

# COUNCIL Business Paper



**LISMORE**  
*City Council*

**NOVEMBER 2, 1999**

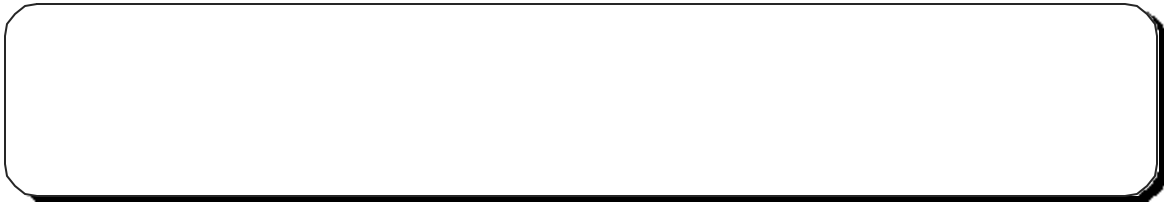


## NOTICE OF COUNCIL MEETING

An **ORDINARY MEETING** of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on **TUESDAY, NOVEMBER 2, 1999**, at 6.00pm and members of Council are requested to attend.

(Ken Gainger)  
**GENERAL MANAGER**

October 26, 1999



PUBLIC ACCESS SESSION:

PAGE NO.

Mr Allan Stuckey re Notice of Motion

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PUBLIC QUESTION TIME:

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APOLOGIES AND LEAVE OF ABSENCE

CONFIRMATION OF MINUTES - 12/10/99

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DISCLOSURE OF INTEREST

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**Questions Without Notice:****CONFIDENTIAL MATTERS - Committee of the Whole:**

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NOTICE OF MOTION

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

1. That Lismore City Council undertake a survey of businesses in Magellan Street to assess the impact of and value of the beautification project and the changing traffic patterns in Magellan Street.
2. That the businesses and property owners also be surveyed about their preferred traffic pattern in Magellan Street.

COUNCILLOR      Cr Frank Swientek

DATE              October 20, 1999

STAFF COMMENT BY: GENERAL MANAGER

The notion of surveying Magellan Street traders on this issue was discussed at the recent Annual General Meeting of Lismore Unlimited and it was decided to refer the matter to the LU Board for consideration. The Board has subsequently considered the matter and decided not to pursue a survey at this time, but rather to lobby Council to commit to extending the Magellan Street beautification works around "the block".

(99-17534: R7319,S352)

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NOTICE OF MOTION

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

That the General Manager arranges for the City Works Department to urgently conduct a comprehensive review of the Council's road network with the aim of producing a State of The Roads Report.

This report should:

1. Detail all roads and streets within the Council boundaries that fall below the minimum standards recommended by The Fix The Roads Committee and adopted by Council at its meeting of September 28, 1999.
2. Detail the estimated cost of bringing each of these roads and streets up to these basic standards.
3. Detail the funds available to Council to meet this demand and
4. Detail other factors that will affect the ability of Council to meet its commitments to the roads over the next four years.

That this State of the Roads report be presented to Council at the earliest opportunity.

**Comments By Cr Tomlinson:**

Councillors are currently operating in a partial information vacuum when it comes to the Lismore road network. We know things are bad but we need more information. The Fix The Roads Committee has established a minimum set of reporting standards that will give us a base from which to work. Roads that fall below these standards will be reported. We should be able to cost the required work and compare this to the funds available.

This report will be important because:

1. While great strides are being made to get our own house in order, a serious funding shortfall will undoubtedly emerge. The report will detail how big this shortfall is likely to be. It will also allow us to look ahead at the problem confronting us over the next four years.
2. Council is shortly to consider a review of budget priorities and Councillors need to have some idea of the task that confronts them.
3. Council needs to be fully informed before it can realistically embark on new spending programmes.
4. The report can be used to inform the media and the community of the enormity of the task ahead.
5. It can be used to lobby the State and Federal Governments for extra funding.

Strategies to do this can be developed after the report is received.

COUNCILLOR      David Tomlinson

DATE              October 18, 1999

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STAFF COMMENT BY GROUP MANAGER - CITY WORKS:

City Works welcomes the opportunity to put a comprehensive report to Council detailing the current conditions of the roads system and the works required to bring the roads up to a minimum standard as specified by the Fix the Roads Working Party.

All the rural roads have recently been inspected by City Works staff, which will form an excellent background for this report. A “Bitumen Road” condition report using a laser-equipped vehicle to identify poor sections of road has also been commissioned. The actual survey work has been completed and we are awaiting the documentation. This will give a repeatable unbiased condition report that can be compared statewide.

City Works staff welcome this initiative and should be able to produce the required reports in a relatively short timeframe i.e. before Christmas.

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Subject/File No: DEVELOPMENT APPLICATION NO. 99/112 - TO ESTABLISH A RURAL LANDSHARING COMMUNITY CONTAINING 6 DWELLING SITES, 1 SITE FOR COMMUNITY BUILDING AND ASSOCIATED INFRASTRUCTURE UPON LOT 3 DP 802430, 459 BLADE ROAD, NIMBIN (DC:MJK: DA99/112)

Prepared By: Development Assessment Planner - Damian Chapelle

Reason: Development Application requested to be considered by Council, by Councillors Gates and Swientek, in accordance with Council Policy 5.2.1.

Objective: To obtain Council approval.

Management Plan Activity: Development Assessment

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## 1 PRECIS

### **Applicant**

Mr Mark Palmer, 459 Blade Road West, Nimbin.

### **Zoning**

1(a) General Rural Zone pursuant to the City of Lismore Local Environmental Plan 1992.

### **Location**

The subject property is described as 459 Blade Road (West), Nimbin, being Lot 3 DP 802430 (refer Plan 1).

### **Proposal**

The application currently before Council seeks planning consent for the establishment of a six (6) dwelling rural landsharing community with associated infrastructure, land and resource management upon the subject site.

### **Key Issues**

Compliance with State Environmental Planning Policy No. 15 - Rural Landsharing Communities.

## 2 DESCRIPTION OF THE PROPOSAL

As stated above, the current application before Council seeks planning consent for a rural landsharing community containing six (6) dwelling sites and associated infrastructure on the abovementioned property. The proposal incorporates the following features:

- Six (6) dwelling sites (including the existing dwelling) and conversion of an existing Studio to dwelling;
  - One (1) community building site;
  - Associated roads;
  - Associated wastewater, water, electricity and telephone systems;
  - Management strategies relating to water management, waste management, prevention control and management of soil erosion, bush fire management, flora and fauna management - including the control
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of noxious weeds and noxious animals, provision and maintenance of internal roads, boundary fences, water reticulation, service corridors and bush regeneration.

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3 ASSESSMENT UNDER SECTION 79C OF THE E.P. & A ACT -

**79C(1)(a)(i) Any Environmental Planning Instruments (EPI)**

City of Lismore Local Environmental Plan 1992 - the subject application complies with all relevant requirements of the Plan.

The subject proposal is consistent with the North Coast Regional Environmental Plan 1988 in regard to environmental protection in terms of environmental, and agricultural protection and rural housing.

Statement Environmental Planning Policy No. 15 - Rural Landsharing Communities is the applicable enabling planning instrument relating to this application. All relevant planning instruments are addressed within this Section of the report.

**Compliance with State Environmental Planning Policy No. 15 - Rural Landsharing Communities**

**Clause 2 - Aims of Policy**

- (a) to encourage and facilitate the development of rural landsharing communities committed to environmentally sensitive and sustainable land use practices, and thus**
- (b) to enable:**
  - (i) people to collectively own a single allotment of land and use it as their principal place of residence; and**
  - (ii) the erection of multiple dwellings on the allotment and the sharing of facilities and resources to collectively manage the allotment; and**
  - (iii) the pooling of resources, particularly where low incomes are involved, to economically develop a wide range of communal rural living opportunities, including the construction of low cost buildings; and**
- (c) to facilitate development, preferably in a clustered style:**
  - (i) In a manner that both protects the environment and does not create a demand for the unreasonable or uneconomic provision of public amenities or public services by the State or Commonwealth governments, a council or other public authorities; and**
  - (ii) in a manner that does not involve subdivision, strata title or any other form of separate land title, and in a manner that does not involve separate legal rights to parts of the land through other means such as agreements, dealings, company shares, trusts or time-sharing arrangements; and**
  - (iii) to create opportunities for an increase in the rural population in areas that are suffering or are likely to suffer from a decline in services due to rural population loss;**

***Comments***

As demonstrated within this report and the associated report with the Development Application, the proposal is considered to be consistent with the aims of the policy as follows:

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- The development of a rural landsharing community committed to environmentally sensitive and sustainable landuse practices;
- People collectively owning a single allotment of land and using it as their principle place of residence;
- The erection of multiple dwellings in a clustered style on the allotment and the sharing of facilities and resources to collectively manage the allotment;
- The pooling of resources to economically develop and utilise the site;
- Protecting the environment and not creating a demand for the unreasonable or uneconomic provision of public amenities or public services;
- Not involve subdivision of the land or any other form of separate land title.

**Clause 3 - Land to Which this Policy Applies**

**(1) This Policy applies to land within the areas specified in Schedule 1 ,except as provided by this clause.**

**(2) This Policy does not apply to land specified in Schedule 2.**

*Comment*

This Policy applies to all land located within the Local Government Area of Lismore that has a general rural zone classification, pursuant to Lismore LEP 1992.

**Clause 7 - Rural Landsharing Community**

**(1) Despite any provision in an environmental planning instrument concerned with the use of land for the purposes only of a dwelling or dwellings (as the case may be) in rural or non-urban zones, development may, with the consent of the council, be carried out for the purposes of 3 or more dwellings on land to which this Policy applies within such a zone if:**

**(a) the land comprises a single allotment not subdivided under the Conveyancing Act 1919 or the Strata Schemes (Freehold Development)Act 1973;**

The proposal is consistent with subclause as the subject land is a single allotment described as Lot 3 DP 802430.

**(b) the land has an area of not less than 10 hectares;**

The subject site has a total area of 22.6 hectares, thereby being consistent with the minimum 10 hectare requirement.

**(c) the height of any building on the land does not exceed 8 metres;**

No existing structure is greater than 8 metres in height, whilst appropriate conditions will be included with any Development Consent Notice restricting the height of future dwellings to be located on approved dwelling sites.

**(d) not more than 25 per cent of the land consists of prime crop and pasture land;**

The subject land is classified on the NSW Agricultural Land classification map as being Class 4 Land (land suitable for grazing, not for cultivation). The applicant engaged an agricultural consultant to undertake an assessment of the subject site, with the assessment concluding that the site has a number of constraints in regard to agricultural productivity and sustainability, including moderate to low soil

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fertility, high erosion potential and irregular topography. The report identified that the subject site is suitable for light grazing and non-commercial tree crops, and it is strongly recommended that no cultivation of soil take place on the majority of the property. The consultant's conclusion that the property is Class 4 land suitable for carefully managed grazing only, is consistent with the NSW Agricultural Land Classification.

- (e) **the part of the land on which any dwelling is to be situated is not prime crop and pasture land;**

Given that the entire property has a Class 4 Agricultural Land classification.

- (f) **the part of the land on which any structure or work is to be situated is not land that is a wildlife refuge, wildlife corridor or wildlife management area and development and management of the rural landsharing community does not adversely affect any area identified as a wildlife refuge, wildlife corridor or wildlife management area;**

All proposed dwelling sites are to be located on land previously cleared and utilised for grazing, and as such contains limited vegetation which may be utilised as a wildlife corridor. Consequently, no dwelling or works shall be undertaken upon land which is constituted as a wildlife refuge, corridor or wildlife management area. The applicant has proposed to plant vegetation buffers and rehabilitation planting, adopting species as recommended by the local Landcare Group.

- (g) **the development is not carried out for the purposes of a motel, hotel, caravan park or any other type of holiday, tourist or weekend residential accommodation, except where development for such purposes is permissible under the provisions of another environmental planning instrument in the zone;**

The proposal complies with this clause.

- (h) **the part of the land on which any structure is to be situated does not have a slope in excess of 18 degrees, or has been determined not to be prone to mass movement;**

The majority of the wastewater disposal envelopes and dwelling sites are less than 10%. The slopes are considered suitable for the aforementioned land uses. Further, the applicant has submitted preliminary geotechnical reports to Council's Building and Regulation Services with no issues raised.

- (i) **the aims of this Policy are met.**

The proposal complies with this clause.

#### **Clause 9 - Matters for Council to Consider**

- (1) **A council must not consent to an application made in pursuance of clause 7 unless it has taken into consideration such of the following matters as are of relevance to the development the subject of the application:**
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- (a) **the means proposed for establishing land ownership, dwelling occupancy rights, environmental and community management to ensure the aims and objectives of this Policy are met;**

The applicant has adequately addressed this issue in relation to internal management agreements. A condition of Development Consent will be imposed upon the application requiring compliance with conditions.

- (b) **the area or areas proposed for erection of buildings, including any proposals for the clustering of buildings;**

The applicant has adequately carried out a site assessment that has resulted in a rural landsharing concept which locates the proposed dwellings on appropriately located and physically suitable land. Further, it is considered that the proposed cluster of dwelling sites and home improvement areas is consistent with the intentions of SEPP No. 15.

- (c) **the area or areas proposed for community use (other than areas for residential accommodation and home improvement areas);**

The majority of the site has been allocated as common land, which will be collectively managed by the subject community. The dominant land uses will be grazing and habitat regeneration.

- (d) **the need for any proposed development for community use that is ancillary to the use of the land;**

The applicant does not intend to construct any ancillary community uses as part of the Development Application.

- (e) **the availability and standard of public road access to the land;**

Council's City Works Group has reviewed the Statement of Environmental Effects addressing public road access. This report details the standard of public road access to the site, consistent with Council's adopted Engineering Design Standards. The City Works Group raise no objections with regard to the Consultant's information, however require the inclusion of appropriate conditions of consent for the upgrading of Blade Road (West) and parts of Stanger Road.

Council's City Works Group has also commented on the internal road system, identifying some concern in regard to the extent of earthworks required to achieve an access in accordance with Council's standard. Although the applicant has demonstrated that an access can be constructed in accordance with the standards, it will require considerable earthworks to achieve this requirement. The proposed access will require extensive cut to achieve acceptable grades. It has been proposed by the applicant to provide retaining walls along the access to minimise the length of cut batters required.

- (f) **the availability of a water supply to the land for domestic, agricultural and fire fighting purposes and, where a proposed water supply is from a river, creek, dam or other waterway, the effect upon other users of that water supply;**
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Adequate water supply is available through the harvesting of roof waters and recycling useable waters. A condition of consent will be imposed requiring each dwelling site to provide a 45,000 litre water tank for potable water use. Two existing dams will be utilised for agriculture, and also available for NSW Rural Fire Service tanker refilling.

**(g) if required by the applicant, the availability of electricity and telephone services;**

Electricity and telephone services are available to the proposed development and shall be subject to conditions of consent.

**(h) the availability of community facilities and services to meet the needs of the occupants of the land;**

Adequate rural community facilities are available within the vicinity of the development. The applicant has undertaken a Social Impact Assessment and has addressed the demands generated by the development on local schools, hospital and medical facilities, public transport and other services (ie rural fire service, NSW Ambulance Service), with no objections being raised as to the aforementioned facility's capacity to cater for the proposed development.

**(i) whether adequate provision has been made for waste disposal from the land;**

The specialist engineering report submitted, details a proposed wastewater management system for the community which conforms with legislative requirements. Council's Environmental Health Section has comprehensively reviewed this document and where necessary, has required the Consultant to submit additional information. Council's Environmental Health Section is satisfied with all information submitted by the applicant and has included appropriate conditions of consent.

**(j) the impact on the vegetation cover of the land and any measures proposed for environmental protection, site rehabilitation or reforestation;**

There will be no adverse impacts on vegetation of the site. It should be noted that there will be significant revegetation and the implementation of a Land Management Plan, which will further enhance the rehabilitation of the rural landsharing community.

**(k) whether the land is subject to a risk of flooding, bush fires, landslip or erosion or whether there are areas with actual or potential acid sulfate soils and, if so, the adequacy of any measures proposed to protect occupants, buildings, internal access roads, service installations, and land adjoining the development from any such hazard;**

The applicant has satisfactorily addressed all the issues in relation to bushfire risk and geotechnical stability.

**(l) the visual impact of the proposed development on the landscape;**

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It is considered that the visual impact of the development is not significant however, vegetative buffer screen plantings will be required as a condition of development consent.

- (m) the effect of the proposed development on the present and potential use, including agricultural use, of the land and of lands in the vicinity, including the need for separation and buffers to avoid landuse conflicts;**

The applicant has detailed the general topography to graded status of other land in the vicinity of the proposed development. Potential land use is likely to give rise to the need for separation of buffer zones, eg intensive horticulture or agriculture, are unlikely to occur.

- (n) whether resources of coal, sand, gravel, petroleum or other mineral or extractive deposits will be sterilised by the proposed development;**

There is no existence of any quarries within the immediate vicinity of the site.

- (o) the effect of the proposed development on the quality of the water resources in the vicinity;**

It is considered that the proposed development will not have any adverse impact upon the quality of the water resources in the vicinity.

- (p) any land claims by local Aborigines and the presence of any known Aboriginal relics and sites;**

No known Aboriginal claims exist on the site.

