensure an equitable distribution of the liability for GST.

Subject/File No: STAFF EXCHANGE PROGRAMME WITH YAMATO TAKADA

Prepared By: Corporate Development Officer

Reason: Present Draft Policy for Staff Exchange Programme

Objective: Adopt Policy

Management Plan 1.5

Activity:

Background:

In 1997 Council was invited by our Sister City Yamato Takada to visit their city and participate in celebrations that recognised there 50 years of Local Government and 35 years of Sister City relations. At the Lismore Festival our Mayor, together with Mayor Matsuda of Yamato Takada signed an agreement to establish a Staff Exchange Programme between the two Cities.

A Staff Exchange Programme will provide an excellent opportunity for exchange of knowledge and to strengthen relationships between both Council offices.

In order to select the most suitable employee to participate in the exchange programme a draft Policy proposing the selection criteria has been prepared and is submitted, as an attachment, for the consideration of Council.

Recommendation (GMO1)

- 1 That Council adopt the Policy as written for the Staff Exchange Programme.
- 2 Management undertake appropriate action to commence the exchange programme.

Subject/File No: MANAGEMENT PLAN 1998 - 1999 REVIEW
QUARTER ENDING JUNE 1999

Prepared By: Corporate Development Officer

Reason: Requirement of the Act

Objective: Information and Annotation of Councillors

Management Plan
Activity:

Background:

Council is required under Clause 407 (1) of the Local Government Act, 1993 to periodically report on the performance set by the Management Plan.

The following information relates to the performance of the programmes and activities highlighted in the Plan for completion during the quarter ended June 1999.

Recommendation:

That the report be received, the actions undertaken in each of the programmes noted and staff be congratulated on their performance during the quarter.

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Programme Name: **General Manager's Office**

Strategic Plan Link: 1.5

Programme Owner: **Ken Gainger**

Group: **General Manager's Office**

Goals/Objectives to be achieved	Targets	Actions undertaken this quarter
To meet performance plan targets developed by the Council for the General Manager	<ul style="list-style-type: none"> To meet performance plan target dates and measures outlined in the performance plan 	<ul style="list-style-type: none"> Monthly meetings continue between the General Manager and Group Managers ensuring target plans and projects are accomplished.
To ensure compliance with Council's Strategic Plan / Management Plan objectives	<ul style="list-style-type: none"> Report to Council in February, May, August and November in accordance with Local Government Act 	<ul style="list-style-type: none"> Final performance on the 1998/99 Management Plan. Several workshops were held with Councillors and staff in the preparation of the 1999 – 2000 Management Plan
Public Relations	<ul style="list-style-type: none"> Liaise and keep members of the public informed on local issues 	<ul style="list-style-type: none"> Members of the public were encouraged to lodge submissions on the draft 1999 – 2000 Management Plan. Copies were distributed to rural and urban locations for public perusal. Several submissions were received Councillor Interviews were actively promoted and enquiries received prompt attention
Develop competitive service provision	<ul style="list-style-type: none"> Develop and enhance the Client Services Unit. Identify and prioritise services to be costed and measured Develop competitive tendering policy 	<ul style="list-style-type: none"> Client Services Unit fills a vital role in ensuring services and facilities are operated in a competitive manner and in compliance with National Competition Policy requirements Staff has prepared guidelines for tendering and contract management practices

Programme Name: **General Manager's Office / Communications and Marketing**

Goals/Objectives to be achieved	Quarterly Targets	Actions undertaken this quarter
Monitor media reports; Manage effective media releases	<ul style="list-style-type: none"> Quarterly operating report 	<ul style="list-style-type: none"> All forms of the media were supportive in publishing or airing the majority of releases issued Positive feedback is being received from media groups and members of the public in regards to Council's communication practices
Media relations training	<ul style="list-style-type: none"> As per training and development plan 	<ul style="list-style-type: none"> A good cross section of staff attended a media training session Two training sessions were conducted during this year. Feedback from attendees on the content and presentation of the programmes has been positive and rewarding

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Programme Name: **Human Resources Management** Strategic Plan Link: 1.2 Programme Owner: **Chris Davis** Group: **General Manager's Office**

Goals/Objectives to be achieved	Quarterly Targets	Actions undertaken this quarter
Maintain a stable industrial climate	<ul style="list-style-type: none"> • Management briefings • Staff bulletins / briefings 	<ul style="list-style-type: none"> • <i>Fortnightly briefings to the General Manager</i> • <i>Information sessions for staff and management conducted in April 1999</i>
Develop a Skills Assessment Component of the Salary System in accordance with Award provisions Implement OH&S practices	<ul style="list-style-type: none"> • June 1999 – combine PES with Skills Assessment • Ongoing - Development and refinement of O H & S practices 	<ul style="list-style-type: none"> • <i>All documentation prepared</i> • <i>Skills Assessment Working Party has agreed to process for Performance Review in relation to Skills Assessment</i> • <i>Safety Management System developed</i> • <i>Initial stages of implementation completed, that is</i> <ul style="list-style-type: none"> a) <i>Safety Induction for all staff</i> b) <i>On-site risk assessment</i>
Develop, document and implement training plan	<ul style="list-style-type: none"> • Quarterly schedule of training 	<ul style="list-style-type: none"> • <i>All training completed in accordance with the relevant schedule</i>

Programme Name: **Administrative Services** Strategic Plan Link: 1.4, 1.5 Programme Owner: **Graeme Wilson** Group: **Corporate and Community Services**

Goals/Objectives to be achieved	Quarterly Targets	Actions undertaken this quarter
Provide accurate and timely preparation and distribution of business papers; enact Council decisions	<ul style="list-style-type: none"> • Prepare meeting agendas for distribution 1 week prior to the scheduled meeting date • Distribute resolved items the day following each meeting with amended items on or before the Friday following the meeting 	<ul style="list-style-type: none"> • <i>Meeting agendas during the quarter were distributed within established schedule</i> • <i>Details of Council decisions distributed within established schedule</i>
Provide an effective and efficient customer service	<ul style="list-style-type: none"> • Increase the level of customer service through staff training • Investigate alternate display areas 	<ul style="list-style-type: none"> • <i>Staff joined the Tourism Office in a familiarisation tour of the district. They are now better able to deal with a broader cross section of enquiries</i> • <i>Foyer display area was reorganised to facilitate promotional displays and Council exhibitions</i>

Programme Name: **Financial Services** Strategic Plan Link: 1.5 Programme Owner: **Rino Santin** Group: **Corporate and Community Services**

Goals/Objectives to be achieved	Quarterly Targets	Actions undertaken this quarter
Manage the effective and efficient utilisation of financial resources	<ul style="list-style-type: none"> • Initial levy and three instalments • Quarterly budget review to Council 	<ul style="list-style-type: none"> • <i>Final Rate Instalment for 1998/99 was levied in April</i> • <i>March Budget Review Statement was submitted to Council as required by legislation</i>

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<p>Improve the quality and range of financial information available</p>	<ul style="list-style-type: none"> • Review and enhance pricing structures • Review and enhance management reports 	<ul style="list-style-type: none"> • <i>In conjunction with Client Services staff are considering options in regards to the introduction of purchase/credit cards. A report is being prepared for consideration by Council</i>
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Programme Name: **Information Services** Strategic Plan Link: 1.4 Programme Owner: **Lloyd Fielding** Group: **Corporate and Community Services**

Goals/Objectives to be achieved	Quarterly Targets	Actions undertaken this quarter
Information Services strategy	<ul style="list-style-type: none"> • Implement activities of the Information Service Strategic Plan 	<ul style="list-style-type: none"> • <i>Further implementation of Plan awaiting appointment of Manager - Information Services</i>
Implement solutions in response to Council requests	<ul style="list-style-type: none"> • Cater for legislative changes • Respond to external agency requirements • Cater for new Council directives 	<ul style="list-style-type: none"> • <i>Testing undertaken of CIVIL software and UNIX server in relation to Y2K</i> • <i>Testing of major upgrade to CIVIL local government software was completed</i> • <i>Crematorium application software converted from VAX server to UNIX</i>
Improve administrative efficiency	<ul style="list-style-type: none"> • Upgrade PC network • Maintain up-to-date user documentation • Upgrade communications capability • Cater for new user requirements 	<ul style="list-style-type: none"> • <i>Installation and configuration of 3 new networked PC's to cater for additional staff</i> • <i>Wireless LAN commissioned for Wyrallah Road Depot and Tourist Office</i> • <i>New user requirements were discussed and appropriate action plans agreed</i> • <i>Schedule for development and implementation of new Administrative software items are negotiated with CIVIL and work is being carried out to the agreed schedule.</i>

Programme Name: **Information Services / GIS**

Goals/Objectives to be achieved	Quarterly Targets	Actions undertaken this quarter
Identify and implement geographic information services	<ul style="list-style-type: none"> • Continue implementation of data sets identified in GIS Management Report • Evaluate and acquire appropriate GIS technologies 	<ul style="list-style-type: none"> • <i>Two new layers were added</i> • <i>Additional enhancement to Risk Management mapping for Rural Fire Services</i> • <i>Acquisition of new software</i>
Introduce e-mail service	<ul style="list-style-type: none"> • Develop and implement e-mail service 	<ul style="list-style-type: none"> • <i>Implement public folder area for agendas and minutes</i> • <i>Provision of remote access to Koala Day Care Centre</i>
Maintain geographic information services	<ul style="list-style-type: none"> • Develop customer focused GIS access interfaces 	<ul style="list-style-type: none"> • <i>Development of LGES complete</i>
Investigate and implement internet/intranet solutions	<ul style="list-style-type: none"> • Maintenance of Web site • Continue development of Web site • Evaluate and implement intranet solution 	<ul style="list-style-type: none"> • <i>Business papers and media releases are updated as planned</i> • <i>Web site was redesigned and new pages added</i> • <i>Redesign of Intranet site completed</i>

Programme Name: **Community Services** Strategic Plan Link: 5, 8 Programme Owner: **Anne Meagher** Group: **Corporate and Community Services**

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Goals/Objectives to be achieved	Quarterly Targets	Actions undertaken this quarter
Provide a range of quality Council sponsored community services including aboriginal, community development, recreation, cultural, library and child care services	<ul style="list-style-type: none"> Promote services throughout the community to raise profile 	<ul style="list-style-type: none"> A six week proposal to do a radio series for International Year of Older People weekend has been worked out with ABC Radio and Veterans' Affairs
Ensure services are accessible and culturally appropriate to the diverse needs of the community	<ul style="list-style-type: none"> Service and promote Access Committee and Disability Action Plan Link Indigenous community via the Indigenous Advisory Committee Develop culturally appropriate literature on Council services 	<ul style="list-style-type: none"> Staff worked closely with Centrelink and Community Settlement Service consulting with people from culturally and linguistically diverse backgrounds Access Committee conducted its Annual General meeting and a new committee formed Ron Heron was contacted regarding archaeological survey and anthropological study of the Bundjalung Aboriginal cultural heritage Proposal to establish a 'Time Out Centre'. A video on access was completed and is available at the library and for purchase. Miscellaneous Section 356 donation applications were considered - 41 applications were received A project entitled 'Co-ordinated Response to Domestic Violence' was commenced. Partnership with 'Kids Really Count' was established Purple Ribbon Project was sponsored by Council
Assist, co-ordinate, resource and support a range of community based services	<ul style="list-style-type: none"> Administer Council's Section 356 "Community Donations" fund Facilitate strengthening of community / resource networks Undertake community service advocacy role Provide professional advice and practical assistance 	<ul style="list-style-type: none"> The draft Community Social Plan was submitted to Council and placed on exhibition
Ensure community needs are incorporated into the planning process	<ul style="list-style-type: none"> Conduct community consultation to determine community needs 	

Programme Name: **Koala Child Care Centre** Strategic Plan Link: 5 Programme Owner: **Roz Roden** Group: **Corporate and Community Services**

Goals/Objectives to be achieved	Quarterly Targets	Actions undertaken this quarter
Maintain patronage of the centre	<ul style="list-style-type: none"> Provide excellent quality of child care and education for children Maintain 95% occupancy rate at 28 people per day 	<ul style="list-style-type: none"> Rate of enrolments for April to June was 94.44% Figures are based on an occupancy rate of 23.61 children/day
Maintain current accreditation standards of the centre	<ul style="list-style-type: none"> Retain current standards for May 1999 evaluation Gain staff and parent advisory panel commitment to maintain standards and improvements to centre services Consult with clients through quarterly service evaluation surveys 	<ul style="list-style-type: none"> Centre's review undertaken in May 1999 Results of a self-study report were sent to National Childcare Accreditation Council in June. Centre awaits a review visit scheduled for late September or early October

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Ensure services comply with relevant government requirements

- Liaise with Department of Health and Family Services to reflect requirements in policies
- Complete ASPACD documentation to meet annual funding requirements
- Ensure centre maintains standards guidelines under the Childcare and Protection Act
- Secure favourable annual report from Department of Community Services
- Staff is going through a risk assessment document in conjunction with DOCS to ensure that the Centre is conforming to licensing standards
- Licence renewal is due in June 2000

Programme Name: **Art Gallery**

Strategic Plan Link: 8 Programme Owner: **Irena Hatfield** Group: **Corporate and Community Services**

Goals/Objectives to be achieved

Finalise 1999 Exhibition Program

Quarterly Targets

- Evaluate and finalise exhibitions
- Negotiate artist and Gallery agreements
- Monitor, evaluate and improved events
- Plan, outreach for schools
- Identify and encourage art group participation
- Foster links with tertiary institutions

Actions undertaken this quarter

- Audience increased by 23% during 1998/99, having increased by 13% during 1997/98
- An exhibition Preview of ARTEXPRESS was held for the North Coast Art Collegiate
- Workshops/art appreciation for secondary students – attendance 25
- Visiting ARTEXPRESS student groups - attendance 75
- Book launch – promoting the Gallery to wider audience -attendance 60
- Lismore Fun Festival - attendance 600
- Three exhibitions launched with 6 artists talks/guest speakers - attendance 720
- Minor conservation and framing work completed

Develop and improve programmes to generate interest and participation by community and schools

- Maintain collection

Provide service to meet preventative, conservation and restorative requirements

Acquire a representative collection of art practice in the Northern Rivers

Market and promote Lismore Regional Art Gallery

- Research artists and artworks for collection
- Compile sources of possible acquisitions
- Promote through published articles
- Promote Gallery

- Successful in attracting funding from AMOL (Australian Museums on Line) to publish the collection on the Internet
- Quarterly publications were distributed
- Gallery was successful in winning the 1999 NSW Tourism Award for Excellence in Heritage and Cultural Tourism and under consideration for National Awards in November.