- (q) the impact of the proposed development on any heritage item, relic or sites, or on their curtilages;**

No known heritage items are located on the site.

- (r) whether the land has been identified by the council as being required for future urban or rural residential expansion;**

Council's Rural Residential Strategy has not been finalised and hence the site has not been identified for future urban or rural residential expansion.

- (s) whether the development would benefit an existing village centre suffering from a declining population base or a decreasing use of the services provided in that centre.**

N/A

- (2) A council must not consent to an application made in pursuance of clause 7 unless it has taken into consideration a site analysis that:**

- (a) contains information about the site and its surrounds as described in Schedule 3; and**

The applicant's report addresses the relevant matters listed in Schedule 3. Council's Planning and Development Group are supportive of the findings within

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- (b) is accompanied by a written statement explaining how the design of the proposed development has regard to the site analysis.**

The applicant indicates that neighbouring properties are generally appropriately screened from the proposed development and the proposed additional plantings will further enhance visual screenings. The impact of the development on the overall locality in terms of social, economic and physical factors is considered positive.

**Clause 10 - Management Plan**

**A council must not consent to an application made in pursuance of clause 7 unless the applicant has submitted a management plan for the development that makes adequate provision for the following.**

- (a) water management;**
- (b) waste management;**
- (c) prevention, control and management of soil erosion;**
- (d) bush fire management;**
- (e) flora and fauna management, including the control of noxious weeds and noxious animals;**
- (f) provision and maintenance of internal roads, boundary fences, water reticulation, service corridors for telephone and electricity cables and similar matters.**

*Comment*

The applicant has adequately addressed this within Section 5 of the Consultant's report.

**Clause 11 - Density of development**

- (1) Subject to subclause (2), a council must not consent to an application made in pursuance of clause 7 for the carrying out of development on land unless the number of proposed dwellings on the land, together with any existing dwellings on the land, does not exceed the number calculated in accordance with the formula specified in Column 2 of the Table to this clause opposite the area of land specified in Column 1 of that Table.**
- (2) If the number calculated in accordance with the formula as referred to in sub clause (1) includes a fraction, the number is to be rounded up to the nearest whole number in the case of a fraction of one-half or more or rounded down to the nearest whole number in the case of a fraction of less than one-half.**

Table

Column 1	Column 2
Area of land	Number of dwellings where A represents the area of the land the subject of the application (measured in hectares)
Not less than 10 hectares but not more than 210 hectares	$\therefore 4 + \frac{(22.6 - 10)}{4}$



- (3) Even if the number of proposed dwellings on land the subject of an application made in pursuance of clause 7 together with any existing dwellings on the land does not exceed the maximum number of dwellings permitted by subclause (1), the council must not consent to the application if those dwellings are so designed that they could, in the opinion of the council, reasonably accommodate in total more people than the number calculated by multiplying that maximum number of dwelling by 4.**

*Comment*

The proposed development seeks approval for six (6) dwelling sites, which is consistent with State Environmental Planning Policy No. 15.

**State Environmental Planning Policy No. 55 - Contaminated Lands**

The applicant has reviewed the past land uses and land management practices on the site and has indicated that there is no previous banana growing on the site, nor are there any cattle dips located on the site, based on this and the review of previous land uses, it is considered that there is no reason to suspect the site is contaminated from past land uses or land use practices.

**Section 5A Considerations**

Assessment of Section 5A of the Environmental Planning and Assessment Act 1979 (as amended) effect on threatened species, populations, etc.

For the purpose of this Act, and in particular, in the administration of Sections 77, 90 and 112, the following factors must be taken into account in deciding whether there is likely to be a significant effect on threatened species, populations or ecological communities, or their habitats.

- (a) In the case of a threatened species, whether the cycle of the species is likely to be disrupted such that a viable local population of the species is likely to be placed at risk of extinction.**

The applicant's report indicates that there are no threatened species, populations or ecological communities likely to be disturbed by the proposal.

*Comment*

The applicant's report details that the proposal is not likely to disrupt any threatened species, population or ecological community.

- (b) In the case of an endangered population, whether the life cycle of the species that constitutes the endangered population is likely to be disrupted such that the viability of the population is likely to be significantly compromised.**

*Comment*

The Consultant's Report indicates that endangered population of any species are unlikely to occur on the site and a lifecycle of variable populations are unlikely to be disturbed.

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- (c) **In relation to the regional disturbance of habitat of a threatened species, population or economic or community, where a significant area of known habitat is to be modified or removed.**

*Comment*

The Consultant's Report identifies that areas of known habitat for a threatened species, population or ecological community will be not be significantly modified or removed.

- (d) **Whether an area of known habitat is likely to become isolated from currently interconnecting or approximate areas of habitat for a threatened species, population or ecological community.**

*Comment*

The Consultant's Report indicates that areas of known habitat for a threatened species, population or ecological community are not likely to be isolated by the proposal. Additionally, the application proposes the embellishment of the site with native planting and all proposed dwelling sites are to be located on currently cleared areas of the site. The proposed regeneration may encourage the establishment of new corridors.

- (e) **Whether critical habitat will be effected.**

*Comment*

The applicant has indicated no critical habitat will be effected.

- (f) **Whether a threatened species, population or ecological community, or their habitats, are adequately represented in conservation reserves (or other similar protected areas) in the regional environment of the species, population or community.**

*Comment*

The applicant has indicated that conservation reserves including National Parks and nature reserves are located within the wider locality.

- (g) **Whether the development or activity proposed is of a class of development or activity which is recognised as a threatening process.**

*Comment*

The applicant's report details that the development of a small number of rural dwellings in cluster format as well as associated infrastructure within a large site with rehabilitation plantings and appropriate management is not considered to be a threatening process in this instance.

- (h) **Whether any threatened species, population or ecological community is at the limit of its known distribution.**

*Comment*

The Consultant's report details that no threatened species, population or ecological community is at the limit of its known distribution or likely to be affected by the proposal.

**79C(1)(a)(ii) Any Draft EPI that is or has been placed on Exhibition**

The proposed development does not conflict with any draft Environmental Planning Instrument.

**79C(1)(a)(iii) Any Development Control Plan - Development Control Plan No. 27**

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Development Control Plan No. 27 describes a setback from residential dwellings to adjoining grazing land with a minimum of 30 metres setback with a 5 metre wide planted buffer along the boundaries adjoining the grazing land. The proposed development has adopted a cluster design with all dwellings to be setback greater than 30 metres from any adjoining grazing land. Further, a landscaped plan shall be conditioned with any approval which adopts the proposals native species embellishment of the subject site.

**79C(1)(a)(iv) Any Matters Prescribed By The Regulations**

No provisions of Clause 66 of the Environmental Planning and Assessment Act Regulation relate to the subject application.

**79C(1)(b) The Likely Impacts of that Development, including Environmental Impacts on both the Natural and Built Environments, and Social and Economic Impacts in the Locality**

In accordance with the objectives of State Environmental Planning Policy No. 15 the proposal will be of benefit in relation to provision of affordable housing and lifestyle options, enhancing and managing habitat values, creating local economic opportunities and will minimise the demand upon facility and services.

The application has been assessed by Council's Community Services with issues raised in regard to possible landuse conflicts and identification of projected community needs as a result of the development. The applicant submitted additional information upon consultation with the relevant public facilities ie Schools, Hospital and Medical Facilities and public transport, identifying that the proposed development will not adversely affect the availability of services available to any future residents.

The report indicates that there will be no adverse affect on the local amenity, which is currently characterised by rural settlement along Blade Road (West) on a range of lot sizes. Issues in relation to visual impact of the development are not significant given the topography of the site and that there is no development proposed on any prominent ridges.

As discussed previously within this report the proponent advises Council that no trees are to be removed in respect of this development for the dwelling sites. Additionally, the proposed rehabilitation plantings incorporating native species as recommended by the local landcare group will be fenced from stock and a maintenance program will be adhered to by the proponent ensuring the successful completion of vegetation buffers and rehabilitation of the subject site.

**79C(1)(c) The Suitability of the Site for the Development**

The Statement of Environmental Effects proposes a cluster layout for the development which is considered satisfactory in regard to the biophysical characteristics of the site and locality. The application has submitted additional supportive information assessing the capability of the dwelling sites in relation to effluent and geotechnical suitability. These documents have been assessed by Council's Environment and Building Regulations Sections, and subject to submission of additional details through conditions of a Development Consent are found to be satisfactory.

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The applicant has adequately addressed possible landuse conflict issues. The application states that the possibility of landuse conflicts arise in this instance where horticulture and the proposed residential areas meet. The subject property is certified organic level A, hence chemical usage and associated drift and contamination should not be an issue. However, the problems of dust and noise generated by machine usage are recognised and management measures are to be adopted including by laws limiting the hours in which engines and motors may be operated. Further, the site of the residential cluster away from areas suitable for horticulture use and the strategic placement of designated areas for grazing domestic animals will minimise potential landuse conflict.

The subject site is not identified as containing any potential hazards. The application has been forwarded to Council's Fire Control Officer for comment. No objections were raised, subject to the inclusion of appropriate conditions of approval. Further, the applicant has prepared a bushfire management plan which adopts the following features:-

1. Access to all sites with a minimum width of 6 metres and a minimum of 4 metres of vertical clearance plus a suitable turnaround area to facilitate unhindered movement of emergency vehicles including fire tanks.
2. All sites are to be clear of flammable material for a minimum radius of 30 metres.
3. All sites will have a minimum of 45,000 litres of water storage with a 38mm gate valve for access by NSW Rural Fire Service.
4. A dam located near the entrance to the landsharing community with easy tank access will be available for use by NSW Fire Service with a one (1) megalitre capacity and the internal road system will also serve as a ringroad firebreak giving, easy access to all structures.

**79C(1)(d)**

**Any Submissions made in Accordance with this Act or the Regulations**

The application was placed on public exhibition for a period of fourteen (14) days. At the close of exhibition period two (2) submissions had been received raising the following issues:-

- The construction of two (2) dams within the south-eastern section of the property will disrupt follows of the existing watercourse which feeds into three (3) shares of Glenbin Pty Limited being an adjoining multiple occupancy thereby effecting the flow of water.

***Planning Comment***

The construction of dams does not form part of any approval issued by Lismore City Council. Dam construction and appropriate licensing falls under the realm of the Department of Land and Water Conservation. In this regard, comments provided by Department of Land and Water Conservation identify that under the current water reforms being drawn by the NSW Government, it is not certain whether this activity will require licensing. The farm dams policy currently being developed will allow landholders to harvest 10% of the average annual runoff from their land for any use. Amounts over 10% of the average annual runoff will need to be licensed. The harvestable right figure for this area is yet to be finalised and hence the applicant is required to obtain appropriate licence or approvals from the Department of Land and Water Conservation.

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The applicant has provided details of discussions held with the Department of Land and Water Conservation. To address the objections, the Department of Land and Water Conservation has recommended that a bypass pipe through the dam wall above the bed of the dam (with gate valve on downstream side) be installed and that the construction would be undertaken by a component operator. The applicant has detailed that the Department of Land and Water Conservation also considered that the dams projected capacity will have negligible effect to take into account annual average rainfall to this area.

- The envisaged traffic generation and resulting effect upon Stanger Road and Blade Road West.

***City Works Comment***

Stanger Road has an existing gravel width of 5 metres, which is in accordance with the requirements of the envisaged traffic generation. Blade Road (West) is not currently maintained by Council past the existing cattle grid. This road is of a standard suitable primarily as a dry weather driveway and therefore it has been conditioned that it be upgraded to Council's minimum road standard.

- The proposed new access route to the development will provide earthworks to be undertaken and concerns are raised regarding any stability of the escarpment.

***City Works Comment***

A qualified engineer should certify the stability of any such access constructed and this has been addressed through conditions of consent.

- The owners of the property to the north are currently in negotiations with the Forestry Commission to create a 50 acre forest which could border the subject property and require the necessity for separation or buffer zones.

***Planning Comment***

The proposed development will contain a separation distance between proposed dwelling site No. 5 and the northern boundary of approximately 110 metres. The separation distance also incorporates native bush regeneration and buffer zone landscaping. It is considered that the proposal adequately satisfies Development Control Plan No. 27 - Buffer Areas and the objectives in which buffer areas seek to reduce in the potential for conflicting landuse issues.

**79C(1)(e) The Public Interest**

The proposed development complies with the objectives and principles of State Environmental Policy No. 15 - Rural Landsharing Communities and associated Council Policies and as such is considered to be in the public interest on a range of matters specifically in relation to the choice of affordable housing and lifestyles options and enhancing and managing habitat values.

It is considered that the assessment undertaken demonstrates that the proposal is consistent with the relevant Planning provisions incorporated within State, Regional and Local Environmental Plans.

**4 CONCLUSION**

The Development Application submitted to Lismore City Council for a proposed six (6) site rural landsharing community incorporating one (1) site for a community facility is generally in accordance with

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State Environmental Planning Policy No. 15 - Rural Landsharing Communities. It is therefore considered that the proposal satisfies the aims of the plan to develop a rural landsharing community committed to environmentally sensitive and sustainable landuse practices.

As discussed previously within this report, Council did receive submissions to the proposed development. It is considered the issues raised within the submissions have been adequately addressed by the applicant and where relevant, dealt with via appropriate conditions of consent.

The proposed development will afford the future residents of the rural landsharing community a good level of amenity without adversely impacting on the immediate locality.

#### RECOMMENDATION (PLA68)

- A That Council grant delegated authority to the General Manager - subject to the concurrence of the Development Assessment Panel, 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 No. 99/112 for a rural landsharing community consisting of six (6) dwelling sites, one (1) community building site and associated road works and earthworks.
- 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) Project No. 00039-1 Exhibit No. 2 dated August 13, 1999 and Figure 1 submitted February 22, 1999 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)*

#### BUILDING

- 2 That an all weather vehicular access be constructed and maintained from the Council maintained road to the dwelling sites, at no cost to Council.

**Reason:** *To ensure adequate vehicular access to the dwelling.*

- 3 No tree shall be ringbarked, cut down, lopped, removed or damaged except with the written consent of Council.

**Reason:** *To draw attention to the need for Council approval.*

- 4 Sediment control measures shall be put into place and be properly maintained to prevent soil erosion and the transport of sediment off the development site or into natural or made drainage lines or
- 
-

watercourses during rainfall and runoff. All disturbed areas shall be stabilised and be revegetated by turfing or an approved seeding method within 14 days of completion of earthworks in each part of the development. It is a requirement that the topsoil be preserved for use with the site revegetation. Details showing sediment control measures and revegetation works shall be submitted and be approved prior to any earthworks commencing and be maintained for the full length of the maintenance period.

**Reason:** *To prevent erosion of material from the site.*

- 5 Development Applications and Construction Certificate Applications are to be lodged with Council for each proposed dwelling.
- 6 A Development Application is to be lodged with Council for the community building.
- 7 A Development Application is to be lodged with Council for conversion of the existing studio to a dwelling.
- 8 Benching (ie cutting, filling or levelling) of the land to create building platforms does not form part of this approval and will only be considered in conjunction with a development or building application to build on the land.

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

#### **VEHICULAR ACCESS**

- 9 An all weather vehicular access shall be constructed and maintained from the road pavement to the proposed dwelling sites 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))*

#### **BUSHFIRE**

- 10 All dwelling sites and roads should be clearly marked to allow for ease of identification.
- 11 All access and internal roads shall be built to Council standards and be a minimum of 5 metres wide and have a minimum of 4 metres vertical clearance.
- 12 Each dwelling shall be provided with a 45,000 litre water tank fitted with a 38mm gate valve or ball valve.
- 13 The proponent shall create a 6 metre wide slashed perimeter fire break on the northern property.

#### **PLANNING**

- 14 Dwelling site number 3 does not form part of this approval.
- 15 All requirements of State Environmental Planning Policy No. 15 - Rural Land Sharing Communities, gazetted April 9, 1998 are to be complied with at all times.

#### **PUBLIC UTILITIES**

- 16 The proponent shall provide a letter from NorthPower stating that the supply of electricity for the subdivision/development. This letter is to be provided to the Principal Certifying Authority prior to the release of the Subdivision Certificate.
-

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

- 17 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))*

## LANDSCAPING

- 18 A detailed landscaping plan (in duplicate) shall be submitted to Council prior to release of the final linen plan. 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.

Council approved landscaping shall be completed prior to the release of the final linen plan. 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))*

## DRAINAGE

- 19 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))*

- 20 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.

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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 prior to release of the Construction Certificate.

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

## ROADS

21 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). 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 a 5m gravel pavement on a 7m wide formation with a minimum gravel depth of 150mm, for the full length of Blade Road West from the intersection of Blade Road West with Stanger Road to the proposed entrance in accordance with Councils adopted engineering standards.
- b) Construction of an intersection layout at the junction of Stanger Road and Stony Chute Road in accordance with AUSTRROADS Pt 5 "Intersections at Grade" giving particular attention to sight distance.