Programme Name: **Strategic Planning**

Strategic Plan Link: 4

Programme Owner: **Helen Manning**

Group: **Planning and Development**

Goals/Objectives to be achieved

Amend and update planning controls (LEP, DCP's)

Quarterly Targets

- Maintain local heritage fund
- Prepare built heritage LEP and DCP

Actions undertaken this quarter

- 1999 Funding was fully subscribed: 30 applications received with 13 successful in receiving funding
- Council resolution 30/3 amalgamated both LEP's. Exhibition will require intensive

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Develop new Section 94 Plan	•	community consultation
Implement Heritage Study	• Review DCP's 9, 22, 32, 33	• Nimbin DCP 9 review postponed until Council has finalised the Heritage LEP, which seeks to introduce a conservation area in Nimbin
Implement Koala Study	• Prepare Rural Residential strategy	• Draft strategy considered by Steering Committee on 6 and 12 July, and submitted to Council of August 10, 1999 for endorsement for exhibition
Prepare Rural Settlement Strategy	• Maintain demographic information	• Demographic information derived from the Census is now based on Mapinfo and is held within the GIS Section

Programme Name: **Environmental Health** Strategic Plan Link: **6** Programme Owner: **Matthew Kelly** Group: **Planning and Development**

Goals/Objectives to be achieved	Quarterly Targets	Actions undertaken this quarter
Provide environmental health management through the development and implementation of strategies and programmes	<ul style="list-style-type: none"> • Undertake environmental audits • Implement phosphorous reduction campaign • Implement adopted sun protection strategy • Development of a Sewage Management Strategy 	<ul style="list-style-type: none"> • Through the audit process operators are encouraged to review practices and explore new opportunities that will achieve cleaner production outcomes • Campaign has distributed 15,000 calendars – facilitated the development of awareness game in Heritage Park • Strategy being actively implemented across relevant sections of Council • Draft Regional DCP completed • Draft Food Safety Strategy has been incorporated into Commercial Premises Audit Procedures with emphasis on hazard analysis, critical control point assessment, training and education
Maintain acceptable standards for all commercial premises regulated by Council	<ul style="list-style-type: none"> • Audit commercial premises • Educate proprietors 	

Programme Name: **Waste Strategies** Strategic Plan Link: **6** Programme Owner: **Matthew Kelly** Group: **Planning and Development**

Goals/Objectives to be achieved	Quarterly Targets	Actions undertaken planned
Develop, implement, evaluate and co-ordinate Council's dynamic waste minimisation strategy	<ul style="list-style-type: none"> • Develop integrated waste management strategy • Develop waste education and information strategy 	<ul style="list-style-type: none"> • Activities have focused upon the implementation of the Organic Resources and Waste Services introduced to the urban Lismore in July • A comprehensive information and education programme has also been developed, including TV campaign, information booklets, facts sheets, seminars and displays and telephone 'hotline' • Development of a Regional Waste Plan funded by Environment Protection Authority continues to be the focus of the NEWF. Anticipated completion date to be November 1999

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Programme Name: **Survey, Design & Subdivision Control**

Strategic Plan Link: 3.1, 3.2

Programme Owner: **Gary Rees**

Group: **City Works**

Goals/Objectives to be achieved	Quarterly Targets	Actions undertaken this quarter
Survey/Design classified roads	<ul style="list-style-type: none"> Investigate and identify need Undertake survey Carry out design Produce plans and documentation 	<ol style="list-style-type: none"> Nimbin / Rosehill Road - Intersection Nimbin / Stony Chute Road - Intersection Bruxner Highway (Pelican Creek Bridge to Tatham Road) Bruxner Highway (From Fig Tree Lane 1Km East) Dawson Street Pedestrian Underpass
Survey/Design Council-owned roads	<ul style="list-style-type: none"> Investigate and identify need Undertake survey Carry out design Produce plans and documentation 	<ol style="list-style-type: none"> Wyrallah Road (Rosedale Square to Wyrallah Road Public School) <p>Delays experienced on (1.) due to pavement design</p>
Survey/Design miscellaneous Council assets (Drainage, Parks, etc.)	<ul style="list-style-type: none"> Investigate and identify need Undertake survey Carry out design Produce plans and documentation 	<ol style="list-style-type: none"> Trinity Catholic College Bus Interchange Airport Drive Blakebrook Quarry Stockpiles

Programme Name: **Workshop & Fleet Operations**

Strategic Plan Link: 3

Programme Owner: **Col Starr**

Group: **City Works**

Goals/Objectives to be achieved	Quarterly Targets	Actions undertaken this quarter
Supply plant items suitable to required task	<ul style="list-style-type: none"> Assess plant and fleet purchase requests Undertake plant purchase 	<ul style="list-style-type: none"> Plant replacements for this quarter <ul style="list-style-type: none"> Five (5) utilities One (1) service van Seven (7) cars Two (2) 6x4 tipping trucks fitted with air suspension Two (2) dual cabin service trucks One (1) winged mower with 4 metre cutting deck Routine service and maintenance undertaken as planned Utilisation reviews undertaken as planned
Operate and maintain Council's fleet	<ul style="list-style-type: none"> Carry out preventative maintenance Monitor fleet utilisation 	

Programme Name: **Bushfire Services**

Strategic Plan Link: 5.1

Programme Owner: **Ray Collyer**

Group: **City Works**

Goals/Objectives to be achieved	Quarterly Targets	Actions undertaken this quarter
Training and Development	<ul style="list-style-type: none"> Undertake basic training for all recruits Provide extended specialist training Conduct revision courses to maintain competencies 	<ul style="list-style-type: none"> Training courses conducted in <ul style="list-style-type: none"> Basic firefighting Chain saw operating

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Provision of fire fighting stores and equipment

- Maintain level of personal safety equipment
- Upgrade vehicle fleet within budget

- *Village firefighting*
- *Applications for three (3) new tankers and protective equipment were lodged*
- *All vehicles underwent a pre RTA vehicle inspection in readiness for annual registration inspection in August*

Programme Name: **Traffic, Enforcement and Lighting**

Strategic Plan Link: 3.1, 3.2

Programme Owner: **Bill MacDonald**

Group: **City Works**

Goals/Objectives to be achieved

Quarterly Targets

Actions undertaken this quarter

Control dogs and other stray animals and maintain Council's pound facilities

- Enforce Dog Act
- Administer Dog Registration System

- *Companion Animal Act came in effect in its entirety on July 1st, 1999*
- *Staff have ensured that Council complies with the requirements of the Companion Animal Act, including the establishment of 'leash free' areas, facilities for impounding cats, provision of scanners and training for the Law Enforcement Officers*
- *Council July 20th, 1999 resolved to appoint security patrols and camera monitoring*
- *Installation of the fibre optic loop around the CBD was scheduled for completion by June 30th, 1999 but delays have been encountered. Telstra advise that work will commence in the near future*

City Safe Programme

- CBD safety cameras

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Programme Name: **Roads / Urban**

Strategic Plan Link: 3.2

Programme Owner: **Gary Hemsworth**

Group: **City Works**

Goals/Objectives to be achieved

Quarterly Targets

Actions undertaken this quarter

Maintain urban roads

- Undertake regular maintenance
- Reconstruct failed pavement
- Undertake scheduled road resealing
- Undertake scheduled roadside slashing & weed control

- *Maintenance programme is slightly over-expended due to the prolonged period of wet weather*
- *Certain maintenance activities were reduced to enable expenditure to remain close to budget allocations*
- *Construction programme is also behind schedule. Under expenditure in this programme will be carried forward into the new financial year*

Programme Name: **Roads / Rural**

Strategic Plan Link: 3.2

Programme Owner: **Darren Patch**

Group: **City Works**

Goals/Objectives to be achieved

Quarterly Targets

Actions undertaken this quarter

Maintain rural roads

- Undertake regular maintenance
- Reconstruct failed pavement
- Undertake scheduled road resealing
- Undertake scheduled roadside slashing & weed control

- *Maintenance programme is also slightly over spent due to the prolonged wet weather*
- *Construction programme is slightly behind the planned schedule. Work on Wyrallah Road at Monaltrie Hill was not commenced and has been carried forward to the 1999 – 2000 financial year*

Programme Name: **Bridges**

Strategic Plan Link: 3.2

Programme Owner: **Charles Mitchell**

Group: **City Works**

Goals/Objectives to be achieved

Quarterly Targets

Actions undertaken this quarter

Maintain bridges

- Develop inspection schedule
- Implement inspection schedule

- *Inspection schedule – regular three (3) monthly inspections continue*
- *Wet weather and construction of Crozier Oval has delayed some maintenance works*

Bridge Construction

- Develop plans and construction specifications

- *Project schedule*
 - *Thorne Bridge – Rock Valley Road - completed*
 - *Lagoon Creek Bridge widening continues*
- *(Thorne Bridge completed within budget and timeframe. Lagoon Creek Bridge works delayed as a result of wet weather)*
- *Caniaba Street causeway upgraded to culvert. Works completed ahead of schedule and within budget*

Causeway raising to culvert

- Develop priority schedule

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Programme Name: **RTA Works**

Strategic Plan Link: 3.2

Programme Owner: **Gary Hemsworth**

Group: **City Works**

Goals/Objectives to be achieved	Quarterly Targets	Actions undertaken this quarter
Maintain State roads and bridges	<ul style="list-style-type: none"> Maintain State roads and bridges covering approx. 48 kms total length (Bruxner Highway SH16 and Bangalow Road MR65) to standard specified and funding levels allocated by RTA Reconstruct sections in accordance with RTA program 	<ul style="list-style-type: none"> Maintenance programme for State Roads was fully expended Major rehabilitation on the Bruxner Highway at Alphadale was delayed due to wet weather. Funds were accrued and work was completed in July, 1999
Maintain Regional roads	<ul style="list-style-type: none"> Maintain Regional roads and bridges covering approx 100 kms total length (MR142 - Nimbin Road, MR148 - Coraki Road, MR306 - Dunoon Road, MR544 - Kyogle Road, MR555 - Rous Road) to standard specified and allocated funding levels Reconstruct road sections in accordance with RTA program 	<ul style="list-style-type: none"> Maintenance works are slightly over expended due to the wet weather. This over expenditure will be carried forward into the next financial year

Programme Name: **Lawn Cemetery and Crematorium**

Strategic Plan Link: 5.1

Programme Owner: **Kris Whitney**

Group: **Business and Enterprise**

Goals/Objectives to be achieved	Quarterly Targets	Actions undertaken this quarter
Conduct burial/cremation services	<ul style="list-style-type: none"> Respond to client requirements Review fee structure 	<ul style="list-style-type: none"> 107 cremations and 30 burials were conducted
Provide memorials	<ul style="list-style-type: none"> Review fee structure Review memorial options 	<ul style="list-style-type: none"> Memorials constructed to client specification and satisfaction
Maintain and enhance gardens and general landscape environment	<ul style="list-style-type: none"> Monitor maintenance plans Undertake maintenance Expand amenity plantings 	<ul style="list-style-type: none"> All programmed activities have been completed Regular maintenance has been undertaken to a high standard
Operate Administration office	<ul style="list-style-type: none"> Provide customer service centre Co-ordinate funeral activities Provide memorial sales and service Maintain accounts and funeral records 	<ul style="list-style-type: none"> Activities conducted with emphasis on customer relations

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Programme Name: **Tourism**

Strategic Plan Link: 2.1

Programme Owner: **Andrea Roberts**

Group: **Business and Enterprise**

Goals/Objectives to be achieved

Manage the effective operation of the Lismore Visitor and Heritage Centre as a tourism facility for visitors, residents and industry operators
Promote the Lismore region in key tourism markets

Promote the economic, social, cultural and environmental benefits of sustainable tourism

Quarterly Targets

- Monitor customer service activities
- Open Centre between 9am and 4:30pm 7 days per week (excluding Christmas Day) and Implement rotational staff roster
- Maximise promotional opportunities created by regional state and national initiatives
- Local PR through media liaison
- Involvement in peak economic and industry boards

Actions undertaken this quarter

- Staff attended to almost 12,000 face to face enquiries
- Staff have maintained a profile and representation in the Pacific Coast Touring Route, thus extending Lismore Tourism's marketing allocation through these local, regional and state partnerships
- A day trip with front-line customers, retail and hospitality industry sectors was conducted jointly with Ballina and Lismore Visitor information Centres. Eighty (80) people participated in a highly successful day

Programme Name: **Water Supply Services**

Strategic Plan Link: 6.5, 6.4, 2.2

Programme Owner: **Anu Atukorala**

Group: **Business and Enterprise**

Goals/Objectives to be achieved

Provide improved levels of service delivery through:

- Outsourcing
- Benchmarking, and
- Introduction of National Competition Policy guidelines

Provide improved levels of customer service through a focus on:

- Establishment of levels of service
- Accurate headworks contributions
- Demand management

Quarterly Targets

- Outsource selected works
- Ensure compliance with NCP guidelines
- Manage water upgrade contract
- Operate performance monitoring system
- Review headworks contribution plan
- Participate in Rous Regional Demand Management strategy

Actions undertaken this quarter

- Due to adverse weather conditions, many of the construction works did not proceed as planned
- A revised Developer Contribution Plan (Section 64) was prepared and submitted to Council

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Programme Name: **Sewerage Services** Strategic Plan Link: 6.5, 6.4, 2.2 Programme Owner: **Anu Atukorala** Group: **Business and Enterprise**

Goals/Objectives to be achieved	Quarterly Targets	<i>Actions undertaken this quarter</i>
Provide improved levels of service delivery through: <ul style="list-style-type: none"> • Outsourcing • Benchmarking, and • Introduction of National Competition Policy guidelines • Complete stage 2 of sewerage augmentation upgrade 	<ul style="list-style-type: none"> • Outsource selected works • Implement outcomes at sewerage treatment works • Ensure compliance with NCP guidelines • Manage sewerage upgrade contract 	<ul style="list-style-type: none"> • <i>Due to adverse weather conditions, many of the construction works did not proceed as planned</i>
Provide improved levels of customer service through a focus on: <ul style="list-style-type: none"> • Establishment of levels of service • Accurate headworks contributions • Participation in the development of new village scheme strategies • Development of effluent reuse strategy 	<ul style="list-style-type: none"> • Review headworks contribution plan 	<ul style="list-style-type: none"> • <i>A revised Developer Contribution Plan (Section 64) was prepared and submitted to Council</i>
Provide improved asset management by: <ul style="list-style-type: none"> • Introducing programmed maintenance of Council's sewerage assets • Reducing wet weather overflows, and • Developing an asset renewal and augmentation strategy 	<ul style="list-style-type: none"> • Investigate overflow problem through gauging, modelling and reporting 	<ul style="list-style-type: none"> • <i>The preliminary model for the sewer infiltration and inflow study was completed</i>

Subject/File No: NIMBIN CARAVAN AND HOLIDAY PARK AND SWIMMING POOL
COMPLEX - MANAGEMENT OPTIONS
(AL:CD:P15919)

Prepared By: Andrew Lovett - Manager Business Development

Reason: Respond to Council Resolution 140/99

Objective: To respond to questions raised in this Resolution and seek approval for
recommended actions.

Management Plan N/A

Activity:

Background:

Council received a report prepared by Mr Graeme Davis, Property Services Manager, at its meeting on April 27, 1999 with regard to potential management options for the future of the Nimbin Caravan and Holiday Park and the Swimming Pool Complex. In this report Mr Davis informed Council of a number of factors involved in the management of the park, including the number of sites available, the nature of the management contract over the park, financial considerations of the position of the Park, three options for the future management of the park and a series of recommendations for sale of the caravan park whilst retaining the swimming pool as community parkland.

Council resolved to defer making a decision on the sale of the Nimbin Caravan Park pending the provision of information in answer to some questions. Council also resolved to retain Nimbin Swimming Pool in Council ownership.

Information requested in Council Resolution:

a) **Clarification about future ownership/Usage Arrangements for the Access Road and the Area currently used by the Nimbin Bowling Club for carparking**

The area used by Nimbin Bowling Club for carparking is, in fact, part of the access road area of Lot 4 of DP 831252, which is the Council-owned allotment incorporating the caravan park and swimming pool complex. If the Caravan Park were to be sold, then arrangements would need to be made with regard to this carparking area. Council has resolved that the swimming pool be retained in Council ownership and, as such, it would be sensible to also retain the access road in Council's ownership. This would resolve any concerns about the carparking arrangements for the Nimbin Bowling Club.

b) **Clarification about the Usage of existing Camping Area given its Distance from the Amenities Block**

Advice from Council's Building Services Section is that arrangement with the existing Camping Area, which is licensed for 12 campsites, is within the Regulations.

c) **Options and associated Costs for Maintenance of the Pool and Daily Water Sampling, should the Caravan Park be Sold**

Council is aware that the maintenance of the Nimbin Swimming Pool was tendered recently, as part of an overall Council Pool's Maintenance Tender. The lowest cost tender for this work for Nimbin Swimming Pool was for \$22,000.

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The current cost for this work under the Caravan Park Caretaker's Contract is of the order of \$7,000 per year. Clearly it is much more cost effective for the pool to be maintained by the Caravan Park Caretaker.

d) **Costings on Construction of Amenities Block to Service the Pool or likely Leasing Costs if the Park Toilets are to Continue to Service the Pool**

On the basis of point c) above, there is clearly much higher operational costs involved in separating the management of the pool from the caravan park. The original estimates for the building of an amenities block, as put forward by Mr Graeme Davis in his report, was between \$50,000 and \$70,000. Clearly there are significant costs of an operational and capital nature involved in separating the management and ownership of the pool from that of the caravan park.

e) **A Marketing Strategy that could be Implemented to Increase the Usage of the Caravan Park and Associated Costs**

The following is put forward as a proposed marketing strategy for discussion.

- **Proposed Marketing Budget**

\$5,000 per annum.

- **Target Markets**

1. Permanent residents: increase towards the number of long term caravan sites available being 16; standard of appearance of permanent vans will need to be improved;
2. Backpackers from Byron Bay, Ballina and coastal area;
3. Repeat and referral from past guests.

- **Sales Analysis**

QUARTERLY SALES TREND				
	YEAR ENDING JUNE			
QUARTER	99	98	97	AVERAGE
Q1 (July, August, September)	10,815	11,461	7,740	10,005
Q2 (October, November, December)	12,701	15,144	12,496	13,447
Q3 (January, February, March)	14,099	12,210	15,153	13,820
Q4 (April, May, June)	15,133	14,655	20,127	16,638

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It is clear from the table above that sales for the caravan park increase as the financial year progresses, with the peak quarter being April, May and June. Average sales for that quarter are \$16,638 over the last three years. The peak months over the last three years have been January, April and May and the low months have been July, August and September. This type of seasonality is to be expected in the tourism industry.

• Proposed Promotional Plan

1. Investigate potential display advertisement in the Yellow Pages;
2. Distribute brochures around the coastal area from Ballina through to the Queensland border and into the Gold Coast and Brisbane;
3. Promote for permanent tenants throughout Nimbin/Lismore by word of mouth and, possibly, some low cost advertisements;
4. Networking through the tourism industry in the area;
5. Directly target backpackers, perhaps through some industry journals and getting in contact with backpacker accommodation houses on the coast;
6. Co-promotional activities with the Lismore Tourism Office;
7. Increase the signposting around the Nimbin township;
8. Develop some low cost flyers which can be displayed in backpacker accommodation, hotels etc.

f) Options for Building an Incentive into the Park Management Contract

The current park management contract terminates on January 7, 2000. It is recommended that a sales performance bonus be built into the new management contract. This would be for an amount of up to \$5,000, being 10% of annual sales above an amount of \$55,000. Sales over recent years for the caravan park are listed below.

YEAR	AMOUNT
1998/99	\$52,750
1997/98	\$53,456
1996/97	\$55,518
1995/96	\$51,873

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1994/95	\$49,746
Average annual sales for the last five years	\$52,669

g) **Details Concerning the Time Left to Repay the Loan**

Under current financial plans the loan principal for the Nimbin Caravan Park loan will be entirely repaid in the year 2002/2003. The loan for the Nimbin Pool has been repaid prior to the start of the last financial year.

h) **A Review of Rental Costs and Comparison with Other Inland Permanent/Temporary Caravan Parks**

Rental costs are largely in line with similar facilities. As an ongoing process these charges will be reviewed and adjusted with the yearly management planning process.

i) **The Option of Council Providing On-Site Vans and Likely Financial Scenarios**

Cabins can be purchased for amounts starting from \$15,000. Based on rental of \$50 per night and 50% occupancy rates, the payback on investment is quite reasonable. However, it is recommended that further investment should come from profits to be gained from improving occupancy on the existing facilities.

j) **Alternative Cash Flow Scenarios Based on Improving Occupancy**

Please find the accompanying financial analysis of Nimbin Caravan Park which is attached to this report.

k) **Valuation of Park**

Mr Graeme Davis provided a local Real Estate Agent's opinion of market price of \$175,000. Given the cost of obtaining a valuation and the recommended actions of this report, it was considered inappropriate to go further with more formal valuations.

l) **Full Details of Financing Arrangements**

See Manager - Finance and Administration comments below.

Manager - Finance & Administration Comments

On the basis that Council has already resolved that 'the Nimbin Pool be retained in Council's ownership', this comment mainly relates to the Nimbin Caravan and Holiday Park.

The following is a summary of the facilities financial performance over the last three (3) years and the Budget for 1999/2000.

	1996/97	1997/98	1998/99	1999/00
	Actual	Actual	Actual	Budget

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Revenue	\$ 56,410	\$ 53,460	\$ 52,750	\$ 50,100
Less : Expenses	76,760	60,020	58,770	58,200
Loan Repayments	56,700	53,900	51,100	51,000
Cash Deficit	\$ 77,050	\$ 60,460	\$ 57,120	\$ 59,100

This facility has operated at a cash deficit for the last three (3) years and is budgeted to do so in 1999/00. If we exclude the Loan Repayments from the calculation, the facility still runs at a cash deficit being,

1996/97	\$20,350 (Actual)
1997/98	\$6,560 (Actual)
1998/99	\$6,020 (Actual)
1999/00	\$8,100 (Budget)

The Manager Business Development has suggested that occupancy rates may increase, and therefore revenue, if a well prepared marketing strategy could be implemented. This action is supported as it is a low cost option and has the potential to reduce the deficit.

However, what needs to be realised is that this facility will also require additional funding from time to time to replace existing assets or to provide new facilities. On the basis that this facility is not likely to produce a surplus, these additional funds will be required to come from General Fund. This potentially means a greater demand on limited funds.

While there is no doubt that by operating the caravan park and pool together there are savings with shared management costs and joint facilities, I am uncertain that there is sufficient benefit associated with this arrangement to negate the sale of the caravan park facility altogether. The right approach may very well be to spend the next two and a half years looking at what we do at the facility, implement the marketing strategy and reassess this position in December 2002.

Conclusion

As the Nimbin Caravan Park has run at a loss, its potential sale price will only be the real estate value with a probable further discount for the encumbrance of a loss making entity.

This report proposes that Council applies resources to the marketing of the complex, with the intent of lifting occupancies from 26% towards more acceptable figures. This should improve the financial performance.

Further investments such as on-site vans or cabins should be made out of possible future profits rather than adding to the current adverse cash flow.

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Recommendations (ENT13)

1. Council retains ownership of all aspects of the Nimbin Caravan Park and Pool Complex with a further review of this policy and the marketing strategy in December 2001.
2. Council continues to manage both the Caravan Park and Pool under the one arrangement.
3. Council calls Tenders for the management of the Nimbin Caravan and Tourist Park and Pool Complex for a period of two and a half years from January 7, 2000, this being a performance based contract aimed at maximising Council's financial benefit from the Complex.
4. Council proceeds with greater marketing activities including a promotions budget of \$5000 for the next financial year.

Subject/File No: TOURIST SIGNPOSTING POLICY FOR BUILT ATTRACTIONS
(S362)

Prepared By: Andrea Roberts, Tourism Director

Reason: To adopt policy

Objective: To co-ordinate the approval process and erection of appropriate signposting designed to enhance visitor experience and assist safe traffic flows to built tourist attractions in the Lismore City Council area.

Management Plan Business & Enterprise
Activity:

Background:

Council has a need for a standard policy to inform decisions and provide a coordinated procedure for the approval process, erection and monitoring of the signs on Council road reserves. The policy has been largely sourced from the Tourist Signposting Manual jointly prepared by the New South Wales Roads and Traffic Authority (RTA) and Tourism New South Wales (NSW) as well as an assessment of local tourist signposting issues of relevance to the Lismore City Council area.

Manager - Finance & Administration Comments

This is a great initiative in that it will provide consistency in what is advertised to the tourist. Also, the intention of the exercise is that it is "user pays".

The only concern I have is trying to charge an operator for the removal of a sign. While the theory is right, practically this may not be achievable. While every attempt will be made to recover these costs, it is likely that the street signs allocation will pay for the removal of such signs.

Public Consultations

Not applicable.

Other Group Comments

Bill MacDonald - City Works Group

Incorporated in the body of the report.

Brendan Toohey - Planning and Development Assessment Section

Council's Development Control Plan No. 36 - Outdoor Advertising Structures and Clause 45 of the Lismore Local Environmental Plan 1992 permits the erection of tourist direction of signs without the

necessity to obtain development consent, provided compliance with the following definition of a Directional Sign is achieved:

*“**Directional Sign**” means an advertising sign erected by the Council for the purpose of directing vehicular or pedestrian traffic, or advising or restricting the public, and which does not include any information of a commercial nature.*

Report - Tourist Signposting Policy for Built Attractions

Council's Development Assessment Section supports the Tourist Signposting Policy for Built Attractions, with the inclusion being that if a number of tourist attractions are in a general area, the attractions should, where possible and feasible, be on combined signage contained on one (1) structure.

Recommendations (ENT15)

- 1 Council adopt the Tourist Signposting Policy for Built Attractions.
- 2 Council support a retrospective audit of existing attraction signs.

Subject/File No: APPLICATION TO CLOSE PART OF PARROTS NEST ROAD, SOUTH GUNDURIMBA WITH A VIEW TO PURCHASE WHEN CLOSED (AL:P26295)

Prepared By: Andrew Lovett - Manager Business Development

Reason: Request by applicants - Jason, June, Wendy and Marlon Crowther

Objective: To obtain Council approval to:
1. Close and purchase part of Parrots Nest Road.

Management Plan N/A

Activity:

Background:

On April 8, 1999 Council received a request for the road closure and purchase of part of Parrots Nest Road from Jason, June, Wendy and Marlon Crowther.

The portion of Parrots Nest Road in question divides Lot 3 and Lot 4 DP 869421. These lots are both owned by the applicants.

Council's City Works Group have indicated that they maintain 3.3 km of Parrots Nest Road, which terminates at the start of the proposed road closure and they have no objections to the sale of that portion of road identified. Council's Planning and Development Group have indicated that they have no objection to the sale.

Public Consultations

In accordance with Department of Conservation and Land Management guidelines, public consultation will occur at the time of preliminary gazettal if approved.

Recommendations (ENT14)

1. That the application to close part of Parrots Nest Road, South Gundurimba between Lot 3 and Lot 4 DP869421 be endorsed and the application be sent to the Department of Land and Water Conservation for adoption and gazettal if approved.
 2. Any costs associated with the road closure to be borne by the applicants.
-
-

3. That if such application is approved by the Department, then the land be surveyed and, subject to a deposited plan/identifier being issued, then such allotment to be sold to Jason, June, Wendy and Marlon Crowther at market value determined by a registered valuer.
4. That the General Manager be authorised to sign any documents necessary to bring about the action (i.e. Contract of Sale/Transfer).

Subject/File No: **RURAL FIRE SERVICE SECTION 94 PLAN - PART F**
(S104)

Prepared By: Fire Control Officer - Ray Collyer

Reason: To comply with Council request.

Objective: To advise Council of the proposed purchases using Section 94 funds.

Management Plan Fire Protection

Activity:

Background:

The Executive Committee and Captains of Lismore Rural Fire Service have met on several occasions and discussed the use of Section 94 funds to purchase equipment for the Service.

Following the presentation to Council of the revised Section 94 Plan, a request was made that prior to any purchases, the Captains and Group Officers were to consider what other equipment may be purchased.

At the Group Officers Meeting of August 11, 1999 and Captains Meeting of August 16, 1999, these possibilities were discussed. Unanimous support was expressed for the current equipment levels. The recommendations as presented previously were once again ratified; these being:-

- The purchase of a logging recorder for the Control Centre
- The purchase of a Twin Cab vehicle
- Expansion of the pager network should any funds be available after the purchase of the two major items.

It is proposed that no further utilisation of Section 94 funds will take place this year. Further use will be considered and recommended to Council with the 2000/01 Management Plan.

Manager - Finance & Administration Comments

As at June 30, 1999, there was approximately \$45,000 available in the S94 Bushfire Services Plan for these purchases. My understanding is that the majority of these funds will be expended on the first two items proposed.

Other Group Comments Not required

Recommendation (WOR21)

LISMORE CITY COUNCIL - Meeting held August 31, 1999

That the purchase of the following items be approved using the available funds currently held in the Section 94 Budget:-

- The purchase of a logging recorder for the Control Centre
- The purchase of a twin cab vehicle
- Expansion of the pager network should any funds be available after the purchase of the two major items.

Subject/File No: INVESTMENTS HELD BY COUNCIL AS AT JULY 30, 1999
(GB/LM:S170)

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 Council's investment policies.

Council's total investment for July amounted to \$23,729,025.49 with an average return of 5.20%. Interest rates at the same time last year were 5.42%. Current indications reflect the current interest rates remaining at their current levels.

Financial Section

Included in the body of the report.

Public Consultations

Not required

Other Group Comments

Not requested

Recommendation (COR40)

That the report be received and noted.

LISMORE CITY COUNCIL - Meeting held August 31, 1999

MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD

AUGUST 18, 1999 AT 10.00 AM.