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))*

22 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 construction of a 3 m gravel pavement on a 5m wide formation and associated passing bays and intersection widening with a minimum unsealed gravel depth of 150mm. All road slopes in excess of 12% must be sealed with the table drains lined 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))*

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- 23 Full design plans of the proposed engineering works to satisfy condition(s) 21 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 \$114 per lot, being \$684 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))*

- 24 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))*

### **EARTHWORKS**

- 25 Prior to commencement of any works certification from a practising qualified engineer experienced in soil mechanics is required verifying:

- civil engineering works including retaining walls have been assessed as structurally adequate,
- civil engineering works will not be affected by landslip either above or below the works,
- civil engineering works will not be affected by subsidence either above or below the works, and
- adequate drainage has been provided.

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

- 26 Fill material shall not encroach onto any adjoining land without the written consent of the owner of that land.

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

### **SECTION 94 CONTRIBUTIONS**

- 27 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 \$19,701, 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)*

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### **ENVIRONMENTAL HEALTH**

- 28 A separate effluent report based on Greg Alderson and Associate's Report dated August 11, 1999, is to be submitted to Council with each Development Application for each separate dwelling. The report is to indicate the hydraulic loading for each dwelling and the proposed location of each associated effluent disposal area.
- 29 Full details of the type of composting toilet to be installed on the site is to be submitted to Council with the Development Application for each dwelling.
- 30 Full maintenance plans for the effluent disposal system, including the composting toilet, are to be provided with the Development Application for each dwelling, in accordance with Greg Alderson and Associate's Report dated August 11, 1999.

### **AMENITY**

- 31 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 1.00pm

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))*

## **INFORMATION TO APPLICANTS**

### **ADVISORY NOTES**

**NOTE 1:** Prior to commencing any construction works, the following provisions of the Environmental Planning and Assessment act, 1979, are to be complied with:

- (i) A Construction Certificate is to be obtained from the Consent Authority or an Accredited Certifier in accordance with Section 81A(2)(a) of the Act.
- (ii) A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
- (iii) Council is to be given at least two (2) days notice of the persons intention to commence building works, in accordance with Section 81A(2)(c) of the Act.

**NOTE 2:** The applicant may apply to the Council or an Accredited Certifier for the issuing of a Construction Certificate and to be the Principal Certifying Authority to monitor compliance with the approval and issue any relevant documentary evidence or certificates.

**NOTE 3:** This development approval does not guarantee compliance with the Disability Discrimination Act and the developer should therefore investigate their liability under the Act. Council can assist developers by directing them to Parts 2, 3 and 4 of Australian Standard 1428 - Design for Access and Mobility (Part 1 is mandatory in the BCA).

### **DATE FROM WHICH CONSENT OPERATES**

Section 83 of the Environmental Planning and Assessment Act provides that the consent shall become effective and operate from the date endorsed upon the notice, **except** in the case of designated development to which objections have been lodged, when the consent shall become effective 28 days after the consent is issued.

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Where an appeal is lodged, either by the applicant or an objector in respect of designated development, the consent shall remain in deferment and not become effective until the appeal has been determined. The consent shall be void if, on appeal, the development is refused.

#### **COMPLIANCE**

The development shall be carried out in accordance with the application, and “approved plans” as may be attached to this consent, and as amended by the foregoing conditions. **All conditions** shall be complied with prior to occupation of the development and, where appropriate, during the operating life of the development.

#### **REVIEW OF DETERMINATION**

Under the provisions of Section 82A of the Environmental Planning and Assessment Act 1979, an applicant may request the Council to review a determination of the application. The request for a review must be made within twenty eight (28) days after the date of the determination.

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**RIGHT OF APPEAL**

If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act 1979 gives you the right of appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

Where an appeal is made in the case of a designated development, each person who objected is required to be given notice of the appeal, and will have the right to be heard at that hearing.

Except in the case of designated development, there is no provision within the Act for a third party (objector) to appeal against the consent issued by the Council.

**LAPSING OF CONSENT**

To ascertain the extent to which the consent is liable to lapse, refer to Section 95 of the Environmental Planning and Assessment Act, 1979.

Section 95 of the Environmental Planning and Assessment Act generally provides that development consent shall lapse after three (3) years from the date of operation of this consent, unless building work, engineering or construction work relating to this development is commenced on the land.

**EXTENSION OF CONSENT**

In accordance with Section 95A, upon receipt and consideration of written application to the Council, an extension of twelve (12) months may be granted should the consent be valid for a period of less than five (5) years. Written application (including reasons for requesting such extension) is to be submitted to Council at least one month prior to the consent notice expiry date. Council cannot approve any more than one (1) application for a twelve (12) month extension to any consent notice.

**NOTICE TO COMPLETE**

Where development has been commenced, but the work not completed, Section 121B provides that the Council may issue an order requiring completion of the work within a specified time, being not less than twelve months.

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**LISMORE CITY COUNCIL**
**DEVELOPMENT CONSENT NO:** 99/112**ADDRESS:** 459 Blade Road West, Nimbin**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. 27, 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 - 50%*

<b>Levy Area</b>		<b>Account No.</b>	<b>No. of ET's</b>	<b>Cost Per ET</b>	<b>Amount Payable</b>
<b>Open Space</b>					
Nimbin and District	- Local	1643-4	5	82	\$410
	- Citywide	1643-1	5	307*	\$768
<b>Street Trees</b>					
Nimbin and District		1643-24	5	77	\$385
<b>Community Facilities</b>					
Nimbin and District	- Local	1650-4	5	529	\$2,645
	- Citywide	1650-1	5	525*	\$1,313
<b>Rural Roads</b>					
Stanger Road		90220101		494	
Stony Chute Road		90014120		822	
MR142		90014260		179	
MR142		90014260	5	<u>1171</u>	
				2666	\$13,330
<b>SES</b>					
All areas		1695-1	5	17	\$85
<b>Bushfire</b>					
Equipment		1690-1	5	71	\$355
Facilities (Control Room)		1690-6	5	17	\$85
<b>Footpaths</b>					
Nimbin	Connector	1680-6	5	17	\$85
<b>Cycleways</b>					
Nimbin and District		1680-11	5	37	\$185
<b>Bus Shelters</b>					
Nimbin and District		1683- 7	5	11	\$55

**Total**

**\$19,701**

**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;
- 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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Subject/File No:           **CARAVAN CAFÉ (LISMORE PIE VAN)**  
  (WJM/VLC:P23113)

Prepared By:                Group Manager - City Works

Reason:                      In accordance with Council’s resolution to investigate the relocation of the

Objective:                  To determine options.

Management Plan Activity:    N/A

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Background:

Council, at its meeting of October 12, 1999, requested a report to this meeting regarding the future location of the Pie Van. The aim of the exercise was to find a site close to the present location that would fit into future development plans and the future levee construction. A survey of Magellan Street traders has not been carried out to date, awaiting the outcome of Council’s deliberations in relation to this report.

Due to the short time-frame and previous staff commitment for work on RTA projects, Mr Lindsay Walker of Walker & Newton, Consultant Surveyors, was commissioned to prepare the plans and estimate. Council was able to provide the base survey plans and the Design Manager and I inspected the site on two separate occasions to ensure the concept plans would achieve the desired result.

The unit rates used in the estimate are similar to those used by Council and therefore it is reasonable to assume that the estimated cost provides a very good indication of the cost to complete the work.

The estimate from Walker & Newton is set out below. A copy of the plans are attached as Appendix ‘1’.

Site Preparation	(say)	\$ 1,500	
Sub-Base Fill & Compaction (260m <sup>3</sup> @ \$12.80/m <sup>3</sup> )		3,300	
Haulage of Above		1,400	
Pavers (240m <sup>2</sup> @ \$50.00/m <sup>2</sup> )		12,000	
Formation of Landscape Mound (100m <sup>3</sup> @ \$12.80/m <sup>3</sup> )		1,300	
Carpark Access Road:			
* Sub-Base Fill (81m <sup>3</sup> @ \$12.80/m <sup>3</sup> )		1,050	
* Road Base (88.3m <sup>3</sup> @ \$13.14/m <sup>3</sup> )		1,200	
* Haulage of Above		900	
* Seal (225m <sup>2</sup> @ \$6.68/m <sup>2</sup> )		1,500	
* Kerb (50m @ \$74.20/m)		3,700	
* Batter Fill Adjacent to Road (329m <sup>3</sup> @ \$12.80/m <sup>3</sup> )		4,200	
* Carpark Seal (329m <sup>2</sup> @ \$5.50/m <sup>2</sup> )		1,800	
* Landscape (Item)		3,000	
Sewer		1,200	
Water		500	
Power		<u>Nil</u>	\$38,800
Supervision @ 3%		1,160	
Administration @ 8%		3,100	
Contingency @ 8%		<u>3,100</u>	
<b>Total:</b>			<b>\$46,160</b>

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Comment:

Assuming Council wishes to proceed as soon as possible with this proposal; the only real problem is how to finance the project within a short time-frame; ie, \$45,000 before the end of the financial year.

**Council Funding:**

This would require another project to be deferred. With the critical shortage of funding for road projects, I do not believe that \$45,000 could reasonably be found within the City Works Budget.

**Levee Funding:**

There is some possibility that a major component of these works could be found as part of the construction of the flood levee. Unfortunately, there is no likelihood that these works will be commenced along this section of the proposed levee in the near future. This being the case, the Pie Van could remain where it is until the levee works are undertaken.

**Funded by Proprietor:**

The person who is in a hurry to have these works commenced is the proprietor of the Pie Van. It may therefore be reasonable for the proprietor to fund the works and be given (x) years free of rent to recover the costs, after which time Council would charge the normal rental for this high profile site.

There are two variations of this theme -

1. The applicant raise the required amount of \$45,000 and be given a rent-free period until the \$45,000, plus interest, has been reached, i.e. (x) years.
2. Council raise the \$45,000 and use the rental income to repay the loan plus interest.

In both cases the commercial rent must be recognised and will need to be substantial to repay the cost in less than (say) five years.

Manager - Finance & Administration Comments

We currently charge Mr Jeromson approximately \$4,000 per annum for the rental of this site. If we adopt the recommended arrangement, Mr Jeromson's "commercial rental" over a five-year basis would be valued at approximately \$11,800 per annum.

The cost to undertaken these works is prohibitive in that a funding source is not readily available. Logically, for these works to proceed, Council must determine to reduce other works to fund this cost.

From a financial perspective, this is a very expensive investment of Council's limited resources which

Public Consultations Not required

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Other Group Comments

**Group Manager - Business & Enterprise:**

The design provided by Walker and Newton would provide a satisfactory, but expensive, location for the Caravan Cafe.

The recurring theme with this matter is that of money. Should the Pie Van be relocated, a means of funding the works must be identified. If, as suggested, a means of funding this work is through the lease fee of the site, then the lease fee should reflect the market value of the improved position of the van. Under these circumstances should the proprietor wish to enter into a lease for a period beyond 2 years, I am advised by the Manager Client Services that either Council is obliged to call tenders for the proposed contract or if Council does not wish to call tenders, it needs to resolve as follows:

1. *“Because of the following extenuating circumstances, (insert circumstances), a satisfactory result will not be achieved by calling tenders for the provision of a "pie cart" at (insert location). A pie cart at (insert location) will be provided by entering into a contract with Mr Jeromson. The Group Manager of Business and Enterprise shall negotiate the terms of the contract with Mr Jeromson.*
  
2. *The Mayor and General Manager are authorised to execute the contract on Council's behalf.”*

Conclusion:

Council needs to resolve two questions -

**1. Is the proposal as outlined in the plan acceptable to Council?**

If yes:

**2. How should the work be funded?**

- (a) Council funds the project within the 1999/2000 financial year
- or*
- (b) in part by levee bank works in future years
- or*
- (c) by the applicant as a trade-off for a rent-free period.

Recommendation: (WOR23)

1. Council accept the concept of the Pie Van being located at Magellan Street adjacent to the Transit Centre.
2. That Council open up discussions with the proprietor of the Pie Van with the intention of the proprietor funding the works in return for a rental-free period of (say) three to five years.

*Note: This requires the recognition that a commercial rent must be charged.*

**OR**

2. That the Pie Van remain at the present location until the levee works are commenced when the Van will be moved to the area adjacent to the Transit Centre as shown on the plan.
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## Caravan Café (Lismore Pie Van)

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### 3. Assuming one of the above is adopted:-

- Because of the following extenuating circumstances, (heritage value of the existing vehicle), a satisfactory result will not be achieved by calling tenders for the provision of a "pie cart" adjacent Magellan Street.
- A pie cart adjacent Magellan Street will be provided by entering into a contract with Mr Jeromson.
- The Group Manager of Business and Enterprise shall negotiate the terms of the contract with Mr Jeromson.

### 4. The Mayor and General Manager are authorised to execute the contract on Council's behalf.

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Subject/File No: INVESTIGATION OF AQUATIC FACILITIES FOR LISMORE  
(S719)

Prepared By: Manager Client Services - Wayne Franklin

Reason: Council has participated in a workshop in which it discussed various aquatic options.

Objective: Council to determine which aquatic options it wishes to investigate

Management Plan Activity: 5.1

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Background:

At the Aquatic Workshop held on the evening of Tuesday October 19, 1999 Council indicated that it wished to alter its current strategy for the delivery of Aquatic and Leisure Facilities in Lismore.

This report sets out the currently adopted strategy and a list of alternate options that Council may wish to investigate.

Currently, Council has resolved to investigate a joint venture Aquatic and Leisure Centre at Southern Cross University and has also resolved to adopt the feasibility study for a two stage development at Goonellabah, comprising of a first stage of an indoor two court sports stadium and a second stage of an indoor 25m by 6 lane pool.

The revised strategy identified by Council at the workshop comprises:

- (a) The setting aside of consideration of the Joint Venture at Southern Cross University, and
- (b) The construction of either:
  - (b1) A new 50m pool, program pool, leisure pool and toddlers pool at the Memorial Baths plus an indoor 25m pool at Goonellabah  
or
  - (b2) A 50m pool, program pool, leisure pool and toddlers pool at Goonellabah plus an outdoor 25m pool at the Memorial Baths  
or
  - (b3) A 50m pool, program pool, leisure pool and toddlers pool at the former travelling show reserve (corner Diadem Street and Ballina Road), and a 25m indoor pool at Goonellabah and the conversion of the Memorial Baths to a Memorial Garden.

During the development of the options for investigation no consideration was given for the development of the Stage 1 indoor facility for Goonellabah. It is suggested that the cost of this option be determined using the same costing method used for determining the cost of the aquatic facility and the resultant cost be included in the options reported to Council.

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To allow the most accurate costing possible it is recommended that a detailed proposal be developed for each option.

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## Investigation of Aquatic Facilities for Lismore

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The items to be costed are:

1. New 50m pool complex at Memorial Baths site.
2. New 50m pool complex at Goonellabah.
3. New 50m pool complex at travelling show reserve.
4. Outdoor 25m pool at Memorial Baths site.
5. Indoor 25m pool at Goonellabah.
6. Indoor Sports Centre at Goonellabah.
7. Demolition of Memorial Baths and conversion to Memorial Garden.

The estimated cost to prepare concept drawings for each of the above options, except Item 6, the Goonellabah Indoor Sports Centre, plus prepare detailed costings is in the order of \$15,000 based on consulting engineer and architect rates of \$50.00 per hour.

Funds for this work can be allocated from reserves previously identified as funding sources for the Joint Venture Aquatic Centre.

Council should also give consideration to undertaking market research on the chosen option to ensure that the chosen option results in the following:

- (a) Meets key user group needs.
- (b) Will maximise usage by being in the best location for access by potential users.

### Manager - Finance & Administration Comments

Based on the Aquatics Workshop discussion, it is obvious that some specific costings will be required to accurately cost our investment into these facilities. This is not available inhouse. As such, it will be necessary to utilise either Reserves or Section 94 funds set aside for the Joint Venture Project for this purpose.

### Public Consultations

Not required.

### Other Group Comments

Not required.

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# Investigation of Aquatic Facilities for Lismore

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Recommendation

1. Southern Cross University be advised that Council does not wish to further consider the Joint Venture Leisure and Aquatic Centre proposal submitted at this stage.
  2. The following option be costed:
    - (a) An outdoor 50m pool, leisure and program pool, toddlers pool, grandstand, ancillary plant, changerooms, and ancillary works at the Memorial Baths  
*plus*
    - (b) An indoor 25m pool and ancillary works at Goonellabah  
*plus*
    - (c) The proposed stage 1 indoor facility at Goonellabah.
  3. The following option be costed:
    - (a) An outdoor 50m pool, leisure and program pool, toddlers pool, grandstand, ancillary plant, changerooms, and ancillary works at Goonellabah  
*plus*
    - (b) An outdoor 25m pool and ancillary works at the Memorial Baths  
*plus*
    - (c) The proposed stage 1 indoor facility at Goonellabah.
  4. The following option be costed:
    - (a) An outdoor 50m pool, leisure and program pool, toddlers pool, grandstand, ancillary plant, changerooms, and ancillary works at the travelling show reserve  
*plus*
    - (b) An outdoor 25m pool and ancillary works at Goonellabah  
*plus*
    - (c) The proposed stage 1 indoor facility at Goonellabah  
*plus*
    - (d) The demolition of the Memorial Baths and conversion to a Memorial Garden.
  5. An amount of \$15,000 be allocated to the development of Options listed in recommendations 2, 3 and 4. These funds being made available from this current years budget allocation for the Joint Venture Aquatic Centre.
  6. The options presented for consideration by Council be evaluated for their ability to satisfy key user group and social needs.
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Subject/File No: AMENDMENT No. 3 TO DEVELOPMENT CONTROL PLAN No. 14 - RESIDENTIAL DEVELOPMENT

Prepared By: Building Surveyor - Warwick Sherring

Reason: Proposed changes to DCP No. 14.