(WMacD:VLC:S352)

Present: Mr Garry Hemsworth (*Chairperson*), Councillors Bob Gates, Ken Gallen, Eleanor Cole and Mervyn King, M/s Bronwyn Mitchell on behalf of Thomas George, MP, Messrs Mike 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 Messrs Thomas George, MP, and Bill Moorhouse (*Annual Leave*) was received and accepted and leave of absence granted.

Minutes of Traffic Advisory Committee Meeting - July 21, 1999

Members were advised that the Minutes of the meeting held on July 21, 1999 were adopted by Council at its meeting of August 10, 1999, excluding Item No.16 (*TAC128/99 Blue Knob Road - Reduction in Speed Limit*). With respect to this issue, Council resolved that a letter be forwarded to Tweed Shire Council requesting its view on a 80kph speed limit for the whole of Blue Knob Road with the reply being referred back to the Committee for further consideration. It was further resolved to support this speed limit even if it is only to the boundary of Lismore City Council.

(R2001)

Disclosure of Interest: Nil

Business Arising:

1. **Item No. 11 (Rous Road Speed Limit) - Minutes of July 21, 1999**

Mr Baldwin advised that a full speed zone survey had been completed for the section of Rous Road between the existing 60 kph signs and the Tregeagle 'cross roads'. In addition, Council had arranged traffic counts that indicated the 85th percentile speed was 87 kph. Development is balanced on each side of the road with less than one access per 100m on average over the full length. All relevant data had been installed into the RTA's 'NLIMITS' Program with the result that the recommended speed limit for Rous Road was 100 kph. It was suggested, however, that derestriction signs would be more appropriate on the reverse side of the existing 60 kph signs.

TAC134/99 **RECOMMENDED** that the speed limit on Rous Road remain at 100 kph.

TAC135/99 **FURTHER RECOMMENDED** that derestriction signs be placed on the reverse side of the existing 60 kph signs. (S352,R6610)

Correspondence:

LISMORE CITY COUNCIL - Meeting held August 31, 1999

MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD
AUGUST 18, 1999 AT 10.00 AM.

(WMacD:VLC:S352)

2. **S Lamont**; seeking a solution to the current unsafe traffic conditions which exist in the vicinity of Lot 7 Rose Road, The Channon.
Mr MacDonald advised that along with RTA and Police Representatives, he had met with Mr Lamont on-site to discuss his concerns.

LISMORE CITY COUNCIL - Meeting held August 31, 1999

TRAFFIC ADVISORY COMMITTEE MEETING HELD AUGUST 18, 1999

(Cont'd)

2. **S Lamont;** (Cont'd)
One of the residents whose car was being parked adjacent to the road was also addressed and he undertook to speak with the owners of the other vehicles that were usually parked along the side of Rose Road to advise them of the problems being created and that further action may be taken by Police Officers in the future if vehicles were not parked correctly. One of the vehicles also appeared to be unregistered. If this was found to be the case, arrangements would be made to have the vehicle removed or impounded. Due to the steepness of the driveway, the residents had little choice but to park their vehicles on the roadside.
- TAC136/99 **RECOMMENDED** that the above action be noted. (99-12013:P15208,R3004)
3. **NSW Roads & Traffic Authority;** advising that Council comments have been incorporated into a new Draft Risk Assessment Procedure to accompany *Technical Direction 98/6 - Use of Traffic Calming Devices as Pedestrian Crossings*.
- TAC137/99 **RECOMMENDED** that the contents of the letter be noted. (99-12206:S363)
4. **Paul Denmeade & Company;** expressing concern on behalf of its Client, Lismore Seafood Inn, for the two recent temporary road closures of Magellan Street and the subsequent affect on business.
Mr MacDonald advised that he had spoken with the restaurant owners' representative and had informed that it was intended Carrington Street would be left open if future events were planned that necessitated Magellan Street being closed unless consent of every business-house, including the Lismore Seafood Inn, was obtained.
- TAC138/99 **RECOMMENDED** that the above action be taken as part of any future temporary closure of Magellan Street. (99-12227:P5613,S622)
5. **A Gray;** seeking to have Booyong Road included in the 50 kph speed zone for Clunes and suggesting that it may be effective to establish an 80 kph speed zone prior to the existing 60 kph zone at Clunes in order to slow traffic speeds.
An inspection of Booyong Road revealed that driveways were generally well spaced and houses set back off the road. It was felt that as Booyong Road was a through road that led to other localities, the 60 kph zone should be retained. However, it was suggested that the 60 kph zone could be extended a further 450m along Booyong Road and the existing 100 kph signs on the reverse side of the 60 kph signs could be replaced with derestriction signs.
- TAC139/99 **RECOMMENDED** that the above action be taken. (99-12303:S352,R3901)
6. **Lismore Base Hospital;** seeking the designation of six (6) parking spaces outside the Cancer Care Unit for patients receiving Chemotherapy treatment.
-

LISMORE CITY COUNCIL - Meeting held August 31, 1999

TRAFFIC ADVISORY COMMITTEE MEETING HELD AUGUST 18, 1999

(Cont'd)

Whilst the Committee could understand the problems being experienced regarding access to parking, unfortunately there was no specific sign that would allow preferential parking for the patients. It would appear that stickers supplied by the Cancer Care Unit were being noted by Parking Police and leniency was being afforded to those drivers displaying the stickers.

LISMORE CITY COUNCIL - Meeting held August 31, 1999

TRAFFIC ADVISORY COMMITTEE MEETING HELD AUGUST 18, 1999

(Cont'd)

6. **Lismore Base Hospital** (Cont'd)
Under the circumstances this was considered most appropriate but did not necessarily guarantee a parking space within close proximity. Parking in general around the Hospital was in high demand with other groups within the Hospital system also requiring parking that, due to an over-development of the site, could only be accessed on-street.
- TAC140/99 **RECOMMENDED** that the writer be advised in accordance with the above.
(99-12537:R6058,S353)
7. **Caroona Homes for the Aged;** outlining inconvenience caused by the installation of the centre media on Rous Road, Goonellabah.
The Mayor was present for this item and outlined the concerns of the residents directly affected by the median. A compromise was suggested in that the concrete median be removed and replaced with a painted median which included gaps opposite the residents' driveways allowing them to cross over. Whilst it was acknowledged that some motorists accessing Caroona Homes may choose to ignore the painted median, it was felt the majority would still use the main driveway off the roundabout at Oliver Avenue.
- TAC141/99 **RECOMMENDED** that the above works be undertaken.
(99-12779:R6610,P26393)
8. **Nimbin SHARE Project;** advising of the proposal to hold a street party on Saturday, October 16, 1999 and seeking the closure of Cullen Street between Allsopp Park and the pedestrian crossing at the Nimbin Community Centre between 5.00pm and Midnight.
Mr Baldwin advised that Cullen Street was a Main Road and as such should remain open, particularly if other alternatives exist.
- TAC142/99 In light of the above, it was **RECOMMENDED** that permission be granted for Sibley Street to be closed to through traffic on Saturday, October 16, 1999, between the hours of 5.00pm and Midnight provided agreement of affected business houses and residents of Sibley Street were obtained by the Applicant.
(99-13094:R1701)
9. **Mrs D Kilshaw;** drawing attention to the traffic hazard which exists at the entrance to Invercauld House and seeking a safe solution.
Mr MacDonald advised that a right-angle bend warning sign existed on Invercauld Road. However, it was felt further delineation of the 'bend' would assist in reducing the current problems.
- TAC143/99 **RECOMMENDED** that a double white line be painted around the 'bend' on Invercauld Road opposite the entrance to Invercauld House.
- TAC144/99 **FURTHER RECOMMENDED** that a chevron hazard marker be erected on the outside of the 'bend' behind the kerb.
(99-13617:R6465)
-

LISMORE CITY COUNCIL - Meeting held August 31, 1999

TRAFFIC ADVISORY COMMITTEE MEETING HELD AUGUST 18, 1999

(Cont'd)

10. **Loft Restaurant;** advising further in relation to the proposal to close Nesbitt Lane, Lismore.

The Committee noted the contents of Mrs Henricus' letter, including that the area would be cleared at night and that the lane had been closed for six months during the reconstruction of Magellan Street.

Mr MacDonald advised that letters outlining the proposal had been issued to all affected business houses and property owners within the immediate area. A total of 17 submissions had been received with 14 objections to the closure and three (3) offering no objection. The main concerns of objectors related to restricted access to businesses and congestion in the laneway that would be caused by the large number of delivery vehicles that used the lane system predominately during daylight hours.

A number of property owners expressed concern that the closure would lead to property devaluation and a reduced potential for property owners to lease their properties because of the restricted access.

Richmond Waste had advised that its larger vehicles currently servicing the lane would be unable to access the lane via Carrington Street without several reversing maneuvers in Carrington Street. It was noted that over the years Council had encouraged transport companies to use the rear lane access to businesses to free up the main streets. Bearing in mind the number of delivery vehicles who used the lane it was felt there was the real potential for motorists to choose to reverse into Carrington Street if they were unable to gain access to the northern end of Nesbitt Lane. This would mean reversing out over the footpath in Carrington Street with extremely limited visibility of pedestrian activity.

In light of the above, it was considered that the proposal to close the southern end of Nesbitt Lane was not appropriate and that vehicular access should be retained from both Magellan and Carrington Streets.

- TAC145/99 **RECOMMENDED** that the writer be advised in accordance with the above.

(99-12892,99-13680:R7323)

General Business

11. **Victoria Street, Lismore - Proposed Closure**

A plan was tabled showing the proposed closure of Victoria Street at the Ballina Street Bridge, effectively making the northern end of the street a cul-de-sac with all vehicular access off Market Street.

Snr Const Buckley raised concerns that such a proposal had the potential to lead to an increase in undesirable activity due to a reduction in through traffic and also restricted access to the area for emergency vehicles. From a general traffic point of view the Committee had no real objection to the proposed closure. However, it was felt that this did not achieve the real objective of making Victoria Street safer for pedestrian activity between the Skate Park and the main Heritage Park area. It was felt that a raised pedestrian area and reduced road width between the two areas would be more appropriate. This would also address Police concerns.

DOCUMENTS FOR SIGNING AND SEALING

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:-

Request to Release Restrictions on Use of Land - 28 Hillcrest Avenue -
Baisi

Request by owner to release easement to drain water which is not being used.
(99-8452: P18016)

Extinguishment and Replacement of Sewer Easement - 238 Rous Road -
Olley Estate
(D94/310)

Conditional Contract of Sale of Lot 46 of DP 790672 - 34 Centenary Drive,
Goonellabah

Also boundary adjusted portion of Lot 47 of DP 790672 being 38 Centenary Drive to Mr Jeff Page
(P21668/P21669)

LISMORE CITY COUNCIL - Ordinary Meeting held August 10, 1999

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, AUGUST 10, 1999 AT 6.00PM.

Present: Her Worship the Mayor, Councillor Irwin; Councillors Champion (from 6.08pm), Cole, Gates, King, Larsen, Roberts, Swientek and Wilson (from 6.44pm), together with the General Manager; Group Managers- Corporate & Community Services, Planning & Development: Acting Group Manager-City Works (G Hemsworth), Acting Group Manager-Business & Enterprise (A Lovett); Manager-Finance & Administration, Manager-Strategic Planning, Art Gallery Director and Administrative Services Manager.

248/99 Apologies/ Apologies for non-attendance on behalf of Councillors Crowther and
Leave of Gallen were received and accepted and leave of absence granted.
Absence: (Councillors Larsen/Swientek)

249/99 Minutes: The Minutes of the Ordinary Meeting held on July 20, 1999, were confirmed.
(Councillors Roberts/Cole)

PUBLIC ACCESS SESSION:

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

Simon Clough - Mayoral Minute

(See Minute No. 250-252/99)

Mr Clough spoke on behalf of Earthshare Australia. He spoke to the charter of Earthshare, detailed the support it had and the advantages of payroll deductions.

(99-11058: S254)

Kenrick Riley re Report DA99/169 - Rural Land Sharing Community,

Potessu Road, Georgica

(See Minute No. 255/99)

Mr Riley detailed the philosophy of the development and the steps they had taken to rehabilitate and manage the property. He requested Council's support.

(D99/169)

Paul Recher re Reports - Draft Rural Settlement Strategy & S96 Application - DA98/7 Residential Village Subdivision at Caniaba

LISMORE CITY COUNCIL - Ordinary Meeting held August 10, 1999

(See Minute No. 256 & 258/99)

Mr Recher described the proposed Caniaba Village as a white elephant and detailed Council's expenditure which supported the proposal. He urged that Council not support residential development in rural lands, but if it does that it be only on the worst agricultural land.

(S668)

Stan Heywood - Report - Draft Rural Settlement Strategy

(See Minute No. 256/99)

Mr Heywood questioned if all the ingredients were included in the strategy and discussed inappropriate areas, fees, demand analysis, roads, wastewater and water management and impact on agricultural pursuits.

(S668)

Lindsay Walker re Report - Draft Amendment 50 to LEP 1992 -
Cellulose Valley Technology Park

(See Minute No. 257/99)

Mr Walker stressed the benefits of the development to the profile of Lismore and the employment prospects for Lismore. He urged support.

(S718)

Ms Sharon Hill re Report - Miscellaneous Section 356
Community Donations

(See Minute No. 259/99)

Ms Hill requested Council reconsider its Section 356 allocations to give an equitable outcome to Nimbin. She sought Council's support for the Nimbin Community School Co-operative "Circus Class" citing its broad community appeal and professional organisation.

(S164)

Neville King re Report - Quarterly Budget Review Statement

(See Minute No. 260/99)

Mr King objected to the report because it reflected the wishes of the Councillors and not the residents, concentrating on the borrowings made by Council.

(S699)

Mrs V Fayle re Report - 1999/2000 Budget - Transfer to Reserve -
Future Development

(See Minute No. 261/99)

Mrs Fayle spoke in support of the transfer of funds, detailing the long history of a new joint library/art gallery (since 1938) and the benefits to the community, both culturally and economically, of such a facility.

(S726)

MAYORAL MINUTE:

Local Government Association Conference - Submission of
Motions

(Tabled) (Copy attached)

LISMORE CITY COUNCIL - Ordinary Meeting held August 10, 1999

250/99 RESOLVED that the minute be received and Lismore City Council support this Council's participation in payroll fundraising for charities recognising that this is a significant mechanism through which support can be provided to community groups working for a better society at the local, regional and national levels. Further, that Council call on other councils to follow the lead taken in establishing such a facility and support the moving of a motion at the LGA Annual Conference calling upon local government authorities to support and facilitate the establishment of payroll deduction facilities for charitable fundraising from the employees of those authorities. (Councillors Roberts/Wilson)

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- 251/99 RESOLVED that -
- 1 The LGA call upon the NSW Government and Waste Boards to develop and cost strategies that will reduce the generation of solid waste in accordance with current State Government policy and targets.
 - 2 The LGA call upon the NSW Government and Waste Boards to develop a strategy for increasing the level of participation of the community in decision making on strategies to meet the waste targets. This consultation should include discussion about the relative contribution of resources to achieve the targets between
 - councils
 - the NSW Government, and
 - extended producer responsibility (EPR)
- (Councillors Roberts/Wilson)

- 252/99 RESOLVED that the LGA call upon the Federal Government to review FBT and other tax provisions, in such a way as to reduce the incentive for increased motor vehicle use by employees and to increase incentives for public transport.
- (Councillors Roberts/Wilson)
- Voting Against:** Councillors Champion, Cole and Gates.