Objective: Formal resolution to adopt Amendment No. 3 to DCP No. 14.

Management Plan Activity: Strategic Planning/Building & Regulation

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Background:

At its meeting of July 20, 1999, Council resolved to prepare this DCP amendment which aims to amend Development Control Plan No. 14 to accommodate changes in legislation, to clarify existing wording and to provide additional information. The amendment was subsequently exhibited from Thursday August 12 to Thursday September 9, 1999.

During this time, no public submissions were made; however minor rewording of two sections are recommended by staff to clarify the intent of the DCP. The two proposed changes to the amendment are set out in Element 2.6 (b) and 2.8 (c). In addition, one minor change that was proposed has been found after further research to be unnecessary, and so it is recommended that in element **2.1 External Appearance**, the second paragraph under “Medium Density” remain as is, rather than be altered to apply to single storey development only. This provision was originally put into the DCP to protect existing amenity while allowing for medium density infill.

The amendment is now before Council for final adoption.

**The amendment proposes to include the following changes in Lismore Development Control Plan No. 14**

- (1) Changing the number of elements in **Clause 1.5** from ‘eight (8)’ to ‘nine (9)’.
- (2) **In Clause 1.6 - Definitions**
  - (a) Delete the paragraph “‘dwelling house’ means a building(s) containing one but not more than one dwelling”  
  
Insert: “‘dwelling house’ means building(s) containing one dwelling”.
  - (b) Delete the paragraph “‘functional open space’ means that part of the primary open space are which is directly accessible to the living area of a dwelling and is capable of being landscaped or screened to ensure that the area has privacy from adjoining development”.

Insert: “‘functional open space’ means the main area of private open space, and it is part of the primary open space area which is directly accessible to the living area of

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*a dwelling and is capable of being landscaped or screened to ensure that the area has privacy from adjoining development”.*

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- (c) Delete the paragraph “*‘primary open space’ means the part of the site or building which is designed, or developed, or capable of being maintained and used as lawn, courtyard or planted gardens and is available for use and enjoyment of the occupants of the development and*

*includes: rooftop spaces, swimming pools, walk ways, tennis courts, balconies, gazebos or other similar structures, where Council deems such to be appropriate in terms of accessibility, treatment and appearance, but”*

Insert “*‘primary open space’ means the part of the site or building which is designed, or developed, or capable of being maintained and used as lawn, courtyard or planted gardens and is available for use and enjoyment of the occupants of the development and,*

*includes rooftop spaces, swimming pools, walk ways, tennis courts, balconies, gazebos or other similar structures, used for the recreational enjoyment of open space”.*

(3) **Element 2.1 - External Appearance.**

- (a) Delete the paragraph “**Objectives**  
*To encourage building design which complements the streetscape character of the neighbourhood.*

*To ensure that the bulk and scale of new residential development is compatible with the residential amenity”.*

Insert “**Objectives**

*To encourage building design which complements the streetscape and character of the neighbourhood.*

*To ensure that the bulk and scale of new residential development is compatible with the residential amenity of the locality.*

*To encourage development which is sympathetic to the topography of the land, the character and scale of surrounding development and that has minimal impact on the environment”.*

- (b) From the paragraph commencing “Design guidelines for the North Coast area...” delete the words “...copies of which are available from Council” and insert “copies of which are appended to this DCP”.

- (c) Delete the paragraph “**Bulk and Scale**

*The bulk and scale of new development should be compatible with that of the neighbourhood. To ensure external walls of buildings are of an appropriate residential scale, no external walls should be greater than 14 metres in length,*

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*unless a return, recess or buttress to a depth of at least 600mm, or some other architectural feature such as verandas or balconies are used to articulate the line of the wall”.*

**Insert “Bulk and Scale**

*The bulk and scale of new development should be compatible with that of the neighbourhood. To ensure external walls of buildings are of an appropriate residential scale, no external walls should be greater than 14 metres in length, unless a return, recess or buttress to a depth of at least 600mm, or some other architectural feature such as verandas or balconies are used to break the line of the wall”.*

(d) Delete the paragraph “**Carpports, Garages and Outbuildings**

*The design of carports, garages and any outbuildings should be compatible with that of the main building site in terms of height, roof form, detailing, materials and colours. Location and design of carports and garages should be such that they do not extend in front of the main building line and do not dominate the streetscape”.*

**Insert “Carpports, Garages and Outbuildings**

*The design of carports, garages and outbuildings should be compatible with that of the main building site in terms of height, roof form, detailing, materials and colours. Location and design of carports and garages should be such that if they extend in front of the main building line they do not dominate the streetscape.*

*Note: If any outbuilding is to be utilised for a use other than one ancillary to the residential use of the land, then Development Consent is required for that non-residential use. It is unlikely that Council will approve any non-residential use in residential areas, which might cause nuisance or inconvenience to neighbouring residents”.*

(4) **Element 2.2 - Building Height and Setback from Boundaries**

(a) Delete the paragraph “**Objectives**

*To encourage variety in housing design by permitting flexibility in the siting of dwellings.*

*To minimise adverse impacts on adjacent land or development”.*

**Insert “Objectives**

*To encourage variety in housing design by permitting flexibility in the siting of dwellings.*

*To minimise adverse impacts on adjacent development, land use, or the streetscape”.*

(b) Delete the paragraph “*Where the height of the building could be considered to be inconsistent with the height of adjacent or adjoining residences this limit may be*

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*reduced to reduce bulk and loss of residential amenity. Maximum height must be considered in conjunction with building envelopes and with due regard to existing and future adjacent viewlines”.*

*Insert “Where the height of the building is inconsistent with the height of adjacent or adjoining residences the 7.2m maximum height may be reduced to lessen bulk and loss of residential amenity. Maximum height must be considered in conjunction with building envelopes and with due regard to existing and future adjacent viewlines and overshadowing”.*

- (c) Delete the paragraph “**Setback Requirements**

*Generally the setback from the front property boundary will be an average of 6 metres with a minimum of 3 metres. The setback from the front property boundary may be varied, subject to consideration of any or all of the following matters:”*

*Insert “**Setback Requirements***

*Generally the setback from the front property boundary will be an average of 6 metres with a minimum of 4 metres. The setback from the front property boundary may be varied, subject to consideration of any or all of the following matters:”*

- (d) Delete the paragraph “*All residential buildings must fit within a building envelope. The building envelope is defined as the volume enclosed by planes that project from the rear and side boundaries at a height of 1.8 metres and continue towards the centre of the lot at an angle of 45°. For single dwellings the building height plane does not apply to the street boundary. For a single storey dwelling house exemptions may apply”.*

*Insert “The minimum side and rear setback for all dwellings shall be not less than 900mm from the boundary for a one or two storey dwelling and 1500mm for more than two storeys. Guttering, eaves or similar structures or attachments erected between the face of an external wall and the boundary are to be not less than 675mm for 1 and 2 storey buildings”.*

- (e) Delete the paragraph “*One side setback may be eliminated for "built to the boundary" or "zero lot line" development providing that Council's requirements with respect to the Local Government Act and the Building Code of Australia are satisfied. Development likely to benefit from this provision includes integrated housing, dual occupancy and attached medium density housing. Where zero lot line is proposed particular attention needs to be paid to overshadowing or other potential effects on the amenity of the adjoining property”.*

*Insert “One side setback may be eliminated for "built to the boundary" or "zero lot line" development providing the requirements of the Environmental Planning and Assessment Act and the Building Code of Australia are satisfied. Development likely to benefit from this provision includes integrated housing, dual occupancy and attached medium density housing. Where zero lot line is proposed particular*

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*attention needs to be paid to overshadowing, noise transference and other potential effects on the amenity of the adjoining property”.*

- (f) Add the paragraph “**Walls of Class 1 Dwellings**
- (a) In this clause, a reference to a class 1 building includes a reference to a class 2 building that comprises two dwellings only.
  - (b) In this clause, a ‘storey’ means a space within a building that is situated between one floor level and the floor level next above, or, if there is no floor above, the ceiling or roof above, but does not include a mezzanine or a space that contains only:
    - (i) a lift shaft, or stairway, or
    - (ii) a bathroom, shower room, laundry, water closet or other sanitary compartment, or
    - (iii) accommodation intended for not more than 3 vehicles, or
    - (iv) a store room, or
    - (v) a combination of the above.
1. (a) A window in a recess in a wall is taken to be a window in the wall; and
- (b) The external wall of any garage, laundry, domestic workshop or the like that is attached to a class 1 building is taken to be an external wall of that building; and
- (c) any gable having a surface area exceeding 10m<sup>2</sup> is taken to be a wall.
2. A wall of a class 1 building must be not less than 900mm from a boundary line or 1500mm in the case of a building containing more than 2 storeys; unless:
- (a) the boundary line is also the boundary of any public place; or
  - (b) the wall is a common wall or party wall that separates two or more dwellings; or
  - (c) in the case of a wall (or part of a wall) of a single class 1 building:
    - (i) the wall (or part) does not contain windows and Council is satisfied that compliance with this subclause would be unpractical because of the levels or width of the allotment or other exceptional conditions of the site; and
    - (ii) the wall is not less than such distance from the boundary line of the allotment as Council approves in the particular case; or
  - (d) The wall (or part of the wall) does not contain windows and comprises an extension of an existing wall; or
  - (e) The wall consists of an existing wall that is to be veneered or refaced.
3. Unless a building is subject to one of the exceptions set out in subclause (2). Guttering, eaves, hoods and similar structures or attachments erected on the external face of the wall, must be not less than the following distance from a boundary line :
- (a) 675mm in the case of a building containing 1 or 2 storeys;
  - (b) 1125mm in the case of a building containing more than 2 storeys.
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4. If an existing external wall of a class 1 building is veneered or refaced, guttering, eaves, hoods and similar structures or attachments erected between the external face of the wall, must be not less than 500mm from a boundary line.
5. Despite subclause (3):
  - (a) A cornice or eave may return along a wall for a maximum distance of 1800mm if the cornice or eave at any point, is not less than 450mm from a boundary line; and
  - (b) An open carport, open porch, awning, pergola or similar structure may extend to the boundary line of an allotment, if Council is satisfied that it will not materially affect the amenity of an adjoining site”.

(5) **Element 2.3 - Orientation and Resource Efficiency**

- (a) Delete the paragraph *“The conservation of water and energy can result in significant cost savings to individual households as well as providing wider benefits for the community and the environment. Council will implement a system of energy efficiency assessment for all residential buildings submitted for approval”*.

Insert *“The conservation of water and energy can result in significant cost savings to individual households as well as providing wider benefits for the community and the environment. All residential buildings are required to attain a minimum of a 3.5 star NatHERS rating, or comply with Council’s Energy Efficiency Policy”*.

- (b) Delete the paragraph **“Glazing and Shade Control**  
*Windows should be located to maximise winter sun penetration and give protection from summer sun through the use of overhanging eaves, awnings, pergolas or deciduous vines and trees”*.

Insert **“Glazing and Shade Control**

*Windows should be located to maximise winter sun penetration and be provided with protection from summer sun through the use of eaves, awnings, pergolas or deciduous vines and trees”*.

- (c) Delete the paragraph **“Overshadowing**  
*Buildings should not cause overshadowing of adjacent residences or private open spaces of for more than 3 hours between 9.00am and 3.00pm on June 22. Applicants may be required to prepare a shadow diagram showing that overshadowing of adjoining residences complies with this requirement”*.

Insert **“Overshadowing**

*Buildings shall not cause overshadowing of adjacent residences or private open spaces or habitable rooms in adjacent residences between 10.00am and 3.00pm on June 21. Applicants may be required to prepare a shadow diagram showing that overshadowing of adjoining residences complies with this requirement”*.

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- (d) In the paragraph “**Outdoor Water Use**” insert the word ‘native’ before ‘plant and grass species.....’.

(6) **Element 2.4 Open Space and Site Coverage**

- (a) Delete the paragraph “*Note: A bedroom is defined as a habitable room capable of being occupied separately as a bedroom*”.

Insert “*Note: A bedroom is defined as a habitable room, or that area of a habitable room, capable of being occupied separately as a bedroom*”.

(7) **Element 2.5 - Landscaping and Privacy**

- (a) Delete the paragraph “*When assessing the suitability of landscape design, consideration will be given to the quality as well as quantity of the landscaped areas. The area required to be landscaped will only be reduced below 40% if exceptional designs are submitted which do not result in the under provision of open space areas and which display excellence in design and use of landscape elements*”.

Insert “*When assessing the suitability of landscape design, consideration will be given to the quality as well as quantity of the landscaped areas*”.

(8) **Element 2.6 - Parking and Driveways**

- (a) Delete the paragraph “**Single Dwelling Parking Requirements**  
*A single dwelling house should provide two on-site carparking spaces, one of which must be capable of being covered. One parking space may be provided in a stacked arrangement, providing that a length of at least 5.5 metres is available for the stacked carparking space and that a vehicle will not intrude into the road reserve when parked in this space*”.

Insert “**Single Dwelling Parking Requirements**

*A single dwelling house shall provide two on-site carparking spaces behind the Building Line, one of which must be capable of being covered. One parking space may be provided in a stacked arrangement, providing that a length of at least 5.5 metres is available for the stacked carparking space*”.

- (b) Delete the paragraph “**Driveways**  
*All residential development should provide a driveway from the public roadway to the development, of a design that is satisfactory to Council*”.

Insert. “**Driveways**

*All residential development shall provide a driveway from the public roadway to the development, in accordance with DCP No. 28 ‘Subdivision’ - ‘Drive Access’*”.  
*DCP No. 28 ‘Subdivision’ requires that driveway egress movements do not create a safety hazard. Motorists are to be able to enter or reverse from a lot in a single*

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*movement. If frontage is to a street carrying more than 5000 vpd forward movement of vehicles across the verge is required.*

**Proposed change:** *Insert “vehicles per day” after the figure 5000 and enclose “vpd” in brackets.*

**Reason:** To clarify the meaning of the acronym “vpd”.

**Proposed new insertion:**

**“Driveways**

*All residential development shall provide a driveway from the public roadway to the development, in accordance with DCP No. 28 ‘Subdivision’ - ‘Drive Access’”. DCP No. 28 ‘Subdivision’ requires that driveway egress movements do not create a safety hazard. Motorists are to be able to enter or reverse from a lot in a single movement. If frontage is to a street carrying more than 5000 vehicles per day (vpd) forward movement of vehicles across the verge is required.*

- (c) Delete *“In considering applications for any residential development, Council may require levels at the top of the kerb, boundary line, garage entrance, and any other information considered necessary to assess the suitability of access. If the garage floor is more than 1.4 metres above, or 1.0 metres below, the top of the kerb, a longitudinal section of the driveway should be provided”*.

Insert *“Vehicle access to the site to be in accordance with DCP No. 28 ‘Subdivision’ - ‘Driveway Access’*.

*Driveway grades to be a maximum of 29%, with a maximum change in grade of 13%.*

*Note: Fixed grades apply over the footpath area. Changes in grade between the footpath and the lot and the driveway and the garage must be maintained within the limits set by the DCP”*.

- (9) **Insert new Element 2.7**

**“2.7 Drainage**

**Objectives**

To require all stormwater, surface water and subsoil drainage to drain to Council’s drainage system.

Where possible all roof water from buildings and surface water from paved areas, is to be conveyed directly to Council’s drainage system, interallotment drainage or the street drainage system. Where direct access to a drainage system is not available drainage is to be located in easements granted in favour of the benefited party(s).

Note: Developers must negotiate privately to obtain easements over adjoining land. A Construction certificate shall not be issued until stormwater disposal has been satisfactorily resolved.

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## Amendment No. 3 to DCP No. 14 - Residential Development

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Where a rainwater tank is included in a development, overflow from the tank shall be connected to the stormwater system. Cross connection between a water tank and the city water system is **not** permitted.

A catch drain must be provided across the driveway, where there is the potential for surface water to enter or effect a building. The catch drain must be connected to the drainage system for the building and site.

Developers must provide for sufficient drainage to remove all roof, surface and subsoil waters to Council's drainage system. Detailed plans shall be submitted for consideration with the Development Application or application for a Construction Certificate".

(10) **Element 2.8 - Earthworks and Retaining Walls (previously 2.7)**

- (a) Delete *“The maximum height for cut and fill is 1.2 metres above or below natural ground level external to the perimeter of the building when measured at the point of greatest cut or fill. Any variation to the maximum height will only be approved if there is a demonstrated need. Variations may be considered where the walls of the dwelling act as retaining structures”*.

*Insert “The maximum height for cut and fill is 1.2 metres above or below natural ground level external to the perimeter of the building when measured at the point of greatest cut or fill. Any variation to the maximum height is only permissible where the variation will not detrimentally affect adjoining properties and the where it can be shown that the proposed development cannot reasonably be achieved by other means, because of the topography of the site.*

*The maximum cut and fill restriction is not applicable where the cut and fill is incorporated into the dwelling structure”*.