NOTICE OF MOTION:

Masters Games Volunteers

(Copy attached)

- 253/99 Formal notice having been given by Councillor Larsen it was RESOLVED that Lismore City Council recognise the work put in by the Committee into the Masters Games and particularly the Council staff involved (listed below) and they be sent a letter of thanks by the Mayor and publicly acknowledged.
- John Bancroft, Leanne Clark, Vicki Walker, Marianne Gregory, Damian Chapelle, Brendan Toohey, Nicole Greenwood, Lyn McLean, Julie Fenwick, Gary Boyd, Lloyd Fielding, Judy Lovett, Sandy Pimm, Janaka Weeraratne, Karen Magnay.*
- (Councillors Larsen/Swientek)

SUSPENSION OF STANDING ORDERS:

- 254/99 RESOLVED that standing orders be suspended and Council now deal with the undermentioned matters:-
- Report -DA99/169 - Rural Land Sharing Community, Potessu Road, Georgica
 - Report - Draft Rural Settlement Strategy
 - Report - Draft Amendment 50 to LEP 1992 - Cellulose Valley Technology Park

LISMORE CITY COUNCIL - Ordinary Meeting held August 10, 1999

- Report - S96 Application - DA98/7 Residential Village Subdivision at Caniaba
- Report - Miscellaneous Section 356 Community Donations
- Report - Quarterly Budget Review Statement
- Report - 1999/2000 Budget - Transfer to Reserve - Future Development

(Councillors Roberts/Larsen)

Report DA99/169 - Rural Land Sharing Community, Potessu
Road, Georgica

(Copy attached)

A MOTION WAS MOVED that the report be received and -

A That Council grant delegated authority to the General Manager - subject to the concurrence of the Development Control Unit, 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.

B That Council, as the consent authority, approve Development Application 99/169 for the establishment of a five (5) site rural landsharing community and associated infrastructure, upon land being Lot 16 DP 832029, known as 8 Potessu Road, Georgica, subject to the following conditions:

1 In granting this development consent, Council requires:

- All proposed buildings be constructed in accordance with any amendment or modification outlined in these conditions
- All proposed works be carried out in accordance with any amendment or modification outlined in these conditions
- Any proposed use of buildings or land be in accordance with any amendment or modification outlined in these conditions

and be substantially in accordance with the stamped approved plan(s) and/or supporting documents submitted with the application. A copy/copies of the approved plan is/are attached to this consent.

Reason: *To correctly describe what has been approved. (EPA Act Sec 79C)*

DRAINAGE

2 Paved surfaces, landscaped areas, roof water and subsoil drainage systems, shall be designed so all water is directed to a drainage system acceptable to Council to prevent discharge runoff onto adjoining land. Full design details of the proposed drainage system shall be submitted for approval with the Construction Certificate.

Reason: *To ensure that the land or adjoining land is not damaged by the uncontrolled discharge of concentrated runoff from any buildings and paved areas that may be constructed on the land. (EPA Act Sec 79C(b))*

3 Measures shall be put in place to control stormwater runoff. These control measures shall be in place prior to the commencement of works and shall prevent soil erosion and the transport of sediment from the development site into either:

- adjoining land
- natural drainage courses
- constructed drainage systems, or
- waterways.

All disturbed areas shall be stabilised and revegetated. Turfing or another approved seeding method shall be undertaken in each part of the development within 14 days of completion of earthworks. Topsoil shall be preserved for site revegetation. Details of sediment control measures and revegetation works shall be submitted to the Principal Certifying Authority for approval.

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Reason: To ensure protection from the effects of subsidence and/or slip. (EPA Act Sec. 79C(c))

ROADS

4 The proponent shall provide the following roadworks with associated stormwater drainage structures that have been designed and constructed in accordance with Council's Development, Design and Construction Manual (as amended). Required roadworks include:

- a) For internal roads servicing 2 or more dwelling sites, construction of a 5 m gravel pavement on a 5m wide formation with a minimum unsealed gravel depth of 150mm. All road slopes in excess of 12% must be sealed with the table drains concrete lined and have a minimum gravel depth of 300mm.
- b) For internal roads servicing 1 dwelling site, construction of a 3 m gravel pavement on a 4 m wide formation with a minimum unsealed gravel depth of 150mm. All road slopes in excess of 12% must be sealed with the table drains concrete lined (or other approved material) and have a minimum gravel depth of 300mm.

An accredited certifier or practising qualified surveyor or engineer shall submit to the Principal Certifying Authority prior to the release of the compliance certificate, a "works-as-executed" set of plans and construction certification. The compliance certificate for construction shall detail satisfactory completion of all roads, drainage and civil works required by this development consent and Construction Certificate.

Reason: To ensure an adequate road network in accordance with adopted standards. (EPA Act Sec 79C(a))

5 Full design plans of the proposed engineering works to satisfy condition 4 shall be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate.

Reason: To ensure an adequate road network in accordance with adopted standards. (EPA Act Sec 79C(a))

6 The grade from the road pavement to each lot shall permit the construction of vehicular access in accordance with Council's Design and Construction Specification (Vehicular Access). Engineering design working drawings shall provide evidence of the feasibility of lot access. Such drawings shall be submitted to Council prior to release of the Construction Certificate.

Reason: To ensure the development is completed in accordance with the conditions and approved engineering construction design plans. (EPA Act Sec 79C(b))

CAUSEWAY

6A The applicant is to submit a bond of \$100 to Council as a contribution towards the installation of flood height markers placed on the causeway to indicate maximum hazard on Potessu Road.

6B The applicant is to submit to Council a bond of \$200 to contribute towards the construction of 'castellated kerbs' to each side of the causeway in Potessu Road.

VEHICULAR ACCESS

7 An all weather vehicular access shall be constructed and maintained from the road pavement to the proposed dwelling site in accordance with Council's Design and Construction Specification for Vehicular Access.

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Reason: To ensure adequate access to and from the development. (EPA Act Sec 79C(c))

BUILDING

- 8 Prior to the release of the Construction Certificate, a qualified practising Engineer, experienced in soil mechanics, shall submit documentary evidence in the form of a Geotechnical Investigation Report to the Principal Certifying Authority for approval, certifying that each allotment is suitable for building purposes and classifying each allotment in accordance with Australian Standard 2870 "Residential Slabs and Footings". Any allotment subject to further earthworks during the construction phase will require an amended Geotechnical Report.

Reason: To ensure the development is completed in accordance with the conditions and approved construction design plans. (EPA Act Sec 79C(b))

- 9 An application for a Construction Certificate is to be submitted for the required upgrading of the proposed office in order to comply with the Building Code of Australia.
- 10 The primary building elements must be protected against attack by subterranean termites by physical barriers in accordance with AS 3660.1-1995 "Protection of Buildings from Subterranean Termites".

Reason: Required by Clause B1.1 of the Building Code of Australia.

- 11 The primary building elements must be protected against attack by subterranean termites. This can be achieved by:
- i) soil treatment in accordance with AS 3660.1-1995 of the subsoil area beneath all on ground concrete slabs forming part of the building, including attached garages, patios and the like. Including, on completion of the building, an external barrier, consisting of at least a 300mm wide horizontal barrier around the perimeter circumferencing all pipes and service facilities, and adjoining a minimum 150mm wide vertical barrier, to the depth of the underslab barrier; or
 - ii) other chemical or physical measures which meet the objective of protecting the primary building elements against subterranean termite attack. If this option is chosen, full details are required to be submitted for Council's consideration. Examples of current initiatives in this area are, stainless steel mesh, accredited crushed granite barrier, permanent underslab irrigation systems, CCA treated framing and steel framing.

NOTE 1: The approved chemical for underslab spraying does not provide protection against termites over the economic life of the building.

NOTE 2: Depending on the slab construction a vertical 150 mm wide chemical barrier may be required to the external perimeter of the slab.

NOTE 3: Landscaping and Gardens - Most termite barriers require the area immediately adjoining an external wall to be kept clear of any landscaping or gardens. This is necessary either to prevent the bridging of the termite barrier or to ensure the area is visible for inspection.

Reason: Required by Clause B1.3 of the Building Code of Australia.

- 12 Provide a portable fire extinguisher, containing an extinguishing agent suitable for the risk being protected in accordance with AS2444.

Reason: Required by Clause E1.6 Building Code of Australia.

FIRE CONTROL

- 13 Overall clearances of access road is to be maintained at 5m wide and 4m vertical clearance. This is to enable unobstructed access for heavy tankers.
- 14 All dwelling sites are to be free of ground litter and unmown grass for a radius of 30m around all dwellings.
- 15 The perimeter fire break as described in the proposal should be located as close to the boundary as is practicable given the terrain. The width should be no less than 6 metres and preferably 10 to 15 metres where possible.
- 16 If water supply to individual sites is via on site tanks, then a minimum of 45,000 litres is required. A 38mm or 65mm gate valve should be fitted externally in the delivery line in

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addition tot he normal household delivery line, in such a position as to allow access to fire tankers.

- 17 If the tank is to be located in a position inaccessible to fire tankers, then a 38mm or 65mm poly line is to be taken from the tank and located and clearly marked with a post or similar in a position that affords access. This line should be buried 600mm below ground and terminated with 38mm or 65mm gate valve 300mm above ground.

ENVIRONMENTAL HEALTH

- 18 Details including plans and specifications of the greywater treatment device, artificial wetland (reedbed), sub-surface irrigation bed and compost toilet must be provided with the DA for each dwelling on the property.
Design details must be based on recommendations made in Section 4, Appendix A of the Development Application and Statement of Environmental Effects submitted by Balanced Systems, Planning Consultants dated February, 1999 for the subject property. Design flows used in the abovementioned report are unsatisfactory and amendments to the design must be made based on a minimum hydraulic load of 100 litres per person per day.
- 19 A management plan must be submitted for each individual wastewater system with the submission of a DA for each dwelling detailing;
- a) Household practices that will ensure the quality of wastewaters prior to treatment will not adversely affect the integrity of the proposed treatment systems and processes.
 - b) Ongoing maintenance and monitoring of the system to optimise its performance.
 - c) Troubleshooting/problem solving in the case of system failure.
 - d) Plantings including a detailed species listing for the artificial wetland and land disposal area.
 - e) Soil conditioning/enhancement works for the land disposal area.
- 20 Proposed Community Buildings must not be fitted out with facilities or amenities that result in the production of wastewaters.
- 21 A report must be submitted to Council prior to any work commencing estimating the extent of contamination (if any) posed by primary contaminants, specifically arsenic and organochlorine pesticides.
The report must be undertaken in accordance with the EPA Contaminated Sites series of documents titled "Guidelines for Assessing Banana Plantation Sites" and "Sampling Design Guidelines".

Reason: To protect the environment. (EPA Act Sec 79C(b))

PLANNING

- 22 All dwelling sites are to have an established landscaped buffer planted prior to release of the Construction Certificate. This buffer is to provide a visual screen, reducing the impact the dwelling will have on the adjoining owners.
- 23 All relevant requirements of SEPP No. 15 - Rural Landsharing Communities, gazetted April 9, 1998, are to be complied with at all times.
- 24 The illegal dwelling located adjacent to the entrance road is not to be used for any form of residential occupation, and is only to be used as a community building.

LEVIES

- 25 Payment of contributions levied under Section 94 of the Environmental Planning and Assessment Act and Lismore City Council S94 Contributions Plan 1994 (as amended)

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are required. Such levies shall contribute towards the provision of public services and/or amenities identified in the attached schedule.

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Such levies shall be calculated at the rate(s) in effect on the date the Occupation Certificate is granted. The rates and amounts applying at the date of this notice, totalling \$12,373, are set out in the schedule for your information. All contributions, bonds etc. shall be paid prior to the Occupation Certificate being granted.

Should levies set out in the attached schedule not be paid within twelve (12) months of the date of this consent, the rates shall be increased in accordance with the percentage increase from the date of approval to the date of payment, as notified by the Consumer Price Index (Sydney).

Reason: *To provide funds for the provision of services and facilities identified in Lismore City Council's Section 94 Contributions Plan dated July 1995 as required by the increased population or activity. (EPA Act Sec 94)*

- 26 The applicant shall submit full details of the proposed internal management agreement prior to the release of an occupation certificate.

(Councillors Larsen/Roberts)

AN AMENDMENT WAS moved that the report be received and the application approved subject to Conditions 6A and 6B be amended to read -

6A The applicant is to submit a bond of \$200 to Council as a contribution towards the installation of flood height markers placed on the causeway to indicate maximum hazard on Potessu Road.

6B The applicant is to submit to Council a bond of \$400 to contribute towards the construction of 'castellated kerbs' to each side of the causeway in Potessu Road.

(Councillor Gates)

The amendment LAPSED for want of a seconder.

255/99 RESOLVED that the report be received and -

A That Council grant delegated authority to the General Manager - subject to the concurrence of the Development Control Unit, 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.

B That Council, as the consent authority, approve Development Application 99/169 for the establishment of a five (5) site rural landsharing community and associated infrastructure, upon land being Lot 16 DP 832029, known as 8 Potessu Road, Georgica, subject to the following conditions:

1 In granting this development consent, Council requires:

- All proposed buildings be constructed in accordance with any amendment or modification outlined in these conditions
- All proposed works be carried out in accordance with any amendment or modification outlined in these conditions
- Any proposed use of buildings or land be in accordance with any amendment or modification outlined in these conditions

and be substantially in accordance with the stamped approved plan(s) and/or supporting documents submitted with the application. A copy/copies of the approved plan is/are attached to this consent.

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Reason: To correctly describe what has been approved. (EPA Act Sec 79C)

DRAINAGE

- 2 Paved surfaces, landscaped areas, roof water and subsoil drainage systems, shall be designed so all water is directed to a drainage system acceptable to Council to prevent discharge runoff onto adjoining land. Full design details of the proposed drainage system shall be submitted for approval with the Construction Certificate.

Reason: To ensure that the land or adjoining land is not damaged by the uncontrolled discharge of concentrated runoff from any buildings and paved areas that may be constructed on the land. (EPA Act Sec 79C(b))

- 3 Measures shall be put in place to control stormwater runoff. These control measures shall be in place prior to the commencement of works and shall prevent soil erosion and the transport of sediment from the development site into either:

- adjoining land
- natural drainage courses
- constructed drainage systems, or
- waterways.

All disturbed areas shall be stabilised and revegetated. Turfing or another approved seeding method shall be undertaken in each part of the development within 14 days of completion of earthworks. Topsoil shall be preserved for site revegetation. Details of sediment control measures and revegetation works shall be submitted to the Principal Certifying Authority for approval.