- (b) Delete *“Applicants must liaise with Council's Manager of Subdivisions where earthworks are proposed near any easement or sewer main. Earthworks associated with civil construction in new subdivisions will be considered as part of the subdivision application. However, Council shall not consider Development Applications containing earthworks for the purpose of building platform(s) associated with residential development unless the application is accompanied by Development Application(s) for the dwelling(s). Full details of all proposed earthworks must be clearly indicated on plans and section drawings. Council may require that engineering drawings be certified by a suitably qualified Engineer before the application is approved.”*

*Insert “Earthworks, buildings and retaining walls must be located a minimum of 1.5m from any sewer main or Council stormwater drainage line, or the equivalent invert depth of the main or line, whichever is the greater. Any earthworks, building and retaining wall is not to encroach into any registered easement. Council shall not consider Development Applications containing earthworks for the purpose of building platform(s) associated with residential development unless the application is accompanied by development application(s) for the dwelling(s). Full details of all proposed earthworks must be clearly indicated on plans and section drawings.*

*Council may require that engineering drawings be certified by a suitably qualified Engineer before the application is approved”*.

- (c) Delete *“Battering of cut and/or fill is encouraged”*.

*Insert: “Battering of cut and/or fill is required”*.

**Proposed change:**

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*Insert* “Battering of cut and or fill is encouraged, the maximum grade to be 45 degrees. Retaining walls or other stabilising measures will be required in lieu of battering of cut or fill”.

**Reason:** To clarify the intent of the clause.

- (11) Insert new **Element 2.10 - On-site Sewage and Wastewater Management Strategy**. Elsewhere in this Business Paper Council has considered the outcome of the exhibition of the On-site Sewage and Wastewater Management Strategy. Wastewater management should be an integral part of the design for dwellings not connected to Council’s reticulated sewage system, and therefore the requirements should be included with other design elements for dwellings listed in DCP No. 14.

As the Strategy applies only to those buildings not connected to the reticulated system it is not proposed to include the full text within the DCP No. 14, but rather to include a cross reference so that designers and builders of dwellings using on-site sewage management are made aware of the requirements without adding to the bulk and complexity of the DCP.

Therefore it is recommended that the following be added:

### **2.10 On-site Sewage and Wastewater Management**

NOTE: This element applies to dwellings which are not connected to Council’s reticulated sewerage system. These dwellings will be in rural and village areas generally, with the exception of Nimbin.

#### ***Objectives***

- to ensure the protection of the surrounding environment including groundwater, surface water, land and vegetation through the selection of an effluent disposal system suitable for that particular site;
- to aid in the prevention of public health risk from on-site sewage disposal;
- to continue in maintaining and improving community amenity;
- to ensure maximum reuse of resources;
- to ensure ecologically sustainable development;
- to recognise the value of wastewater for the possibilities of effective reuse of this resource;
- to aid in the public recognition of on-site sewage treatment systems;
- to ensure ongoing maintenance and monitoring program which will involve the land owner/resident and Council.

#### **On-Site Sewage and Wastewater Management Strategy**

Dwellings not connected to Council’s reticulated sewerage system are to comply with the Guidelines within the Strategy. The Strategy is available from Council.

- (12) **Guidelines**

- (a) Delete Title “GUIDELINES TO SUBMITTING A DEVELOPMENT
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Insert “GUIDELINES FOR SUBMITTING A DEVELOPMENT APPLICATION”

(b) Delete “*Five (5) copies of plans including:*”

- *a site plan showing the location of proposed and existing buildings in relation to property boundaries, the north point and existing site features such as trees, contours, drainage lines, etc;*
- *a floor plan of each floor for all proposed buildings;”*

Insert “*Five (5) copies of plans including:*”

- *a site plan showing the location of proposed and existing buildings in relation to property boundaries, the north point and existing site features such as trees, contours, drainage lines, etc;*
- *a floor plan of each floor level of all proposed buildings;”*

(c) Insert “*Following the issue of development consent and prior to commencement of construction a Construction Certificate must be obtained by application to Council or a private certifier. A Construction Certificate is a certificate to the effect that work completed in accordance with the plans and specifications will comply with the requirements of the Building Code of Australia and associated standards, and also any outstanding Development Consent conditions, including the payment of any levies and bonds*”.

(d) Delete from the list of documents under the heading ‘**Further Information on Building Design and Layout**’

- “Medium Density Housing in Australia - Bruce Judd and John Dean”.
- “New South Wales Department of Planning” and insert:

NSW Department of Urban Affairs and Planning  
Information Branch  
GPO Box 3927  
SYDNEY NSW 2001

- Northern Rivers Electricity and insert “NorthPower”.

(13) Deleting the words “building application” and “building consent” wherever occurring, and inserting the words “development application” and “development consent”.

Manager - Finance & Administration Comments Not required

Public Consultations

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## Amendment No. 3 to DCP No. 14 - Residential Development

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Amendment No. 3 to DCP 14 was advertised in The Echo on 12<sup>th</sup>. August, 1999 and on 2<sup>nd</sup>. September 1999 as being on exhibition. The proposed instrument was publicly exhibited for twenty-eight (28) days from Thursday August 12 to Thursday September 9. No submissions from the public were received.

Other Group Comments Not required.

### Conclusion

The adoption of Amendment No. 2 to DCP No. 14 will assist in the incorporation of legislative changes to the DCP and in the promulgation of information to the public.

### Recommendation (PLA67)

It is recommended that Council:

- 1 Pursuant to Clause 20(1) of the Environmental Planning and Assessment Regulation 1994, resolve to adopt Amendment No. 3 to Development Control Plan No. 14.
- 2 Agree that pursuant to Clause 20(2) of the Environment Planning and Assessment Regulation 1994 public notice be given of Council's decision within fourteen (14) days of that decision.

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Subject/File No: LISMORE CITY COUNCIL ON-SITE SEWAGE AND WASTEWATER  
MANAGEMENT STRATEGY  
(TK:S245)

Prepared By: Environmental Health Officer - Tony Kohlenberg

Reason: To advise Council of the community consultation in regard to Council's On-Site  
Sewage and Wastewater Management Strategy

Objective: Council approval of the Strategy

Management Plan Activity: Environmental Health

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### Background:

Amendments to the Local Government (General) Regulations require Council to prepare a Sewage Management Strategy for the 1999/2000 financial year.

In order to receive grant funding of \$40,000 (\$10 per system) from the Department of Local Government to assist in administration of the On-Site Sewage Management Reforms, an on-site sewage management strategy for the Lismore Council area is required to be submitted to the Department.

At the Council meeting of July 20, 1999, Council determined to place the Draft On-Site Sewage Management and Wastewater Strategy on public exhibition for a 30 day period.

It was further resolved at the meeting:

- That a further report be provided to Council after the exhibition period.
- That Council prepare some easy to understand, i.e. simple English, information/education material for people seeking direction when upgrading or replacing systems with the emphasis on owner built composting systems and greywater systems.
- Council staff meet with the Local Member, Thomas George, to discuss the On-site Waste water Management Strategy.

Notification of the exhibition period was advertised in Council's Newsletter in the Northern Rivers Echo during July/August 1999.

Copies of the strategy have been distributed to interested community members on request, relevant engineering and consultancy businesses and the Council Working Party for the "Approval to Operate Sewage Management Systems", consisting of Councillors, staff and community members.

### **Submitted Comment**

Comments received on the Strategy are largely confined to responses from consultants regarding technical aspects of the document. The technical Section of the Strategy titled "On-Site Management Systems Design" attracted the most comment in regard to computer modelling, rainfall and pan evaporation data, crop factors, hydraulic loading, phosphorus and nitrogen loadings, soil permeability and drainage field design.

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On-site effluent disposal is a science that has in recent years attracted much interest both nationally and internationally. There are many emerging technologies, and scientific aspects that are being researched, developed and evaluated. It is anticipated that over the next few years new information and technology will evolve that should be considered and where appropriate be included within the technical section of the strategy.

Generally, the document has been well received with positive comment from many of the consultants.

Section 3 of the Strategy “The Approval to Operate a Sewage and Wastewater Management System-Implementation and Management Strategy” had previously been approved by Council on February 2, 1999. No further comment was made in relation to this aspect of the strategy.

### **Information Brochure Development**

In accordance with Councils resolution of July 20, 1999 an easy to read brochure has been developed for community information. This brochure addresses various aspects of on-site systems including required systems for new dwellings, procedure for upgrading systems, general guidelines for treatment and disposal of effluent which includes both waterless and composting toilets. The document is readily available to the community from the Council Chambers or on request. Individual brochures - Managing Waste in your Backyard, Your Land Application Area, Your Waterless Composting Toilets, Your Aerated Wastewater Treatment System and Your Septic System are also available. Copies of the brochures are provided separate to this report.

### **Meeting With Thomas George**

A meeting with Thomas George, Member for Lismore and Council staff Tony Kohlenberg and Matt Kelly was held on October 15, 1999. Council’s On-Site Sewage Management Strategy and in particular, “The Approval to Operate a Sewage Management System - Implementation and Management Strategy” was discussed.

Discussion focused on fees being charged by various Local Government Authorities state wide. Council’s current fee structure for the 1999/2000 financial year being free and thereafter an anticipated charge of \$10 per system included on Councils rates notice was very well received.

Manager - Finance & Administration Comments Not Required.

Other Group Comments Not Required.

### Conclusion

The On-Site Sewage and Wastewater Management Strategy is recommended to Council for adoption. Response to the document from both the community and private sector has been positive. In order to give the strategy appropriate status and exposure, it is recommended that it be included in DCP 14 - Residential Development.

The community information document “Treatment and On-Site effluent Disposal for Development within the Lismore Council Area” is provided as an attachment to this report. Councillors seeking copies of the

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Lismore City Council On-Site Sewage And Wastewater Management Strategy

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On-Site Sewage and Wastewater Management Strategy are requested to contact Council's Environmental Health Section.

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Copies of the Strategy document have previously been provided to Councillors of the former Council. Because of the bulk of the document copies are NOT included with the attachments to the business paper, however copies will be available to the new Councillors at the Council meeting.

A copy of the Strategy will be available in the Councillors' Room for scrutiny in the interim.

Recommendation (PLA69)

- 1 That Council approve the On-Site Sewage and Wastewater Management Strategy.
- 2 That the On-Site Sewage and Wastewater Management Strategy be included in Development Control Plan No.14 - Residential Development.

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Subject/File No:           **REGIONAL EMPLOYMENT AND UNEMPLOYMENT**

(S153: 99-17327)

Prepared By:           General Manager

Reason:                 A report by the Senate Employment, Workplace Relations, Small Business and Education Committee on the inquiry into regional employment and unemployment has been completed.

Objective:              To inform Council of the principal recommendations and possible implications for Lismore and the Northern Rivers Region.

Management Plan Activity:

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Background:

This inquiry was referred to the Senate Committee in December 1997 and sought to examine the condition of regional Australia looking in particular at employment prospects as they reflect the declining economies of some regions and the rising prosperity of others.

Broad Terms of Reference were given to the Committee viz:

- *An assessment of the factors that contribute to the disparity in employment levels between different regions and also between regions and capital cities, as well as the continuing high levels of regional unemployment, with particular reference to:*
  - a) *the impact on job opportunities as a consequence of increases or decreases in the level of federal, state and local government funding and services;*
  - b) *the direct and indirect loss of income to regional communities;*
  - c) *its impact on the level of private sector investment and activity in regional communities;*
  - d) *the effectiveness of labour market programs and vocational education and training on job creation in regional areas;*
  - e) *assessment of the effectiveness of current and previous governments' funding and program delivery in promoting regional job creation.*
- *An examination of remedial strategies that have or can contribute to reducing regional unemployment, including any overseas experiences.*

The Committee visited Lismore in July 1998 and conducted hearings in the Council Chambers. A number of submissions/presentations were delivered by organisations based in the Northern Rivers region including Lismore City Council. Council's submission was presented by a panel of four comprising Cr. Ros Irwin (then Mayor), Ken Gainger (GM), Anne Meagher (Manager-Community Services), and Graeme Newton (then Manager-Economic Development). A copy of Council's submission to the Committee is included as an attachment to the Business Paper.

The impact of submissions presented by the Northern Rivers region was significant and an entire case-study (included as Appendix 2 to the report) has been devoted to this region, and picks up many of the issues raised by the Council and other organisations within the region.

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The following statement, included amongst the concluding remarks in the Committee's report, encapsulate the broad thrust of the Council's submission, viz:

## Regional Employment and Unemployment

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“The Committee takes the view that if governments at all levels are genuinely concerned about the decline of regions, the extent of their concern should be measured by the degree to which they accept the principle of a coordinated approach to regional development.”

The Committee’s report goes on to make sixteen recommendations for action to help address the significant issues highlighted in the report. These are:

### **Recommendation 1**

The Committee **recommends** local government and state based regional development bodies should be encouraged to become more involved with the operations of ACCs (Area Consultative Committees). Regular meetings between these organisations would enable discussions about how prospective proposals could be implemented and how best they can be coordinated between the various organisations to avoid duplicated effort.

### **Recommendation 2**

The Committee **recommends** that the Commonwealth Government take a coordinating role in the dissemination of information to local businesses of the range of assistance measures available to them. This information should be made available through a wide variety of mediums such as ACCs, websites, the ATO and regional services centres operated by state and Commonwealth government.

### **Recommendation 3**

The Committee **recommends** that the Commonwealth investigate strategies for attracting increased investment to regional Australia.

### **Recommendation 4**

The Committee **recommends** governments of all levels place a higher priority on the provision of adequate infrastructure in regional Australia. This includes telecommunications, transport, gas, electricity, water, sewerage, renewable energy and gas pipeline infrastructure.

### **Recommendation 5**

The Committee **recommends** that road funding formulae be re-examined with a view to placing a higher priority on regional development.

### **Recommendation 6**

The majority of the Committee **recommends** that the government be more vigilant in the interests of remote populations in their access to telecommunications facilities, which should be viewed not simply as a commercial issue but as a civic entitlement guaranteed by the state.

Government senators do not agree with the recommendation.

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**Recommendation 7**

The majority of the Committee **recommends** that the remaining one third of Telstra not be privatised.

Government senators do not agree with this recommendation.

**Recommendation 8**

The majority of the Committee **recommends** that the funding for programs that were cashed out, such as fares assistance and formal training allowance be reinstated as guaranteed allowances on top of the money allocated for job search assistance.

Government senators do not agree with this recommendation.

**Recommendation 9**

The majority of the Committee **recommends** that the NEIS program should be expanded and further investigation be made into the effects of unbridled competition in the provision of employment services.

Government senators do not agree with this recommendation.

**Recommendation 10**

The Committee **recommends** that the Commonwealth investigate strategies to facilitate the provision of structured training opportunities and the implementation of appropriate accredited training packages to alleviate skill shortages in regional areas.

**Recommendation 11**

The majority of the Committee **recommends** that an independent monitoring body (similar to the former Employment Services Regulatory Authority) be established to oversee the operation of Job Network and monitor such issues as training provision and make regular public reports.

Government Senators do not support this recommendation and believe that the responsibility for monitoring should remain with the Department of Employment, Workplace Relations and Small Business.

**Recommendation 12**

The Committee **recommends** that additional funding support for TAFE providers be negotiated with the states to improve the provision of structured training opportunities to meet changing local market opportunities.

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**Recommendation 13**

The Committee **recommends** that the Commonwealth evaluate the use of training incentives in meeting the needs of regional industries for increased structured training opportunities in categories of high employment growth.

**Recommendation 14**

The Committee **recommends** that local government must play a pivotal role in the coordination of any future regional development policy.

**Recommendation 15**

The Committee **recommends** that a forum, similar to the Regional Australia Summit, should be convened periodically. The programming and arrangements for these events should involve all levels of government.

**Recommendation 16**

The Committee **recommends** the establishment of a Ministerial Council on regional development involving all three spheres of government on the COAG model. The Council should meet regularly to establish policy priorities for regional development and discuss policy impacts on regional Australia. The consultative forum would then report directly to the Ministerial Council.

Council should actively encourage the federal government to accept and activate the aforementioned recommendations. It is particularly pleasing to see recognition of local governments' role in developing regional development strategies in collaboration with federal and state government agencies (Recs 1, 14, 15 & 16), recognition of the need for government policies and programs aimed at attracting greater investment to regional Australia (Rec 3), and finally and most important acknowledgment of the need to revise transport/roads infrastructure funding for regional areas (Recs 4 & 5).

Manager - Finance & Administration Comments

Not required.

Public Consultations

Not required.

Other Group Comments

Manager – Economic Development:

LCC has anticipated many of the recommendations of this committee. For example, through my Deputy Chair position on the capital ACC, we are closely linked to all of the initiatives to reduce unemployment being taken by the Federal Government. We have provided the chairman of the ACC with a comprehensive report of infrastructure needs (\$276M over three years) which he will be arguing for at the summit on regional development being held in Canberra this week by the Deputy Prime Minister.

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## Regional Employment and Unemployment

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We are also currently sponsoring a \$50,000.00 transport study under the NOROC banner, which will enhance the region's suitability for road transport warehousing transport and distribution.

The other major ACC study recently completed via the National Institute of Economic and Industry Research has mapped out all of the labour market information for the region and has provided estimates of job creation sectors for the next five years. This will help us target the growth areas to pursue.

In the context of regions helping themselves overcome unemployment, LCC's decision to proceed with the new airport terminal will be crucial in capturing growth in the tourism and business sectors.

The report was not commissioned by the government as such, but it is pleasing to note that the government senators agreed with 12 of the 16 recommendations.

All of the above will be factored into the LEDAB's next strategic plan which will be finalised over the next 2/3 months, thus placing Lismore in the best possible position to maintain the positive trends which have emerged in our local economy.

### Conclusion

There is no doubt that Regional Australia has suffered disproportionately from the progressive introduction of centralist/rationalist policies by successive state and federal governments. Combined with the broader impact of National Competition Policy and its many insidious consequences, the mass closure of banking/financial institution offices and the withdrawal of government services, and the growing *cost of living* disadvantages of living in the bush, it is understandable that regional communities have become increasingly resentful at seeing unemployment rates soar, and many families consequently struggling to meet their basic financial commitments.

Until now there has been no practical demonstration of government willingness to address the problems facing regional Australia and move to fill the present regional development policy vacuum. It is therefore refreshing to see the conclusions and recommendations emanating from the Senate Committee's Inquiry which ought to be readily embraced by all levels of government.

The report should now, in my opinion, be forwarded to Council's Economic Development Advisory Board so that the Board (and the Economic Development Unit) can actively canvass responses to the actions proposed with federal politicians within the region.

### Recommendation (GM01)

1. That Council write to the federal Minister responsible for regional development urging support for the Senate Committee recommendations.
  2. That Council refer the Senate Committee report to the Economic Development Advisory Board together with a request that the Board canvass support for the Committee's recommendations with federal politicians within the region.
  3. That Council seek the support of NOROC in canvassing federal government support for the Senate Committee recommendations.
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## September 1999 Quarterly Budget Review Statement

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For budgets where wages oncosts are charged, approximately \$189,000 will not be recouped as a result of the reduction in oncost rate. In other words, as these budgets are activity based, such as road maintenance, park maintenance etc. they will have \$189,000 more available to undertake these works without exceeding the budget.

For budgets where salary oncosts are charged, approximately \$204,000 will not be collected in oncost charges. Since these budgets are predominantly only for salaries and oncosts, this reduction is a direct budget saving and therefore can be reallocated to other works and services. Unfortunately not all of this reduction is available for "re-allocation". Part of these savings will relate to programs which are self-funding such as Blakebrook Quarry, Aerodrome, Waste, Crematorium etc. For these programs the savings are transferred to the respective reserves. Taking this into account, Finance has calculated a total of \$158,000 in direct savings from salary budgets.

These direct budget savings have been directed towards roadworks, as per the Fix the Roads Working Party recommendations. These savings of \$158,000 show as reductions in operating expenses in many of the programs detailed in Attachment A.

For Council's information, listed below are details of activities with significant variances,

### Corporate Management

Savings of \$45,000 have been achieved mainly as a result of reductions in staffing costs. These savings are spread across the General Manager's Office, Corporate Management, Human Resources and Clients Services.

### Administrative Services

Records are in the process of microfiching information, which has been funded from the archive reserve, \$60,200. The surplus of \$9,000, shown in attachment A for this program, relates to salary savings as a result of the reduction in oncost rates for superannuation savings.

### General Purpose Revenues

There has been additional income of \$33,600 generated by rates as a result of all outstanding supplementary valuation information and other rating adjustments being processed. This has gone towards the working funds surplus.

### Community Services

The Masters Games budgets have been adjusted to reflect the balance of revenues and expenses budgets outstanding from last year. These changes have been offset by a transfer from reserve and hence have a zero impact on working funds. At the time of writing this report there was still some outstanding amounts relating to the Masters Games. It is anticipated they will be finalised for the next quarterly review.

\$5,800 in Section 94 funds have been used to upgrade playground equipment at Dunoon Pre-School, with no impact on working funds.

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## September 1999 Quarterly Budget Review Statement

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### Library

The Library has received a grant from the State Library of New South Wales for \$14,960 for the installation of automatic doors at its Lismore branch.

### Waste Minimisation

During the 1999/00 budgeting process there were amounts allocated from Waste Disposal reserves to Waste Minimisation operating expenses for the education and promotion of the new organic waste collection service. These amounts were included at the full amount in the budget, however some of these funds were spent before 30 June 1999. These changes reflect the reduction in the operating expense budgets with a corresponding movement back to Waste Disposal reserves for the majority of this expenditure. There is a nil effect on the working fund balance.

### Survey and Design

Council is permitted to take a Project Management Charge for certain works relating to Roads and Traffic Authority (RTA) projects. These are normally calculated and charged as a percentage of the project during the period that the project is to be conducted. However, on a small number of projects, the RTA has started "releasing" these funds in the period before the commencement of works in order to speed up the whole project. This was the case for one project late in the 1998/99 financial year. Consequently, the amount anticipated to be raised this year has been reduced. As the funds taken last year were used on roadworks, there has been a corresponding reduction in road maintenance this year to offset the revenue reduction.

### Parks

Unexpended Section 94 works from 1998/99 have been reinstated totalling \$181,600. Major items include Platypus Park and land acquisition, Kadina Park, Gainsborough Way Playground and urban bushland works. These works are fully funded from a combination of Section 94 levies and reserves.

Sporting Grounds reserves have been used to complete several jobs, including upgrading the lights at Oakes Oval (\$10,500), Oakes Oval development works rolled over from last year due to wet weather (\$15,000) and Riverview Park development, rolled over from last year, also due to wet weather (\$10,500).

The remediation of the Lismore Lake has been significantly wound back due to several external factors impeding the project starting this financial year. As advised by the General Manager the savings of \$50,000 have been redirected to pot hole patching in addition to a further \$10,000 in salary savings identified by staff. This leaves \$25,000 for preliminary and planning work to be completed for the lake rehabilitation, including the purchase of a submersible solar powered pump.

### Fire Control

The Rural Fire Service has provided advice as to budget allocations for the 1999/00 year with these changes being incorporated into the quarterly review. The major budget ramification is an increase in the

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September 1999 Quarterly Budget Review Statement

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contribution required from the Rural Fire Service of \$8,500. This has been paid from working funds, as there are no other funding possibilities available.

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## September 1999 Quarterly Budget Review Statement

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Section 94 funds have been used, in accordance with the plan to purchase a motor vehicle, recorders and pagers. As these funds are from Section 94 levies, there is no impact on working funds.

### *Enforcement*

Funds held in reserve for the installation of the security cameras in the CBD have been transferred for use in completing the project and for the cameras to commence operation.

### *Urban Roads*

A grant from the NSW Department of Transport for \$75,500 has been received for the construction of nine bus bays. There are six bus bays planned for the urban area and three in rural districts, which include Richmond Hill, Dunoon and Nimbin. City Works staff should be congratulated on their continued efforts in applying for and receiving grant funds for these type of works, which provide shelter and safety for school children and all users of public transport in our community.

Another grant has been received from the Environmental Protection Authority for "Stormwater Management for Monaltrie Creek". Works totalling \$148,000 are to be completed which, are fully funded from the grant. These two grants make up the amount of \$223,500 shown as capital income for Urban Roads, as shown in Attachment A.

Due to the extraordinary wet weather experienced in the first half of this year, certain projects had to be delayed and have now been reinstated for this financial year. Included are \$17,800 for bus shelters fully funded from Section 94, unexpended grants and reserves, \$45,000 for roadworks at Bounty Street and \$37,000 for footpath construction adjacent to Orion Street. The last two projects are fully funded from reserves carried forward from 1998/99.

The recommendations from the Fix the Roads Working Party have been implemented into the budget program, hence the net increase in funds shown for the roads program. The bulk of these net extra funds for urban roads has come from the recognition of \$136,000 in RTA funding for the 3x3 program and the salary savings of \$158,000 originating from reduced superannuation expense, mentioned earlier in this report. The balance of the revised urban construction program has been funded from the urban reseal budget being redirected.

### *Rural Roads*

There have been several minor projects initiated, which have been funded via Section 94 levies. These total \$27,700 and include Osborne Road intersection, drainage works at Dunoon School, widening of Bangalow Road at Clunes and works on Fredericks Road.

As mentioned earlier in this report, an extra \$60,000 has been directed towards pot hole patching from funds not able to be used this year as planned for the remediation of Lismore Lake (\$50,000) and salary savings identified (\$10,000).

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## September 1999 Quarterly Budget Review Statement

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Again, due to the wet weather earlier in the year, several projects have been held over from 1998/99. The following works have been funded from reserves - \$30,000 for Cullen Street, Nimbin, \$90,000 towards works on Wyrallah Road and \$7,000 towards cycleways at Nimbin.

## September 1999 Quarterly Budget Review Statement

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As recommended by the Fix the Roads Working Party, the rural roads budget has been revised. The major change here is a transfer of in excess of \$470,000 from reseal funds to the reconstruction program. Major projects include Wyrallah Road, Eltham Road, Rock Valley Road, Stoney Chute Road, Tuntable Falls Road and Duncan Road.

### Roads and Traffic Authority (RTA)

Changes here relate to confirmation from the RTA of the approved works schedule for 1999/00. The \$136,000 surplus relates to the 3x3 program which is to be used for council's road reconstruction program.

### *Waste*

As mentioned previously for Waste Minimisation, there is a net movement back to reserves for expenditure relating to education and promotion of the new waste collection service that were expended last financial year and not required this year.

### *Quarry*

The purpose of these changes is to reinstate works planned for 1998/99 that were not completed due to the weather and a lack of staff resources. These works are fully funded from the quarry reserve. Major items include provision for DA compliance \$195,000 and development of the crushing plant's screens \$64,000.

### *Property Services*

A problem has arisen at the City Hall relating to fire safety. Specifically, an automatic smoke exhaust system is required to rectify the problem and comply with current building codes. The only available source of funds is property building reserves, which is the reason for the transfer from reserves shown here. Management feels it is most important to rectify the problem to reduce the potential insurance risk or worse, that may eventuate in the future.

### *Swimming Pools*

The Lismore Memorial Baths is overdue for repainting at a cost of \$15,000 and the Nimbin Pool requires upgrading for risk management purposes at a cost of \$14,000. Both of these items are funded from reserves and hence have no impact on working funds.

### Water & Sewerage Funds

In the Water Fund, most of the changes relate to reinstating works planned for last year that were delayed primarily because of the weather. These works include mains renewals on the Bruxner Highway, Phylliss Street, Ross Street, Oliver Street, Woodlark Street and Caniaba Street. A combination of reserves and Section 64 levies are funding these works and there is no impact on the working fund balance.

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## September 1999 Quarterly Budget Review Statement

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Similarly in the Sewerage Fund, works have been reinstated from 1998/99. They include the subsidised schemes for Lismore and Clunes, works at Donnans Road and Hurford Place. Funding is from Section 64 levies, reserves and a capital grant. There is no impact on the working fund balance.

### Other Group Comments

Not requested.

### Manager - Finance and Administration

Incorporated in the body of the report.

### Conclusion

#### Change in Net Assets

The 1999/00 Management Plan showed a deficit in the "Net Change in Assets" of \$4,707,000. This review reduces this amount by \$1,144,600 to \$3,562,400. This figure essentially relates to the movement in *current* assets and occurred for the following reasons. During this review, a total of \$376,000 in capital grants were recognised, with the corresponding funds to be expended on capital items. These capital items do not effect the Net Change in Assets figure because they are classed as non-current assets. Similarly, there is approximately \$670,000 re-allocated to capital purchases, mainly for road reconstruction. This \$670,000 was comprised of salary savings due to a reduced superannuation contribution \$158,000, savings from the Lismore Lake remediation not proceeding this year \$60,000 and the balance was made up of the reprogramming of road reseals to be expended on road reconstruction.

It should be noted that this amount reflects the estimated increase in net assets held under the Council's control for this year. It does not reflect in any way the Council's cash or liquidity position.

#### Recommendation (Cor47)

- 1 Council adopt the September 1999 Budget Review Statement for General, Water and Sewerage Funds.
- 2 This information be submitted to Council's auditor.

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Subject/File No:       **MANAGEMENT PLAN 1999 - 2000 REVIEW**  
                                  **Quarter ending September 1999**  
                                  (S4)

Prepared By:           Corporate Development Officer

Reason:                Requirement of the Act

Objective:             Information and Annotation of Councillors

Management Plan Activity:

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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 programmes and activities highlighted in the Plan for completion during the quarter ended September 1999.

Recommendation:

That the report be received and content noted and further staff be congratulated on their performance during the period ending September 1999.

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# SMORE CITY COUNCIL - Meeting held 2<sup>nd</sup> November, 1999

Programme Name: **General Manager's Office** Strategic Plan Link: 1.5 Programme Owner: **Ken Gainger** Group: **General Manager's Office**

Purpose: To manage the organisation effectively and efficiently

Objectives to be achieved	Actions planned	Progress this quarter
Meet performance plan targets developed by the Council for the General Manager	<ul style="list-style-type: none"> <li>Prepare, review and monitor performance agreements for Group Managers and staff within the General Manager's Office</li> </ul>	<ul style="list-style-type: none"> <li>Monthly performance meeting conducted with each Group Manager</li> </ul>
Ensure compliance with Council's Strategic Plan / Management Plan objectives	<ul style="list-style-type: none"> <li>Monitor performance against the plans and report outcomes to Council</li> </ul>	<ul style="list-style-type: none"> <li>Quarterly report for period ending September presented to Council within statutory guidelines</li> </ul>
International Relations	<ul style="list-style-type: none"> <li>Prepare a strategic plan for the further development of Sister City/International Friendship agreements including:                             <ul style="list-style-type: none"> <li>Reciprocal visits</li> <li>Student/staff exchanges</li> <li>Business/trade links</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Staff Exchange Programme and Policy developed. Council hosted the first Japanese staff exchange in July/August.</li> </ul>
Customer Service	<ul style="list-style-type: none"> <li>Review, in collaboration with the Communication and Marketing Officer, all customer service information sheets/brochures to ensure consistency of presentation, plain English format, and are user-friendly. Complete review by 31/12/99 and update publications by 31/3/2000.</li> </ul>	<ul style="list-style-type: none"> <li>All customer service information has now been collated in preparation for review</li> </ul>

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

Purpose: To ensure Council's services are responsive to community needs and expectations

Objectives to be achieved	Actions planned	Progress this quarter
Branding/marketing of Council's Business Units	<ul style="list-style-type: none"> <li>Develop, in consultation with the Business Development Manager, branding and promotion of Council's Business Units in accordance with agreed priorities.</li> </ul>	<ul style="list-style-type: none"> <li>Reviewed the draft Ideas and concepts on branding/promotion.</li> <li>Preliminary discussions on new proposals held.</li> </ul>
Public relations training	<ul style="list-style-type: none"> <li>Prepare and conduct Media training sessions for the Mayor/General Manager/Councillors / staff in accordance with an agreed timetable.</li> </ul>	<ul style="list-style-type: none"> <li>Training workshop held in August - 11 staff in attendance</li> <li>One on one training given to GM in September</li> </ul>

## SMORE CITY COUNCIL - Meeting held 2<sup>nd</sup> November, 1999

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community reporting	<ul style="list-style-type: none"> <li>• Prepare and distribute six (6) editions of 'Community</li> <li>• Prepare media releases and monitor media reports</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Community Link prepared and distributed August</i></li> <li>• <i>41 media releases issued with average of 95% printed/published</i></li> </ul>
motion of internal communication	<ul style="list-style-type: none"> <li>• Develop and produce a regular staff newsletter including effective feedback mechanisms to facilitate on-going evaluation as to the effectiveness of the publication as a communications tool, by July 1999 and on-going.</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Newsletter prepared and distributed July and September. Both received positive feedback from staff</i></li> </ul>
motion of major Council sponsored events	<ul style="list-style-type: none"> <li>• Co-ordinate Council's participation in Local Government Week</li> <li>• Masters Games and Olympic Torch Relay</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Local Govt Wk held July - Open Day and public tours of Council, Time Capsule buried in Spinks Park, free sausage sizzle and meet the Councillors</i></li> <li>• <i>Provided media advice and expertise to Masters Games and Olympic Torch Relay Working Party with ongoing liaison with SOCOG</i></li> <li>• <i>Co-ordinated Council's involvement with Ignite the Dream Olympic Exhibition</i></li> </ul>

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

Purpose: To provide a range of human resource systems and services

Aims/Objectives to be achieved	Actions planned	Progress this quarter
Develop systems that recognise, reward, retain staff	<ul style="list-style-type: none"> <li>• Implement skills-based progressions for field based staff</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Skills Assessments of City Works Target Group complete, participants have moved to correct skills step within Salary Structure</i></li> <li>• <i>Assessments commenced for the remainder of City Works field staff</i></li> <li>• <i>Associated procedures finalised and agreed with industrial parties</i></li> </ul>
Provide a working environment that encourages and supports the training and development of employees	<ul style="list-style-type: none"> <li>• Implement an in-house mentor programme</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Mentoring/development arrangement in place within Development Assessment</i></li> </ul>
Ensure LCC Workforce has the capacity to remain competitive	<ul style="list-style-type: none"> <li>• Develop an outplacement programme to support exiting employees</li> <li>• Introduce Workplace Agreements within the outdoor workforce</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Outplacement services identified, implemented and available for staff</i></li> <li>• <i>Negotiations for Workplace Agreement within City Works deferred in favour of Workplace Reform Committee.</i></li> </ul>