Reason: To ensure protection from the effects of subsidence and/or slip. (EPA Act Sec. 79C(c))

ROADS

- 4 The proponent shall provide the following roadworks with associated stormwater drainage structures that have been designed and constructed in accordance with Council's Development, Design and Construction Manual (as amended). Required roadworks include:

- a) For internal roads servicing 2 or more dwelling sites, construction of a 5 m gravel pavement on a 5m wide formation with a minimum unsealed gravel depth of 150mm. All road slopes in excess of 12% must be sealed with the table drains concrete lined and have a minimum gravel depth of 300mm.
- b) For internal roads servicing 1 dwelling site, construction of a 3 m gravel pavement on a 4 m wide formation with a minimum unsealed gravel depth of 150mm. All road slopes in excess of 12% must be sealed with the table drains concrete lined (or other approved material) and have a minimum gravel depth of 300mm.

An accredited certifier or practising qualified surveyor or engineer shall submit to the Principal Certifying Authority prior to the release of the compliance certificate, a "works-as-executed" set of plans and construction certification. The compliance certificate for construction shall detail satisfactory completion of all roads, drainage and civil works required by this development consent and Construction Certificate.

Reason: To ensure an adequate road network in accordance with adopted standards. (EPA Act Sec 79C(a))

- 5 Full design plans of the proposed engineering works to satisfy condition 4 shall be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate.

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Reason: To ensure an adequate road network in accordance with adopted standards. (EPA Act Sec 79C(a))

- 6 The grade from the road pavement to each lot shall permit the construction of vehicular access in accordance with Council's Design and Construction Specification (Vehicular Access). Engineering design working drawings shall provide evidence of the feasibility of lot access. Such drawings shall be submitted to Council prior to release of the Construction Certificate.

Reason: *To ensure the development is completed in accordance with the conditions and approved engineering construction design plans. (EPA Act Sec 79C(b))*

CAUSEWAY

- 6A The applicant is to submit a bond of \$100 to Council as a contribution towards the installation of flood height markers placed on the causeway to indicate maximum hazard on Potessu Road.
- 6B The applicant is to submit to Council a bond of \$200 to contribute towards the construction of 'castellated kerbs' to each side of the causeway in Potessu Road.

VEHICULAR ACCESS

- 7 An all weather vehicular access shall be constructed and maintained from the road pavement to the proposed dwelling site in accordance with Council's Design and Construction Specification for Vehicular Access.

Reason: *To ensure adequate access to and from the development. (EPA Act Sec 79C(c))*

BUILDING

- 8 Prior to the release of the Construction Certificate, a qualified practising Engineer, experienced in soil mechanics, shall submit documentary evidence in the form of a Geotechnical Investigation Report to the Principal Certifying Authority for approval, certifying that each allotment is suitable for building purposes and classifying each allotment in accordance with Australian Standard 2870 "Residential Slabs and Footings". Any allotment subject to further earthworks during the construction phase will require an amended Geotechnical Report.

Reason: *To ensure the development is completed in accordance with the conditions and approved construction design plans. (EPA Act Sec 79C(b))*

- 9 An application for a Construction Certificate is to be submitted for the required upgrading of the proposed office in order to comply with the Building Code of Australia.
- 10 The primary building elements must be protected against attack by subterranean termites by physical barriers in accordance with AS 3660.1-1995 "Protection of Buildings from Subterranean Termites".

Reason: *Required by Clause B1.1 of the Building Code of Australia.*

- 11 The primary building elements must be protected against attack by subterranean termites. This can be achieved by:
- i) soil treatment in accordance with AS 3660.1-1995 of the subsoil area beneath all on ground concrete slabs forming part of the building, including attached garages, patios and the like. Including, on completion of the building, an external barrier, consisting of at least a 300mm wide horizontal barrier around the perimeter circumferencing all pipes and service facilities, and adjoining a minimum 150mm wide vertical barrier, to the depth of the underslab barrier; or

- ii) other chemical or physical measures which meet the objective of protecting the primary building elements against subterranean termite attack. If this option is chosen, full details are required to be submitted for Council's consideration. Examples of current initiatives in this area are, stainless steel mesh, accredited crushed granite barrier, permanent underslab irrigation systems, CCA treated framing and steel framing.

NOTE 1: The approved chemical for underslab spraying does not provide protection against termites over the economic life of the building.

NOTE 2: Depending on the slab construction a vertical 150 mm wide chemical barrier may be required to the external perimeter of the slab.

NOTE 3: Landscaping and Gardens - Most termite barriers require the area immediately adjoining an external wall to be kept clear of any landscaping or gardens. This is necessary either to prevent the bridging of the termite barrier or to ensure the area is visible for inspection.

Reason: *Required by Clause B1.3 of the Building Code of Australia.*

- 12 Provide a portable fire extinguisher, containing an extinguishing agent suitable for the risk being protected in accordance with AS2444.

Reason: *Required by Clause E1.6 Building Code of Australia.*

FIRE CONTROL

- 13 Overall clearances of access road is to be maintained at 5m wide and 4m vertical clearance. This is to enable unobstructed access for heavy tankers.
- 14 All dwelling sites are to be free of ground litter and unmown grass for a radius of 30m around all dwellings.
- 15 The perimeter fire break as described in the proposal should be located as close to the boundary as is practicable given the terrain. The width should be no less than 6 metres and preferably 10 to 15 metres where possible.
- 16 If water supply to individual sites is via on site tanks, then a minimum of 45,000 litres is required. A 38mm or 65mm gate valve should be fitted externally in the delivery line in addition to the normal household delivery line, in such a position as to allow access to fire tankers.
- 17 If the tank is to be located in a position inaccessible to fire tankers, then a 38mm or 65mm poly line is to be taken from the tank and located and clearly marked with a post or similar in a position that affords access. This line should be buried 600mm below ground and terminated with 38mm or 65mm gate valve 300mm above ground.

ENVIRONMENTAL HEALTH

- 18 Details including plans and specifications of the greywater treatment device, artificial wetland (reedbed), sub-surface irrigation bed and compost toilet must be provided with the DA for each dwelling on the property.

Design details must be based on recommendations made in Section 4, Appendix A of the Development Application and Statement of Environmental Effects submitted by Balanced Systems, Planning Consultants dated February, 1999 for the subject property. Design flows used in the abovementioned report are unsatisfactory and amendments to the design must be made based on a minimum hydraulic load of 100 litres per person per day.

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- 19 A management plan must be submitted for each individual wastewater system with the submission of a DA for each dwelling detailing:

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- a) Household practices that will ensure the quality of wastewaters prior to treatment will not adversely affect the integrity of the proposed treatment systems and processes.
 - b) Ongoing maintenance and monitoring of the system to optimise its performance.
 - c) Troubleshooting/problem solving in the case of system failure.
 - d) Plantings including a detailed species listing for the artificial wetland and land disposal area.
 - e) Soil conditioning/enhancement works for the land disposal area.
- 20 Proposed Community Buildings must not be fitted out with facilities or amenities that result in the production of wastewaters.
- 21 A report must be submitted to Council prior to any work commencing estimating the extent of contamination (if any) posed by primary contaminants, specifically arsenic and organochlorine pesticides.
- The report must be undertaken in accordance with the EPA Contaminated Sites series of documents titled "Guidelines for Assessing Banana Plantation Sites" and "Sampling Design Guidelines".
- Reason: To protect the environment. (EPA Act Sec 79C(b))*

PLANNING

- 22 All dwelling sites are to have an established landscaped buffer planted prior to release of the Construction Certificate. This buffer is to provide a visual screen, reducing the impact the dwelling will have on the adjoining owners.
- 23 All relevant requirements of SEPP No. 15 - Rural Landsharing Communities, gazetted April 9, 1998, are to be complied with at all times.
- 24 The illegal dwelling located adjacent to the entrance road is not to be used for any form of residential occupation, and is only to be used as a community building.

LEVIES

- 25 Payment of contributions levied under Section 94 of the Environmental Planning and Assessment Act and Lismore City Council S94 Contributions Plan 1994 (as amended) are required. Such levies shall contribute towards the provision of public services and/or amenities identified in the attached schedule. Such levies shall be calculated at the rate(s) in effect on the date the Occupation Certificate is granted. The rates and amounts applying at the date of this notice, totalling \$12,373, are set out in the schedule for your information. All contributions, bonds etc. shall be paid prior to the Occupation Certificate being granted.

Should levies set out in the attached schedule not be paid within twelve (12) months of the date of this consent, the rates shall be increased in accordance with the percentage increase from the date of approval to the date of payment, as notified by the Consumer Price Index (Sydney).

Reason: To provide funds for the provision of services and facilities identified in Lismore City Council's Section 94 Contributions Plan dated July 1995 as required by the increased population or activity. (EPA Act Sec 94)

- 26 The applicant shall submit full details of the proposed internal management agreement prior to the release of an occupation certificate.

(Councillors Larsen/Roberts)

Voting Against: Councillors Gates and King.

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A MOTION WAS MOVED that Council determine that those Rural Landsharing Community applications to come before Council will be those with substantial objections, substantial planning concerns or more than 10 dwellings.

(Councillors Roberts/Wilson)

On submission to the meeting the MOTION was DEFEATED.

Voting Against: Councillors Larsen, Champion, King, Cole and Swientek.
(D99/169)

Report - Draft Rural Settlement Strategy

(Copy attached)

A MOTION WAS MOVED that the report be received and -

- 1 Council publicly exhibit the draft Lismore Rural Residential, Detached Dual Occupancy and Rural Landsharing Communities Strategy, comprising Part A: Rural Residential Subdivision, Detached Dual Occupancy and Rural Workers' Dwellings, and Part B: Rural Landsharing Communities for a period of three months.
- 2 The Planning Department hold discussions with the Department of Urban Affairs and Planning and the Department of Local Government with regard to the inability of Council to rate individual dwellings in Rural Landsharing Communities and the ability of these communities to spread over any rural land not zoned 'prime agriculture'.

(Councillors Cole/King)

AN AMENDMENT WAS MOVED that the report be received and Council publicly exhibit the draft Lismore Rural Residential, Detached Dual Occupancy and Rural Landsharing Communities Strategy, comprising Part A: Rural Residential Subdivision, Detached Dual Occupancy and Rural Workers' Dwellings, and Part B: Rural Landsharing Communities for a period of three months.

(Councillors Wilson/Larsen)

On submission to the meeting the AMENDMENT was DEFEATED.

Voting Against: Councillors Champion, King, Cole, Swientek and Gates.

A FORESHADOWED AMENDMENT WAS MOVED that this matter be deferred to the new council, to hold a workshop on this issue within its first month prior to public exhibition.

(Councillors Swientek/Roberts)

On submission to the meeting the FORESHADOWED AMENDMENT was DEFEATED.

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

256/99 RESOLVED that the report be received and -

- 1 Council publicly exhibit the draft Lismore Rural Residential, Detached Dual Occupancy and Rural Landsharing Communities Strategy, comprising Part A: Rural Residential Subdivision, Detached Dual Occupancy and Rural Workers' Dwellings, and Part B: Rural Landsharing Communities for a period of three months.

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- 2 The Planning Department hold discussions with the Department of Urban Affairs and Planning and the Department of Local Government with regard to the inability of Council to rate individual dwellings in Rural Landsharing Communities and the ability of these communities to spread over any rural land not zoned 'prime agriculture'.

(Councillors Cole/King)

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

(S668)

Report - Draft Amendment 50 to LEP 1992 - Cellulose Valley Technology Park

(Copy attached)

257/99 RESOLVED that the report be received and Council adopt the draft Local Environmental Plan as amended following exhibition and forward it to the Minister with the request that the plan be made.

(Councillors Swientek/Champion)

Voting Against: Councillor Wilson.

(S718)

S96 Application - DA98/7 Residential Village Subdivision at Caniaba

(Copy attached)

A MOTION WAS MOVED that the report be received and Council not support any of the recommendations.

(Councillors Swientek/Wilson)

At this juncture Councillors Roberts and Irwin left the meeting.

Deputy Mayor Councillor Larsen took the chair.

On submission to the meeting the AMENDMENT was DEFEATED.

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

A FORESHADOWED MOTION WAS MOVED that the report be received and -

- A That the application under Section 96 of the Environmental Planning and Assessment Act 1979 lodged with Council on June 25, 1999, for modification of determination of Development Application No. 98/7, dated August 11, 1998, for a village subdivision, being 168 village allotments, two integrated allotments, one village centre allotment, one water reservoir allotment, two drainage reserve allotments, five public/private open space allotments, five sewer pump station lots and associated earthworks, at Lot 1 - 3 DP 836708, being 7 and 39 Fredericks Road and 568 Caniaba Road, Caniaba, be amended as follows:

- 1 That Council grant the amendment of conditions of Development Consent as follows:
- Amend the description of the development to incorporate the word "precinct".
 - **168 Village Allotments**
 - **2 Integrated Allotments**

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- 1 Village Centre Allotments
- 1 Water Reservoir Allotment
- 2 Drainage Reserve Allotments
- 6 Public/Private Open Space Allotments
- 5 Sewer Pump Station Lots (numbered 3000 - 3004)
- Associated earthworks and staged as follows:

<u>Stage 1</u>	23 Village Allotments	Precinct 1 - Numbered 101 - 117
		Precinct 9 - Numbered 901 - 912
		<i>(excluding 903, 904, 911)</i>
	1 Public Open Space Allotment	Numbered 116
	1 Water Reservoir Allotment	Numbered 117
	2 Sewer Pump Stations	Numbered 3000 & 3001
	2 Private Open Space Allotments	Numbered 912
		Precinct 18 Numbered 1801
<u>Stage 1A</u>	14 Village Allotments	Precinct 10 Numbered 1001 - 1013
		Precinct 9 Numbered 903, 904, 911
	1 Drainage Reserve	Numbered 1013
<u>Stage 2</u>	19 Village Allotments	Precinct 19 Numbered 1901 - 1908
		Precinct 20 Numbered 2001 - 2009
	1 Private Open Space Allotment	Precinct 17 Numbered 1701
	5 Development Area Allotments	Titled A - E inclusive
<u>Area A</u>	51 Village Allotments	Precinct 2 Numbered 201 - 216
		Precinct 3 Numbered 301 - 313
		Precinct 4 Numbered 401 - 415
		Precinct 5 Numbered 501 - 508
	1 Drainage Reserve	Numbered 415
<u>Area B</u>	2 Integrated Allotments	Precinct 6 - Numbered 601
		Precinct 7 - Numbered 701
	1 Village Centre Allotment	Precinct 8 - Numbered 801
	1 Sewer Pump Station	Numbered 3003
<u>Area C</u>	19 Village Allotments	Precinct 11 - Numbered 1101 - 1110
		Precinct 12 - Numbered 1201 - 1209
		<i>(excluding 1210)</i>
	1 Sewer Pump Station	Numbered 3002
<u>Area D</u>	20 Village Allotments	Precinct 13 - Numbered 1301 - 1312
		Precinct 14 - Numbered 1401 - 1410
	2 Private Open Space Allotments	Numbered 1210, 1410
	1 Sewer Pump Station	Number 3004
<u>Area E</u>	20 Village Allotments	Precinct 15 - Numbered 1501 - 1511
		Precinct 16 - Numbered 1601 - 1609