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

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## SMORE CITY COUNCIL - Meeting held 2<sup>nd</sup> November, 1999

purpose: To provide organisational service by managing resources, records, printing requirements and legal services for the Council

Goals/Objectives to be achieved	Actions planned	Quarterly Targets
Provide accurate and timely preparation and distribution of business papers; enact Council decisions	<ul style="list-style-type: none"> <li>Prepare meeting agendas for distribution 1 week prior to the scheduled meeting date</li> <li>Distribute resolved items the day following each meeting with amended items on or before the Friday following the meeting distribution</li> </ul>	<ul style="list-style-type: none"> <li>Targets have been met</li> <li>Targets have been met</li> </ul>
Provide a high quality printing service to Council staff	<ul style="list-style-type: none"> <li>Review latest trends in printing technology</li> </ul>	<ul style="list-style-type: none"> <li>A review of purchasing procedures has been completed and adopted by MGM. Replacement machines have been obtained for City Works, Tourist Centre and Administration</li> </ul>
Provide an effective and efficient customer service	<ul style="list-style-type: none"> <li>Alterations to front counter</li> </ul>	<ul style="list-style-type: none"> <li>Alterations are complete and meet OH&amp;S requirements and those of the Disabilities and Discrimination Act. Many favourable comments are being received from the public.</li> </ul>

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

purpose: To provide sound financial management

Goals/Objectives to be achieved	Actions planned	Progress this quarter
Manage the effective and efficient utilisation of financial resources	<ul style="list-style-type: none"> <li>Levy rates and charges as required by legislation</li> </ul>	<ul style="list-style-type: none"> <li>First instalment issued by July 28, 1999 in accordance with the LGA.</li> </ul>
Improve the quality and range of financial information available	<ul style="list-style-type: none"> <li>Review and enhance pricing structures</li> </ul>	<ul style="list-style-type: none"> <li>Pricing Policy adopted by Council at the July 20, 1999 meeting.</li> </ul>

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

purpose: To facilitate the provision of community services that support the social and recreational needs of the community

Goals/Objectives to be achieved	Actions Planned	Progress this quarter
Provide a range of quality Council sponsored community services including recreation, community development, education, cultural, library and child care services	<ul style="list-style-type: none"> <li>Manage and co-ordinate activities to ensure high level of service</li> </ul>	<ul style="list-style-type: none"> <li>Co-ordination of a 6 week ABC radio program for the International Year of Older People</li> <li>Partnership formed with Kids Really Count for the Purple Ribbon Project for the month of July</li> <li>Publication and launch of youth "Burning Passions" and seniors "99"</li> <li>Assisted in producing a video on controversial issues of violence</li> </ul>

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relop and implement a plan for the sporting and future sporting and recreational needs of Lismore	<ul style="list-style-type: none"> <li>• Implement recommendations of Recreation Study</li> </ul>	<ul style="list-style-type: none"> <li>• <i>within relationships between young Aboriginal people. Legal rights in the event of Domestic Violence and Sexual Assault.</i></li> <li>• <i>Feasibility study into the development of an Indoor Sports and Leisure Centre at Goonellabah completed and adopted by Council on 31/8/99.</i></li> </ul>
promote Lismore as the sporting centre of excellence within the region	<ul style="list-style-type: none"> <li>• Planning and co-ordination of Lismore Master Games and Sydney 2000 efforts</li> </ul>	<ul style="list-style-type: none"> <li>• <i>The Masters Games were held with almost complete saturation rates from volunteers, organisers and competitors. Planning commenced for the 2001 Games.</i></li> <li>• <i>Commenced assisting with the International Baseball challenge</i></li> </ul>
ensure efficient and effective use of all community land under Council control	<ul style="list-style-type: none"> <li>• Complete Plans of Management in accordance with the Act</li> <li>• Involve all stakeholders in planning</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Draft Plan of Management for Kadina Park is currently being prepared. Proposed concept plan is based on the results of local school and resident surveys.</i></li> </ul>
ensure community needs are incorporated into the planning process	<ul style="list-style-type: none"> <li>• Input into DA process through Social Impact Assessment; comment / feedback via BA/DA process and Committees such as Access Committee, Indigenous Advisory Committee</li> <li>• Oversee implementation of a Social Plan as per statutory requirements.</li> <li>• Develop and implement Crime Prevention Plan</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Considered two Social Impact Assessments and provided comment</i></li> <li>• <i>The Social Plan was completed and adopted by Council</i></li> <li>• <i>Draft Crime Prevention Plan complete</i></li> </ul>
relop and implement a local Crime Prevention Plan	<ul style="list-style-type: none"> <li>• Develop and implement Crime Prevention Plan</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Draft Crime Prevention Plan complete</i></li> </ul>

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

Objective: To provide high quality and affordable child care that meets the clients needs

Goals/Objectives to be achieved	Actions Planned	Progress this quarter
maintain current accreditation standards of centre	<ul style="list-style-type: none"> <li>• Retain current standards for May 2000 evaluation</li> <li>• Meet annual licence requirements</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Occupancy rate of enrolments for July to September 92.34%</i></li> <li>• <i>In conjunction with DOCS the Centre is undertaking a Risk Assessment to ensure the centre conforms to licensing standards under the Child Care and Protection Act.</i></li> </ul>
provide programmes that respond to the developmental needs of the children	<ul style="list-style-type: none"> <li>• Provide staff non-contact time to fulfil programming responsibilities</li> <li>• Consult with clients to assess children's individual needs</li> <li>• Review centre's learning environment to maintain children's interest</li> </ul>	<ul style="list-style-type: none"> <li>• <i>The Centre attained the highest possible rating 100% in its review for the quality of programmes, interactions between staff, children and client families.</i></li> </ul>
provide appropriate staff training	<ul style="list-style-type: none"> <li>• Identify individual staff training needs through implementation of Performance Evaluation System</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Four staff attended training sessions in one of the following courses</i></li> <li>• <i>First Aid, Movement and Food as Medicine.</i></li> </ul>

- Resource available staff training services

Programme Name: **Art Gallery**

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

Purpose: Organise regular exhibitions of art and craft from the permanent collection, local artists and travelling exhibitions

Goals/Objectives to be achieved	Actions Planned	Progress this quarter
Administer the operation of a Public Art Gallery	<ul style="list-style-type: none"> <li>• Review Flood evacuation policy/plan</li> </ul>	<ul style="list-style-type: none"> <li>• Flood evacuation policy was reviewed with changes implemented. A local removalist has been contracted to evacuate gallery if required.</li> </ul>
Finalise 1999/2000 Exhibition Program	<ul style="list-style-type: none"> <li>• Evaluate and finalise exhibitions</li> </ul>	<ul style="list-style-type: none"> <li>• 2000 Exhibition program is in place.</li> </ul>
Collect and preserve visual arts and culture	<ul style="list-style-type: none"> <li>• Research artists and artworks for collection</li> </ul>	<ul style="list-style-type: none"> <li>• Copyright licenses for all contactable artists have been negotiated. Remainder of collection has been documented and photographed.</li> </ul>
Market and promote Lismore Regional Art Gallery	<ul style="list-style-type: none"> <li>• Maintain level of sponsorship and donation requests</li> </ul>	<ul style="list-style-type: none"> <li>• Art Foundation is established and sponsorship levels have been maintained for 1999.</li> </ul>

Programme Name: **Building and Regulation**

Strategic Plan Link: 4.1

Programme Owner: **Peter Craig**

Group: **Planning and Development**

Purpose: To provide building development, fire safety and other approvals that comply with relevant legislation and meet reasonable community expectations

Goals/Objectives to be achieved	Actions planned	Progress this quarter
Provide timely and qualitative processing of building development and other applications; ensure buildings are constructed to comply with building code of Australia and relevant standards	<ul style="list-style-type: none"> <li>• Monitor processing rates and monitor qualitative outcomes</li> </ul>	<ul style="list-style-type: none"> <li>• Qualitative assessment and in particular changes to effluent disposal requirements have had a significant impact on approval time for some of our applications, however we are still achieving an average D.A. approval time of 28 days. Private consultants increasing familiarity with new requirements will result in more detailed submissions and thus result in a quicker assessment time.</li> </ul>
Facilitate the upgrading of fire safety standards for designated buildings within residential, commercial and industrial sectors	<ul style="list-style-type: none"> <li>• Implement a fire safety program for each nominated building</li> </ul>	<ul style="list-style-type: none"> <li>• Numerous existing buildings have been upgraded to a base fire safety standard. This has been achieved through submission to Council of applications for alterations or change of use to existing buildings, or by specific Orders regarding buildings of significant concern.</li> </ul>
Maintain required level of enforcement of various Acts, Statutes, Codes and local laws	<ul style="list-style-type: none"> <li>• Assess and determine applications</li> <li>• Undertake inspections</li> </ul>	<ul style="list-style-type: none"> <li>• On-going role which is basically driven by complaints to Council. Previous levels of enforcement are currently being maintained.</li> </ul>

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<p>rovals policies          Customer Surveys / Education</p>	<ul style="list-style-type: none"> <li>Produce newsletter</li> </ul>	<ul style="list-style-type: none"> <li>Customer survey is an on-going customer response initiative, which is being well utilised by applicants. Education of some specific concerns such as dangerous awnings has been achieved by mailouts. No newsletter yet.</li> </ul>
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Programme Name: **Environmental Health**      Strategic Plan Link: 6      Programme Owner: **Matthew Kelly**      Group: **Planning and Development**

Purpose: To provide environmental health and intervention services that benefit the natural and built environments

Goals/Objectives to be achieved	Actions planned	Progress this quarter
<p>Provide environmental health management through the development and implementation of strategies and programmes</p> <p>Implement environmental health statutes, policies and guidelines</p>	<ul style="list-style-type: none"> <li>Undertake environmental audits</li> <li>Assess and determine applications / complaints</li> <li>Monitor compliance standards</li> <li>Implement On-site Sewerage Regulations</li> </ul>	<ul style="list-style-type: none"> <li>Re-inspection of premises to determine a level of response to previous advice and/or instruction has continued to ensure adequate improvement works have been effected.</li> <li>Assessments undertaken to ensure appropriate environmental and public health management of the natural and built environments.</li> <li>Applications sent to owners with supportive educational package. High return rate achieved. Approvals to operate to be issued in November by locality</li> </ul>
<p>Maintain acceptable standards for all commercial premises regulated by Council</p>	<ul style="list-style-type: none"> <li>Audit commercial premises</li> <li>Conduct forums to educate proprietors</li> </ul>	<ul style="list-style-type: none"> <li>Audits continuing on a routine basis.</li> <li>Joint project with TAFE to conduct food hygiene training.</li> </ul>

Programme Name: **Development Assessment**      Strategic Plan Link: 4.1      Programme Owner: **Warren Rackham**      Group: **Planning and Development**

Purpose: To provide landuse planning principles, and enforcement of environmental planning instruments

Goals/Objectives to be achieved	Actions planned	Progress this quarter
<p>Maintain timely processing of development applications and notification 96 applications</p>	<ul style="list-style-type: none"> <li>Process assessment, monitoring and measurement of qualitative factors</li> <li>Implementation of process improvements as identified</li> </ul>	<ul style="list-style-type: none"> <li>Weekly monitoring process. Monthly returns provided. Average DA process time for quarter was 29 days, (annual average to date 30 days).</li> <li>Introduce additional DA check process at point of receipt.</li> </ul>
<p>Provide timely response to associated correspondence and public enquiries</p> <p>Provide professional planning advisory services</p>	<ul style="list-style-type: none"> <li>Promote Development Assessment Panel(DAP) as an appropriate forum for development discussion</li> </ul>	<ul style="list-style-type: none"> <li>Weekly DAP meetings provide excellent forum for developers and the community to access relevant and technical advice and guidance.</li> <li>Correspondence attended to within 14 days or less.</li> </ul>



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Land and Environment Court Appeals	<ul style="list-style-type: none"> <li>Professional assistance to Council's legal advisors</li> <li>Represent Council in court</li> </ul>	<ul style="list-style-type: none"> <li>This is an ongoing "as required" role - two appeals heard during quarter.</li> <li>Involvement and representation by Council planning staff in both instances.</li> </ul>
Strategic Planning Assistance	<ul style="list-style-type: none"> <li>Regular listing of amendments / planning criteria</li> <li>Comment on proposed LEP, DCP changes</li> </ul>	<ul style="list-style-type: none"> <li>Appreciable involvement in major LEP restructure now awaiting Gazettal.</li> <li>Ongoing role with comment on LEP &amp; DCP changes; future amendment list permanently maintained.</li> </ul>
Customer Surveys / Education	<ul style="list-style-type: none"> <li>Customer satisfaction survey with consents</li> <li>Staff available to address groups on request</li> </ul>	<ul style="list-style-type: none"> <li>About 33% return rate from applicants, comments usually very satisfactory</li> <li>Ongoing service as required.</li> </ul>

Programme Name: **Survey, Design & Subdivision Control** Strategic Plan Link: 3.1, 3.2 Programme Owner: **Gary Rees** Group: **City Works**

Purpose: To design council assets to nationally acceptable standards

Goals/Objectives to be achieved	Actions Planned	Progress this quarter
Survey/Design classified roads	<ul style="list-style-type: none"> <li>Undertake in accordance with RTA's schedule of works                             <ul style="list-style-type: none"> <li>Undertake survey</li> <li>Design</li> <li>Produce plans and documentation</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Bruxner Highway (From Fig Tree Lane 1Km East)</li> <li>Dawson Street Pedestrian Underpass</li> <li>Bruxner Highway/ Oliver Avenue Roundabout</li> </ul>
Survey/Design Council-owned roads	<ul style="list-style-type: none"> <li>Undertake in accordance with Council's Road Works and Construction Schedule - Undertake survey                             <ul style="list-style-type: none"> <li>Design</li> <li>Produce plans and documentation</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Wyrallah Road (Rosedale Square to Wyrallah Rd Public School)</li> <li>Wyrallah Road (Monaltrie Lane to River Bank Road)</li> <li>Stony Chute Road (Nimbin Rd to Greene Bridge)</li> </ul>
Survey/Design miscellaneous Council assets (rainage, Parks, etc.)	<ul style="list-style-type: none"> <li>Professional prepare plans for required works</li> </ul>	<ul style="list-style-type: none"> <li>Trinity Catholic College Bus Interchange</li> <li>Airport Hangar Access Road</li> </ul>

Programme Name: **Bushfire Services** Strategic Plan Link: 5.1 Programme Owner: **Ray Collyer** Group: **City Works**

Purpose: To provide an efficient rural fire service

Goals/Objectives to be achieved	Actions Planned	Progress this quarter
Training and Development	<ul style="list-style-type: none"> <li>Continue training needs analysis and undertake training to satisfy those needs.</li> <li>Undertake basic training for all recruits</li> </ul>	<ul style="list-style-type: none"> <li>Advance Fire Fighter Course completed in August - (19 members trained) Chain Saw Operator Courses (12 member trained)</li> <li>All active firefighter completed basic training. Revision and refresher</li> </ul>

*training course for all brigades*

- |  |   |  |
|--|---|--|
| <p>ration Plans</p>                                    | <ul style="list-style-type: none"> <li>• Prepare Plan Bushfire Operation Plan</li> </ul>  | <ul style="list-style-type: none"> <li>• <i>Operational Plan approved in September 1999</i></li> <li>• <i>Draft Risk Management Plan awaiting approval for Public exhibition</i></li> <li>• <i>Mutual Aid plan approved July 1999</i></li> </ul> |
| <p>Operational Health and Safety</p>                   | <ul style="list-style-type: none"> <li>• Conduct Station and Equipment safety audits</li> </ul>                                 | <ul style="list-style-type: none"> <li>• <i>Station and equipment inspections currently in progress</i></li> </ul>   |
| <p>Provision of fire fighting stores and equipment</p> | <ul style="list-style-type: none"> <li>• Maintain level of personal safety equipment to current service requirements</li> </ul> | <ul style="list-style-type: none"> <li>• <i>Provision of latest safety equipment to Brigades as per Service Standards. Worn and unserviceable personal equipment is replaced on demand.</i></li> </ul>   |

Programme Name: **Traffic, Enforcement and Lighting** Strategic Plan Link: 3.1, 3.2 Programme Owner: **Bill MacDonald** Group: **City Works**

Objective: To: enforce State legislation relating to parking and dog control, to maintain and upgrade street lighting and to manage traffic/transportation needs

<b>Goals/Objectives to be achieved</b>	<b>Actions Planned</b>	<b>Progress this quarter</b>
<p>Control dogs and other stray animals and maintain Council's pound facilities</p>	<ul style="list-style-type: none"> <li>• Enforce Dog Act and Companion Animal Act</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Pound facilities continue to be maintained to a high standard and 77 dogs have been impounded in the first quarter.</i></li> </ul>
<p>Control and regulate parking under Council jurisdiction</p>	<ul style="list-style-type: none"> <li>• Undertake street, car park and CBD parking patrols</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Off-street carparks are being patrolled on a regular basis with the result that 116 infringements have been issued.</i></li> </ul>
<p>Improve road safety throughout the area</p>	<ul style="list-style-type: none"> <li>• Develop a road safety strategic plan aligned with related Council strategies, plans and programmes</li> <li>• Provide education and other information awareness campaigns</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Major projects for the first quarter include -</i></li> <li>• <i>Introduction of Safe Driving Policy to Council staff</i></li> <li>• <i>'Check Your Speed' Project</i></li> <li>• <i>Bests Bets at the Races Campaign</i></li> <li>• <i>Wet Weather Campaign</i></li> </ul>
<p>Traffic/Transportation management</p>	<ul style="list-style-type: none"> <li>• Analyse, prioritise and manage traffic requirements to the Traffic Advisory Committee</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Traffic Advisory Committee minutes have been regularly reported to Council and Council resolutions acted upon.</i></li> </ul>
<p>Public Safety Programme</p>	<ul style="list-style-type: none"> <li>• Install and administer Safety Camera Project</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Safety Cameras have been installed and monitoring commenced on September 16, 1999. Initial results and support from Police has been very encouraging.</i></li> </ul>