- Amend Condition No. 1 to incorporate the amended subdivision design which introduces precincts and development areas.
-

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- 1 In granting this development consent, Council requires:
 - All roads, and/or
 - lot boundaries, and
 - areas subject to any amendment or modification called for in the following conditionsbe substantially in accordance with the stamped approved plan(s) No., DA98.2 (Issue B), DA98.3 (Issue B), DA98.4 (Issue D), DA98.5 (Issue B), DA98.6 (Issue B) and DA98.7 (Issue B) and dated January 1998, and **Amended Plan No. DA/ST1 Issue C dated July 22, 1999** and/or supporting documents submitted as part of Subdivision Manager's approval for rewording the application. Copies of the approved plan are attached to this consent.
 - Amend Condition No. 10 to delete the word "Stage 20" and include the words "the final precinct of the development".
 - 10 The applicant or developer shall be responsible for the establishment and maintenance of drainage reserves until Council has released the final plan of subdivision **for the final precinct of the development**. The legally constituted Community Association to be responsible for upkeep and management of drainage reserves in the Private Open Space lots in the long term.
 - Amend Condition No. 11 to delete the word "Stage 20" and include the words "the final precinct of the development".
 - 11 The applicant or developer shall be responsible for the establishment of community open space components as identified in the landscape plan numbered 98.7 Issue A dated January 1998. The applicant or developer shall be responsible for the maintenance of the community open space components until Council has released the final plan of subdivision for **the final precinct of the development**.
 - Amend Condition No. 51 to delete the word "Stage 9" and include the words "66th residential lot".
 - 51 The applicant or developer in association with Rous County Council, shall submit a Development Application to Lismore City Council for the creation of an allotment to service the proposed water reclamation scheme prior to the release of **the 66th residential lot**.
 - Amend Condition No. 61 to refer to the amended lot and precinct boundaries, hence requiring the roundabout to be constructed at the release of the 38th allotment or any additional residential lots over 38. Further, the condition shall also delete the word "stage" and include the word "precinct".
 - 61 The applicant or developer shall provide the following roadwork's with associated traffic management devices, signage and stormwater drainage structures that have been designed and constructed in accordance with Council's Development and Construction Manual (February 1993) as amended from time to time. The applicant or developer shall be responsible for any costs, including maintenance for a period of twelve months from the date of approval of the work. Required roadwork's include:

The construction of road pavements comprising of a gravel formation comprising a minimum depth of 300mm of compacted gravel, and including a bitumen sealed surface, in accordance with the following table:
-

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Road No.	Reserve width (m)	Pavement/formation width (m)		Seal width		Comments
		With Traffic Manag't	No Traffic Manag't	With Traffic Manag't	No Traffic Manag't	
1	20.0	9.0	11.0	7.0	9.0	Fredericks Rd. to the Int. of Rd. 2
	18.0	7.5	8.5	5.5	6.5	From the Int. Rd.2 to Rd. 13
2	20.0	9.0	11.0	7.0	9.0	
3	20.0	9.0	11.0	7.0	9.0	
4	16.0	6.0	7.0	4.0	5.0	
5	18.0	7.5	8.5	5.5	6.5	
6	18.0	7.5	8.5	5.5	6.5	
7	16.0	6.0	7.0	4.0	5.0	
8	20.0 (30.0m proposed)	9.0	11.0	7.0	9.0	
9	16.0	6.0	7.0	4.0	5.0	
10	16.0	6.0	7.0	4.0	5.0	
Link Road	20.0	9.0	11.0	7.0	9.0	
11	20.0	9.0	11.0	7.0	9.0	
12	18.0	7.5	8.5	5.5	6.5	
13	16.0	6.0	7.0	4.0	5.0	
Fredericks Rd	20.0	8.0	8.0	6.0	6.0	
Caniaba Rd	20.0	8.4	8.4	6.4	6.4	
Access Rd	16.0	6.0	7.0	4.0	5.0	

These roadworks and associated drainage structures are to be undertaken in the following stages identified in the development application:

Roundabout

A single lane circulating roundabout shall be constructed at the intersection of Fredericks Road and Caniaba Road in accordance with AUSTRROADS guidelines giving particular attention to sight distance. This work shall be completed prior to the release of the **38th allotment or any additional residential lots over 37.**

Traffic calming devices shall be constructed on Caniaba Road between the intersections of Fredericks Road / Caniaba Road and proposed Road No.3 and Caniaba Road in accordance with DCP No. 35.

Intersections

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Thresholds as defined in Development Control Plan No. 35, Section 4 shall be placed at the entry point to all streets, roads and cul-de-sacs, within shared driveways, and shall indicate the preferred traffic route through the development.

Stage 1

- Road No. 1- from Fredericks Road to the northern boundary of Lot 1901
Road No. 2 - from Road No.1 to the western boundary of Lot 912
Road No. 3- from Road No. 1 to the eastern boundary of Lot 106
Fredericks Road -from the western boundary of Lot 116 to the intersection of Caniaba Road

Stage 1A

- Road No. 6 from Road No. 2 to the western boundary of Lot No. 1008
Footpath from Road No. 6 to Lot 116
Fredericks Road-from the western boundary of Lot 116 to the Western boundary of lot 1013

Stage 2

- Road No. 1 from the northern boundary of Lot 1901 to Road No. 13
Road No. 12 from road No. 1 to the eastern boundary of lot 2005
Road No. 13 from Road No.1 to the western boundary of Lot 1905

Precinct 1

See stage 1

Precinct 2

- Road No. 3 from the eastern boundary of Lot 106 to the eastern boundary of Lot 210
Road No. 4 from Road No. 3 to the southern boundary of Lot No. 205

Precinct 3

- Road No. 3 from the eastern boundary of Lot 210 to the eastern boundary of Lot 306
Caniaba Road from the intersection of Fredericks Road to the western boundary of Lot 303
Access Road from the western boundary of Lot 313 to the eastern boundary of Lot 307

Precinct 4

- Road No. 3 from the eastern boundary of Lot 306 to the eastern boundary of Lot 414
Road No. 5 from Road No. 3 to the southern boundary of Lot No. 406

Precinct 5

- Road No. 3 from the eastern boundary of Lot 414 to the eastern boundary of Lot 508

Precinct 6

- Road No. 3 from the eastern boundary of Lot 508 to the eastern boundary of Lot 601

Precinct 7

- Road No. 3 from the eastern boundary of Lot 508 to Caniaba Road including an intersection in accordance with AUSTRROADS Pt 5
-

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Precinct 8

Road No. 3 from the eastern boundary of Lot 508 to Caniaba Road including an intersection in accordance with AUSTRROADS Pt 5

Precinct 9

See stage 1

Precinct 10

See stage 1A

Precinct 11

Fredericks Road from the western boundary of Lot 1102 to Caniaba Rd
Road No. 2 from the western boundary of Lot 1101 to the southern boundary of Lot 1110

Road No. 7 from Road No.2 to the western boundary of Lot 1106

Precinct 12

Road No.2 from the northern boundary of Lot No. 1201 to the eastern boundary of Lot 1206

Precinct 13

Fredericks Road from the western boundary of Lot 1312 to Caniaba Rd
Road No.2 from the western boundary of lot 1101 to the southern boundary of Lot 1311

Road No. 8 from Fredericks Road to Road No. 2

Road No. 9 from Road No. 2 to the eastern boundary of Lot 1307

Precinct 14

Road No. 2 from southern boundary of lot 1311 to the eastern boundary of Lot 1404

Link road from road No.2 to the western boundary of Lot 1410

Precinct 15

Fredericks Road from the western boundary of Lot 1510 to Caniaba Rd
Road No. 11 from Fredericks road to the southern boundary of Lot 1508

Road No. 10 from Road No. 11 to the western boundary of Lot 1504

Precinct 16

Road No. 11 from the southern boundary of Lot 1508 to the eastern boundary of Lot 1603

Precinct 17

In accordance with Stage 1 requirements.

Precinct 18

In accordance with Stage 1 requirements.

Precinct 19

In accordance with Stage 2 requirements.

Precinct 20

In accordance with Stage 2 requirements.

During the construction of various Precincts, any damage caused by construction traffic on previous works shall be repaired by the developer at no cost to council.

A practising qualified surveyor or engineer shall submit a "works-as-executed" set of plans showing the satisfactory completion of all roads and drainage works required by this consent.

- Amend Condition 63 as follows in bold:

63 Full design plans of the proposed engineering works **for each stage and development area** to satisfy condition(s) shall be submitted to Council **prior to**

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works commencing for each nominated stage and development area. Such plans shall be separate from the subdivision plans. Such plans must be approved by Council's City Works Group before construction of any drainage or road works are commenced. A checking fee of \$107 per lot, is payable on submission of engineering design plans for drainage or roadworks.

- 2 Insert new conditions addressing the release and construction of the development areas as follows:
- "Creation of development areas A, B, C, D and E shall occur upon approval of the Subdivision Certificate for Stage 2."
 - "Construction of development areas C, D and E shall only proceed subject to Frederick Road being upgraded to the western boundary of the development area in accordance with Council's adopted engineering design, in accordance with Condition 57 of this consent."
 - "Works shall not commence for the construction of Development Area E until the final plan of subdivision has been released for Development Areas C and D inclusive."
 - "Works shall not commence for the construction of Development Area D until the final plan of subdivision has been released for Development Area C."

(Councillors Champion/Gates)

258/99 RESOLVED that the report be received and -

A That the application under Section 96 of the Environmental Planning and Assessment Act 1979 lodged with Council on June 25, 1999, for modification of determination of Development Application No. 98/7, dated August 11, 1998, for a village subdivision, being 168 village allotments, two integrated allotments, one village centre allotment, one water reservoir allotment, two drainage reserve allotments, five public/private open space allotments, five sewer pump station lots and associated earthworks, at Lot 1 - 3 DP 836708, being 7 and 39 Fredericks Road and 568 Caniaba Road, Caniaba, be amended as follows:

- 1 That Council grant the amendment of conditions of Development Consent as follows:
- Amend the description of the development to incorporate the word "precinct".
 - **168 Village Allotments**
 - **2 Integrated Allotments**
 - **1 Village Centre Allotments**
 - **1 Water Reservoir Allotment**
 - **2 Drainage Reserve Allotments**
 - **6 Public/Private Open Space Allotments**
 - **5 Sewer Pump Station Lots (numbered 3000 - 3004)**
 - **Associated earthworks and staged as follows:**

Stage 1 23 Village Allotments

1 Public Open Space Allotment
1 Water Reservoir Allotment
2 Sewer Pump Stations
2 Private Open Space Allotments

Precinct 1 - Numbered 101 - 117
Precinct 9 - Numbered 901 - 912
(excluding 903, 904, 911)
Numbered 116
Numbered 117
Numbered 3000 & 3001
Numbered 912
Precinct 18 Numbered 1801

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<u>Stage 1A</u>	14 Village Allotments	Precinct 10 Numbered 1001 - 1013
	1 Drainage Reserve	Precinct 9 Numbered 903, 904, 911 Numbered 1013
<u>Stage 2</u>	19 Village Allotments	Precinct 19 Numbered 1901 - 1908
	1 Private Open Space Allotment	Precinct 20 Numbered 2001 - 2009
	5 Development Area Allotments	Precinct 17 Numbered 1701 Titled A - E inclusive
<u>Area A</u>	51 Village Allotments	Precinct 2 Numbered 201 - 216
		Precinct 3 Numbered 301 - 313
		Precinct 4 Numbered 401 - 415
	1 Drainage Reserve	Precinct 5 Numbered 501 - 508 Numbered 415
<u>Area B</u>	2 Integrated Allotments	Precinct 6 - Numbered 601
	1 Village Centre Allotment	Precinct 7 - Numbered 701
	1 Sewer Pump Station	Precinct 8 - Numbered 801 Numbered 3003
<u>Area C</u>	19 Village Allotments	Precinct 11 - Numbered 1101 - 1110
		Precinct 12 - Numbered 1201 - 1209 (excluding 1210)
	1 Sewer Pump Station	Numbered 3002
<u>Area D</u>	20 Village Allotments	Precinct 13 - Numbered 1301 - 1312
	2 Private Open Space Allotments	Precinct 14 - Numbered 1401 - 1410 Numbered 1210, 1410
	1 Sewer Pump Station	Number 3004

Area E 20 Village Allotments

**Precinct 15 - Numbered 1501 - 1511
Precinct 16 - Numbered 1601 - 1609**

- Amend Condition No. 1 to incorporate the amended subdivision design which introduces precincts and development areas.
 - 1 In granting this development consent, Council requires:
 - All roads, and/or
 - lot boundaries, and
 - areas subject to any amendment or modification called for in the following conditionsbe substantially in accordance with the stamped approved plan(s) No., DA98.2 (Issue B), DA98.3 (Issue B), DA98.4 (Issue D), DA98.5 (Issue B), DA98.6 (Issue B) and DA98.7 (Issue B) and dated January 1998, and **Amended Plan No. DA/ST1 Issue C dated July 22, 1999** and/or supporting documents submitted as part of Subdivision Manager's approval for rewording the application. Copies of the approved plan are attached to this consent.
 - Amend Condition No. 10 to delete the word "Stage 20" and include the words "the final precinct of the development".
 - 10 The applicant or developer shall be responsible for the establishment and maintenance of drainage reserves until Council has released the final plan of subdivision **for the final precinct of the development**. The legally constituted Community Association to be responsible for upkeep and management of drainage reserves in the Private Open Space lots in the long term.
 - Amend Condition No. 11 to delete the word "Stage 20" and include the words "the final precinct of the development".
 - 11 The applicant or developer shall be responsible for the establishment of community open space components as identified in the landscape plan numbered 98.7 Issue A dated January 1998. The applicant or developer shall be responsible for the maintenance of the community open space components until Council has released the final plan of subdivision for **the final precinct of the development**.
 - Amend Condition No. 51 to delete the word "Stage 9" and include the words "66th residential lot".
 - 51 The applicant or developer in association with Rous County Council, shall submit a Development Application to Lismore City Council for the creation of an allotment to service the proposed water reclamation scheme prior to the release of **the 66th residential lot**.
 - Amend Condition No. 61 to refer to the amended lot and precinct boundaries, hence requiring the roundabout to be constructed at the release of the 38th allotment or any additional residential lots over 38. Further, the condition shall also delete the word "stage" and include the word "precinct".
 - 61 The applicant or developer shall provide the following roadwork's with associated traffic management devices, signage and stormwater drainage structures that have been designed and constructed in accordance with Council's
-

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Development and Construction Manual (February 1993) as amended from time to time. The applicant or developer shall be responsible for any costs, including maintenance for a period of twelve months from the date of approval of the work. Required roadwork's include:

The construction of road pavements comprising of a gravel formation comprising a minimum depth of 300mm of compacted gravel, and including a bitumen sealed surface, in accordance with the following table:

Road No.	Reserve width (m)	Pavement/formation width (m)		Seal width		Comments
		With Traffic Manag't	No Traffic Manag't	With Traffic Manag't	No Traffic Manag't	
1	20.0	9.0	11.0	7.0	9.0	Fredericks Rd. to the Int. of Rd. 2
	18.0	7.5	8.5	5.5	6.5	From the Int. Rd.2 to Rd. 13
2	20.0	9.0	11.0	7.0	9.0	
3	20.0	9.0	11.0	7.0	9.0	
4	16.0	6.0	7.0	4.0	5.0	
5	18.0	7.5	8.5	5.5	6.5	
6	18.0	7.5	8.5	5.5	6.5	
7	16.0	6.0	7.0	4.0	5.0	
8	20.0 (30.0m proposed)	9.0	11.0	7.0	9.0	
9	16.0	6.0	7.0	4.0	5.0	
10	16.0	6.0	7.0	4.0	5.0	
Link Road	20.0	9.0	11.0	7.0	9.0	
11	20.0	9.0	11.0	7.0	9.0	
12	18.0	7.5	8.5	5.5	6.5	
13	16.0	6.0	7.0	4.0	5.0	
Fredericks Rd	20.0	8.0	8.0	6.0	6.0	
Caniaba Rd	20.0	8.4	8.4	6.4	6.4	
Access Rd	16.0	6.0	7.0	4.0	5.0	

These roadworks and associated drainage structures are to be undertaken in the following stages identified in the development application:

Roundabout

A single lane circulating roundabout shall be constructed at the intersection of Fredericks Road and Caniaba Road in accordance with AUSTRROADS guidelines giving particular attention to sight distance. This work shall be

completed prior to the release of the **38th allotment or any additional residential lots over 37.**

Traffic calming devices shall be constructed on Caniaba Road between the intersections of Fredericks Road / Caniaba Road and proposed Road No.3 and Caniaba Road in accordance with DCP No. 35.

Intersections

Thresholds as defined in Development Control Plan No. 35, Section 4 shall be placed at the entry point to all streets, roads and cul-de-sacs, within shared driveways, and shall indicate the preferred traffic route through the development.

Stage 1

Road No. 1- from Fredericks Road to the northern boundary of Lot 1901

Road No. 2 - from Road No.1 to the western boundary of Lot 912

Road No. 3- from Road No. 1 to the eastern boundary of Lot 106

Fredericks Road -from the western boundary of Lot 116 to the intersection of Caniaba Road

Stage 1A

Road No. 6 from Road No. 2 to the western boundary of Lot No. 1008

Footpath from Road No. 6 to Lot 116

Fredericks Road-from the western boundary of Lot 116 to the Western boundary of lot 1013

Stage 2

Road No. 1 from the northern boundary of Lot 1901 to Road No. 13

Road No. 12 from road No. 1 to the eastern boundary of lot 2005

Road No. 13 from Road No.1 to the western boundary of Lot 1905

Precinct 1

See stage 1

Precinct 2

Road No. 3 from the eastern boundary of Lot 106 to the eastern boundary of Lot 210

Road No. 4 from Road No. 3 to the southern boundary of Lot No. 205

Precinct 3

Road No. 3 from the eastern boundary of Lot 210 to the eastern boundary of Lot 306

Caniaba Road from the intersection of Fredericks Road to the western boundary of Lot 303

Access Road from the western boundary of Lot 313 to the eastern boundary of Lot 307

Precinct 4

Road No. 3 from the eastern boundary of Lot 306 to the eastern boundary of Lot 414

Road No. 5 from Road No. 3 to the southern boundary of Lot No. 406

Precinct 5

Road No. 3 from the eastern boundary of Lot 414 to the eastern boundary of Lot 508

Precinct 6

Road No. 3 from the eastern boundary of Lot 508 to the eastern boundary of Lot 601

Precinct 7

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Road No. 3 from the eastern boundary of Lot 508 to Caniaba Road including an intersection in accordance with AUSTRROADS Pt 5

Precinct 8

Road No. 3 from the eastern boundary of Lot 508 to Caniaba Road including an intersection in accordance with AUSTRROADS Pt 5

Precinct 9

See stage 1

Precinct 10

See stage 1A

Precinct 11

Fredericks Road from the western boundary of Lot 1102 to Caniaba Rd

Road No. 2 from the western boundary of Lot 1101 to the southern boundary of Lot 1110

Road No. 7 from Road No.2 to the western boundary of Lot 1106

Precinct 12

Road No.2 from the northern boundary of Lot No. 1201 to the eastern boundary of Lot 1206

Precinct 13

Fredericks Road from the western boundary of Lot 1312 to Caniaba Rd

Road No.2 from the western boundary of lot 1101 to the southern boundary of Lot 1311

Road No. 8 from Fredericks Road to Road No. 2

Road No. 9 from Road No. 2 to the eastern boundary of Lot 1307

Precinct 14

Road No. 2 from southern boundary of lot 1311 to the eastern boundary of Lot 1404

Link road from road No.2 to the western boundary of Lot 1410

Precinct 15

Fredericks Road from the western boundary of Lot 1510 to Caniaba Rd

Road No. 11 from Fredericks road to the southern boundary of Lot 1508

Road No. 10 from Road No. 11 to the western boundary of Lot 1504

Precinct 16

Road No. 11 from the southern boundary of Lot 1508 to the eastern boundary of Lot 1603

Precinct 17

In accordance with Stage 1 requirements.

Precinct 18

In accordance with Stage 1 requirements.

Precinct 19

In accordance with Stage 2 requirements.

Precinct 20

In accordance with Stage 2 requirements.

During the construction of various Precincts, any damage caused by construction traffic on previous works shall be repaired by the developer at no cost to council.

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A practising qualified surveyor or engineer shall submit a "works-as-executed" set of plans showing the satisfactory completion of all roads and drainage works required by this consent.

- Amend Condition 63 as follows in bold:
63 Full design plans of the proposed engineering works **for each stage and development area** to satisfy condition(s) shall be submitted to Council **prior to works commencing for each nominated stage and development area**. Such plans shall be separate from the subdivision plans. Such plans must be approved by Council's City Works Group before construction of any drainage or road works are commenced. A checking fee of \$107 per lot, is payable on submission of engineering design plans for drainage or roadworks.
- 2 Insert new conditions addressing the release and construction of the development areas as follows:
 - "Creation of development areas A, B, C, D and E shall occur upon approval of the Subdivision Certificate for Stage 2."
 - "Construction of development areas C, D and E shall only proceed subject to Frederick Road being upgraded to the western boundary of the development area in accordance with Council's adopted engineering design, in accordance with Condition 57 of this consent."
 - "Works shall not commence for the construction of Development Area E until the final plan of subdivision has been released for Development Areas C and D inclusive."
 - "Works shall not commence for the construction of Development Area D until the final plan of subdivision has been released for Development Area C."

(Councillors Champion/Gates)

Voting Against: Councillors Swientek and Wilson.

At this juncture Councillors Irwin and Roberts returned to the meeting.

(D98/7)

Report - Miscellaneous Section 356 Community Donations

Copy attached)

A MOTION WAS MOVED that the report be received and -

- 1 That 1999/2000 Miscellaneous Section 356 donations be provided to the following thirteen (13) projects:-

1) Tullera/Modanville Playgroup	\$2,200
2) Lismore City Concert Band	\$2,200
3) Australian Red Cross (NSW)	\$2,000
4) Tower Pre-School	\$2,200
5) Goolmangar-Coffee Camp Rural Fire Service	\$2,000
6) Clunes Playgroup	\$2,200
7) Blue Knob Rural Fire Service	\$2,174
8) Lismore Croquet Club	\$2,000
9) Alphadale Rural Fire Brigade	\$2,200
10) Ballina Lighthouse & Lismore Surf Life Saving Club Inc.	\$2,200
11) Rosebank Community Inc.	\$ 850

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-
- | | | |
|-----|-------------------------------|---------|
| 12) | The Channon Children's Centre | \$1,000 |
| 13) | Nimbin Rural Fire Service | \$2,200 |
- 2 That the following three projects be allocated \$1,358.
- | | | |
|----|------------------------------------|--|
| a) | Caniaba Rural Fire Service Brigade | |
| b) | Lismore Theatre Company | |
| c) | Company Chaos | |
- (Councillors Wilson/Larsen)

AN AMENDMENT WAS MOVED that the report be received and -

- 1 That 1999/2000 Miscellaneous Section 356 donations be provided to the following thirteen (13) projects:-
- | | | |
|-----|---|---------|
| 1) | Tullera/Modanville Playgroup | \$2,200 |
| 2) | Lismore City Concert Band | \$2,200 |
| 3) | Australian Red Cross (NSW) | \$2,000 |
| 4) | Tower Pre-School | \$2,200 |
| 5) | Goolmangar-Coffee Camp Rural Fire Service | \$2,000 |
| 6) | Clunes Playgroup | \$2,200 |
| 7) | Blue Knob Rural Fire Service | \$2,174 |
| 8) | Lismore Croquet Club | \$2,000 |
| 9) | Alphadale Rural Fire Brigade | \$2,200 |
| 10) | Ballina Lighthouse & Lismore Surf Life Saving Club Inc. | \$2,200 |
| 11) | Rosebank Community Inc. | \$ 850 |
| 12) | The Channon Children's Centre | \$1,000 |
| 13) | Nimbin Rural Fire Service | \$2,200 |
- 2 The Nimbin Community School Co-operative "Circus Class" be allocated \$2,200.
- 3 The remainder of funds be allocated subsequently to this motion.
- (Councillors Roberts/Irwin)

On submission to the meeting the AMENDMENT was DEFEATED.

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

259/99 **RESOLVED** that the report be received and -

- 1 That 1999/2000 Miscellaneous Section 356 donations be provided to the following thirteen (13) projects:-
- | | | |
|-----|---|---------|
| 1) | Tullera/Modanville Playgroup | \$2,200 |
| 2) | Lismore City Concert Band | \$2,200 |
| 3) | Australian Red Cross (NSW) | \$2,000 |
| 4) | Tower Pre-School | \$2,200 |
| 5) | Goolmangar-Coffee Camp Rural Fire Service | \$2,000 |
| 6) | Clunes Playgroup | \$2,200 |
| 7) | Blue Knob Rural Fire Service | \$2,174 |
| 8) | Lismore Croquet Club | \$2,000 |
| 9) | Alphadale Rural Fire Brigade | \$2,200 |
| 10) | Ballina Lighthouse & Lismore Surf Life Saving Club Inc. | \$2,200 |
| 11) | Rosebank Community Inc. | \$ 850 |
| 12) | The Channon Children's Centre | \$1,000 |
| 13) | Nimbin Rural Fire Service | \$2,200 |
-

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- 2 That the following three projects be allocated \$1,358.
 - a) Caniaba Rural Fire Service Brigade
 - b) Lismore Theatre Company
 - c) Company Chaos

(Councillors Wilson/Larsen)

Voting Against: Councillors Roberts and Irwin. (\$164)

Report - June 1999 Quarterly Budget Review Statement

(Copy attached)

260/99

RESOLVED that the report be received and -

- 1 Council adopt the June 1999 Budget Review Statement for General, Water and Sewerage Funds.
- 2 This information be submitted to Council's auditor.
- 3 Budget Managers be congratulated on meeting budget expectations under difficult circumstances.

(Councillors Swientek/Larsen) (\$699)

Report - 1999/2000 Budget - Transfer to Reserve - Future Development

(Copy attached)

A MOTION WAS MOVED that the report be received and the 1999/2000 Management Plan be amended to reflect Council's intention of creating a reserve for the specific development of the Library & Art Gallery with a transfer to reserve of \$100,000.

(Councillors King/Larsen)

AN AMENDMENT WAS MOVED that the report be received and the wording as included in the Management Plan remain.

(Councillors Gates/Swientek)

On submission to the meeting the AMENDMENT was DEFEATED.

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

261/99

RESOLVED that the report be received and the 1999/2000 Management Plan be amended to reflect Council's intention of creating a reserve for the specific development of the Library & Art Gallery with a transfer to reserve of \$100,000.

(Councillors King/Larsen)

Voting Against: Councillors Swientek and Gates.

Dissenting Vote:

Councillor Gates. (\$726)

RESUMPTION OF STANDING ORDERS:

262/99

RESOLVED that standing orders be resumed.

(Councillors Larsen/Roberts)

REPORTS:

D99/169 - To Establish a Rural Land Sharing Community - 8
Potessu Road, Georgica

(See Minute No. 255/99)

Draft Rural Settlement Strategy

(See Minute No. 256/99)

Draft Amendment 50 to LEP 1992 - Cellulose Valley Technology
Park

(See Minute No. 257/99)

Section 96 Application - DA98/7 - Residential Village Subdivision
at Caniaba

(See Minute No. 258/99)

Miscellaneous Section 356 Community Donations

(See Minute No. 259/99)

Report - June 1999 Quarterly Budget Review Statement

(See Minute No. 260/99)

Rural Fire Service S94 Plan - Part F

(Copy attached)

263/99

RESOLVED that the report be received and the utilisation of S94 funds, as proposed in the report, for 1999/2000 be endorsed and the priorities for the purchase of these items of equipment be recommended to Council by the Fire Control Officer in consultation with Group Officers and Brigade Captains, having regard to available funds.

(Councillors Roberts/Wilson) (\$104)

1999/2000 Budget - Transfer to Reserve - Future Development

(See Minute No. 261/99)

Constitutional Convention - Results of National Forum

(Copy attached)

264/99

RESOLVED that the report be received and Council -

- 1 Note the content of the report.
- 2 Advertise in its newsletter the availability of the report for the public's information.
- 3 Continue to support and participate in future conventions.

(Councillors Swientek/Gates) (\$17)

Rural Fire Service Brigade Officers

(Copy attached)

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265/99 RESOLVED that the report be received and that all names of persons elected at the Rural Fire Service Annual General Meetings be ratified by Council.
(Councillors Roberts/Larsen) (S104)

COMMITTEE RECOMMENDATIONS:

Traffic Advisory Committee 21/7/99

266/99 RESOLVED that the minutes be received and the recommendations contained therein be adopted, excluding Clause 16 (TAC128/99)
(Councillors Wilson/Cole)

TAC128/99 - Blue Knob Road - Reduction in Speed Limit

267/99 RESOLVED

1. That a letter be forwarded to Tweed Shire Council requesting its view on a 80 kph speed limit for the whole of Blue Knob Road with the reply being referred back to the Committee for further consideration.
 2. That Council support this speed limit even if it is only to the boundary of Lismore City Council.
- (Councillors Roberts/Larsen) (R2001,S352)

This concluded the business and the meeting terminated at 9.29 pm.

CONFIRMED this 31ST day of AUGUST 1999 at which meeting the signature herein was subscribed.

MAYOR