Programme Name: **Parks and Recreation** Strategic Plan Link: 7 Programme Owner: **Neil Moreton** Group: **City Works**

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pose: To provide, maintain and preserve passive and recreational parks and facilities, streetscapes and public conveniences

Goals/Objectives to be achieved	Actions planned	Progress this quarter
Present playing surfaces in a high standard Develop and improve sportsgrounds	<ul style="list-style-type: none"> <li>Determine activity specification and set agreed service levels</li> <li>Establish a system of regular field renovations</li> </ul>	<ul style="list-style-type: none"> <li>Grass cutting activity service level set at 36 cuts per year for active playing fields and 22 cuts per year for passive reserves.</li> <li>Fields needing renovation being identified and prioritised</li> </ul>
Maintain CBD facilities footpaths public amenities garden areas lawn areas	<ul style="list-style-type: none"> <li>Implement new maintenance schedule and procedure for each facility</li> <li>Let new contract for cleaning services</li> </ul>	<ul style="list-style-type: none"> <li>Footpath cleaning and garden maintenance schedules in place for costing analysis.</li> <li>New cleaning contract let.</li> </ul>
Provide and maintain recreational facilities	<ul style="list-style-type: none"> <li>Implement system of playground upgrades</li> <li>Upgrade pipelines and backwash facilities for "Lake" Pool</li> </ul>	<ul style="list-style-type: none"> <li>Upgrade works underway.</li> <li>Works on Lake Pool have commenced.</li> </ul>
Maintain Streetscape	<ul style="list-style-type: none"> <li>Provide appropriate maintenance for trees - pruning, planting removal</li> <li>Maintain City entrances and street gardens built by Council</li> </ul>	<ul style="list-style-type: none"> <li>Improved maintenance procedures (contract) underway</li> <li>New sites identified for on going maintenance.</li> </ul>

Programme Name: **Economic Development**

Strategic Plan Link: 2.2, 2.3

Programme Owner: **Peter O'Connor**

Group: **Business and Enterprise**

pose: To source investment and employment opportunities for Lismore

Goals/Objectives to be achieved	Actions planned	Progress this quarter
Increase the Economic Development Strategy and Plan	<ul style="list-style-type: none"> <li>Review and maintain Economic Development Strategy and Plan in conjunction with Economic Development Advisory Board (EDAB) and Council to target investment and employment opportunities</li> </ul>	<ul style="list-style-type: none"> <li>Identify investment/employment opportunities</li> </ul>
Increase investment and employment opportunities	<ul style="list-style-type: none"> <li>Identify investment and/or employment opportunities</li> </ul>	<ul style="list-style-type: none"> <li>Completed web pages for call centre attraction. Final testing being conducted</li> <li>Numerous business and investment initiatives were explored and site inspections conducted eg. Processing of white meat, bakeries, fruit and vegetables, aquaculture facility, forestry</li> <li>Assisted existing local businesses with development enquiries</li> <li>Assisted in discussions with NOROC commitment in Lismore</li> <li>Lobbying NSW Transport Minister, Carl Scully, for increased rail/road options on the North Coast Line</li> <li>Attended SEGRA (Sustainable Economic Growth for Regional Australia) Conference to update on strategies/funding and options</li> <li>Attended Norlink/Nortel seminar on networking the Northern Rivers – a scheme to build the IT and e-commerce base of the region and</li> </ul>

<p>Develop Council's business opportunities</p>	<ul style="list-style-type: none"> <li>Identify internal commercial opportunities</li> </ul>	<p><i>stimulate economic development through the integrated community network process of Nortel</i></p> <ul style="list-style-type: none"> <li>Arranged for TAFE to seek a public course in telemarketing/call centre skills to complement call centre attraction strategy</li> <li>Provided extensive administrative/promotional support for Lismore International Baseball Challenge</li> </ul>
<p>Develop supporting databases/information containing an economic profile of Lismore</p>	<ul style="list-style-type: none"> <li>Economic profile data for Lismore</li> </ul>	<ul style="list-style-type: none"> <li>Have received positive tests on paramagnetic qualities of Blakebrook Quarry rock dust making it suitable for Boral's "nusoil" production process</li> <li>Continuing role in bringing the Wilsons River Project to fruition. Public consultation /involvement extended and 1<sup>st</sup> draft of the master concept plan completed and ready for the next round. Gained a further \$2,500 grant for industrial heritage identification</li> <li>Obtained agreement from Southern Cross University for a graduate internship program involving local business (School of Commerce &amp; Industry)</li> <li>Published June quarter Lismore Business Bulletin</li> <li>Economic Development Unit Administration Officer now completed Microsoft Access training. New database formats being followed.</li> </ul>

Programme Name: **Lawn Cemetery and Crematorium** Strategic Plan Link: 5.1 Programme Owner: **Kris Whitney** Group: **Business and Enterprise**

Purpose: To provide a range of human services relating to the funeral industry

Aims/Objectives to be achieved	Actions planned	Progress this quarter
<p>Enhance profile and management services</p>	<ul style="list-style-type: none"> <li>Identify and implement staff training</li> </ul>	<ul style="list-style-type: none"> <li>Identified training needs. Details given to Human Resources as per individual PES review</li> </ul>
<p>Introduce burial/cremation services</p>	<ul style="list-style-type: none"> <li>Respond to client requirements</li> </ul>	<ul style="list-style-type: none"> <li>Activities conducted as per client requirements</li> </ul>
<p>Maintain and enhance gardens and general landscape environment</p>	<ul style="list-style-type: none"> <li>Monitor maintenance plans</li> <li>Undertake maintenance</li> </ul>	<ul style="list-style-type: none"> <li>Maintenance plans are not currently being monitored pending a review of the document for re-introduction in the new year</li> <li>Maintenance has been conducted within the limitations of staff and weather.</li> </ul>
<p>Marketing and Revenue generating activities</p>	<ul style="list-style-type: none"> <li>Develop direct mailing program</li> <li>Develop avenues to increase Memorial sales</li> <li>Development of casket collection service</li> </ul>	<ul style="list-style-type: none"> <li>With the finalisation of software changes to cemetery and crematorium operation, this activity can soon be actioned.</li> <li>Linked directly to the above</li> <li>Completed and operational</li> </ul>

programme Name: **Quarry Operations**      Strategic Plan Link: 2.3, 3.1      Programme Owner: **Malcolm Hawkins  
Gary Hemsworth**      Group: **Business and Enterprise  
City Works**

purpose: To provide cost effective quarry operations to Council and the construction industry

Business Plan	Actions planned	Progress this quarter
Operate Blakebrook quarry and rural areas	<ul style="list-style-type: none"> <li>Review and update to reflect changes in strategies and operations</li> <li>Ensure licence and consent conditions are met</li> <li>Ensure efficient and adequate production of product</li> </ul>	<ul style="list-style-type: none"> <li>Review business plans, replacement of vacant staff positions and commence implementation of marketing initiatives.</li> <li>Continue process of compliance with consent conditions.</li> <li>Implementation of quality and safety procedures. Weekly production and sales meetings to ensure production meets demand.</li> </ul>

programme Name: **Aerodrome Operations**      Strategic Plan Link: 2.2, 3.1      Programme Owner: **Malcolm Hawkins**      Group: **Business & Enterprise**

purpose: To operate Lismore Aerodrome efficiently and effectively

Business and Operational Plan	Actions planned	Progress this quarter
Operate Lismore Aerodrome	<ul style="list-style-type: none"> <li>Operate within licence and other statutory requirements</li> <li>Ensure obligations of licence are met</li> </ul>	<ul style="list-style-type: none"> <li>Completion of on site audit by CASA</li> <li>Review of aerodrome operating manual and procedures</li> </ul>
Construct new passenger terminal building	<ul style="list-style-type: none"> <li>Review and update Plan to reflect changes</li> <li>Complete building design</li> <li>Submit relevant development and design applications</li> <li>Report to Council on tenders for adoption</li> <li>Commence construction</li> </ul>	<ul style="list-style-type: none"> <li>Commence negotiations for the sale of hangar site.</li> <li>Engagement of expert advice for the identification of fuel depot site</li> <li>Sign and seal contract for the design and construction of new terminal</li> <li>Finalise design of terminal, carpark and access roads.</li> <li>Lodgement of Development Application</li> <li>Completion of Method of Working Plan</li> <li>Complete flood impact assessment</li> <li>Lodgement and approval of DA</li> <li>Commence process to issue contracts for construction.</li> </ul>
Expand hangar area in accordance with development Consent	<ul style="list-style-type: none"> <li>Fill area of expansion</li> </ul>	

programme Name: **Tourism**      Strategic Plan Link: 2.1      Programme Owner: **Andrea Roberts**      Group: **Business and Enterprise**

purpose: To service the requirements of tourists to the benefit of the Lismore local government and Northern Rivers area

Business Plan	Actions planned	Progress this quarter
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## SMORE CITY COUNCIL - Meeting held 2<sup>nd</sup> November, 1999

<p>manage the customer service operation of Lismore Visitor and Heritage Centre</p>	<ul style="list-style-type: none"> <li>• Monitor customer service activities</li> <li>• Maintain information on industry trends and issues</li> <li>• Open the Centre everyday except Christmas Day</li> </ul>	<ul style="list-style-type: none"> <li>• Campaign response recorded; visitor complaints and compliments actioned; comments in visitors book noted and actioned</li> <li>• Subscriptions to statistics renewed; up-graded statistic collection and retrieval systems at VIC; informed the industry through Sept. newsletter</li> </ul>
<p>promote the Lismore region in key tourism markets</p>	<ul style="list-style-type: none"> <li>• Maximise promotional opportunities created by regional state and other initiatives</li> <li>• Produce information and motivational material</li> </ul>	<ul style="list-style-type: none"> <li>• Rainforest Week achieved \$37000 campaign through a \$3500 Lismore Tourism investment</li> <li>• Commenced selling advertising for self-funding Lismore-Nimbin Holiday Guide</li> </ul>
<p>develop tourism product and infrastructure</p>	<ul style="list-style-type: none"> <li>• Involvement in broader Lismore City economic development and civic design issues.</li> </ul>	<ul style="list-style-type: none"> <li>• A Tourist Information Officer was appointed to Civic Design Committee and as special events project officer for the International Baseball; Lismore Tourism involved in steering committee and workshops for the 'Lismore Wilson River Strategy'.</li> </ul>
<p>promote the economic, socio-cultural and environmental benefits of sustainable tourism</p>	<ul style="list-style-type: none"> <li>• Local PR through media</li> <li>• Produce industry newsletter</li> </ul>	<ul style="list-style-type: none"> <li>• Monthly echo feature plus over 20 news items receiving exposure in local print and electronic media</li> <li>• Produced and distributed in September quarterly 'Tourism Talk' newsletter</li> </ul>

Programme Name: **Property Services** Strategic Plan Link: 1.5 Programme Owner: **Andrew Lovett** Group: **Business and Enterprise**

Purpose: To provide a range of property asset and building services and advice to Council

Goals/Objectives to be achieved	Actions planned	Progress this quarter
<p>manage an effective and efficient commercial property portfolio</p>	<ul style="list-style-type: none"> <li>• Apply best practice</li> <li>• Review and update local statistics on rents and vacancies</li> </ul>	<ul style="list-style-type: none"> <li>• Restructuring of Property Management in progress</li> </ul>
<p>maintain and repair Council buildings</p>	<ul style="list-style-type: none"> <li>• Prioritise requests for works and services</li> <li>• Carry out annual property inspections</li> </ul>	<ul style="list-style-type: none"> <li>• Processing requests within budget allocations</li> <li>• Programmed for 3<sup>rd</sup> and 4<sup>th</sup> Quarters</li> </ul>
<p>facilitate, acquire, transfer and dispose of rational, statutory and commercial assets</p>	<ul style="list-style-type: none"> <li>• Apply professional skills and best practice to ensure best outcome</li> </ul>	<ul style="list-style-type: none"> <li>• Sale of 2 Industrial Blocks and 1 Residential block, in progress</li> </ul>

Programme Name: **Water Supply Services** Strategic Plan Link: 6.5, 6.4, 2.2 Programme Owner: **Mgr Water & Waste Water** Group: **Business and Enterprise**

pose: To provide water supply services that meet the current and future needs of the community

Aims/Objectives to be achieved	Actions planned	Progress this quarter
Provide improved levels of service delivery through: Outsourcing Benchmarking, and Introduction of National Competition Policy guidelines	<ul style="list-style-type: none"> <li>Outsource selected works</li> <li>Ensure compliance with NCP guidelines</li> <li>Manage water upgrade contract</li> </ul>	<ul style="list-style-type: none"> <li>The following water mains were replaced: Tuncester Rd, Oliver St, Phyllis St, Ross St (stage 1 &amp; 2), Ballina Rd and Woodlark St</li> <li>Contract documents for this years (99/2000) works programme are being prepared</li> </ul>
Provide improved levels of customer service through a focus on: Implement new level of customer service Accurate headworks assessment Demand management	<ul style="list-style-type: none"> <li>Operate performance monitoring system</li> <li>Participate in Rous Regional Demand Management strategy</li> </ul>	<ul style="list-style-type: none"> <li>Reviewed the draft Business Plan.</li> <li>Nimbin Water Supply Strategy Study commenced</li> </ul>

Programme Name: **Sewerage Services** Strategic Plan Link: 6.5, 6.4, 2.2 Programme Owner: **Mgr Water and Waste Water** Group: **Business and Enterprise**

pose: To provide sewerage services that meet the current and future needs of the community

Aims/Objectives to be achieved	Actions planned	Progress this quarter
Provide improved levels of service delivery through: Outsourcing Benchmarking, and Introduction of National Competition Policy guidelines	<ul style="list-style-type: none"> <li>Outsource selected works</li> <li>Implement outcomes at sewerage treatment works</li> <li>Ensure compliance with NCP guidelines</li> <li>Manage sewerage upgrade contract</li> </ul>	<ul style="list-style-type: none"> <li>The following sewer mains were relined: Donnans Rd and Hurford Place</li> <li>Optimisation of the East Lismore STP has been completed</li> <li>Contract documents for this years (99/2000) works programme are being prepared</li> <li>Reviewed the draft Business Plan</li> <li>New tradewaste tracking contract signed with AWT</li> </ul>
Complete stage 2 of sewerage augmentation upgrade Provide improved levels of customer service through a focus on: Implement new levels of service Accurate headworks assessment and contributions Participation in the development of new village scheme strategies Development of effluent reuse strategy	<ul style="list-style-type: none"> <li>Operate performance monitoring system</li> <li>Investigate sewerage schemes for new and existing villages - Clunes</li> <li>Implement scheme for Caniaba and tea tree farm</li> </ul>	<ul style="list-style-type: none"> <li>Clunes and North Woodburn sewerage strategy studies commenced</li> <li>Sewer infiltration and inflow model calibration commenced.</li> </ul>

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Subject/File No: 1999 FINANCIAL REPORTS  
(S699)

Prepared By: Manager -Finance & Administration - Rino Santin

Reason: Statutory Requirement

Objective: To present the 1998/99 Financial Reports

Management Plan Activity: Financial Services

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Background:

Council resolved at the October 12, 1999 meeting to, in part,  
“319/99 2 Present the 1998/99 Financial Reports to the public at the November 2, 1999 Council meeting.”

In accordance with the Local Government Act, 1993 (LGA), this was advertised and public submissions invited. At the time of preparing this report, no submissions were received. Any submissions received will be faxed to Councillors and comments provided, if required. The public has to November 10, 1999 to make a submission.. This is part of the reporting anomaly with the LGA.

As the detailed 1999 Financial Reports were considered by Council at the previous meeting, the following summary of results is now presented:

<b>Item</b>	<b>1998/99 (\$,000)</b>	<b>1997/98 (\$,000)</b>
<b><i>Operating Statement</i></b>		
Operating Revenues	36,742	35,418
Operating Expenses	37,784	40,108
<b>Operating Result before Capital Amounts</b>	<b>(1,042)</b>	<b>(4,690)</b>
Capital Grants and Contributions	3,479	7,000
Net Gain / (Loss) on the Disposal of Assets	(3,180)	(133)
Abnormal Items	0	0
<b>Change in Net Assets Resulting from Operations</b>	<b>(743)</b>	<b>2,177</b>
<b><i>Financial Position</i></b>		
Current Assets	30,867	27,589
Current Liabilities	7,429	7,338
Non Current Assets	378,681	382,301
Non Current Liabilities	9,623	9,313
<b>Total Equity</b>	<b>392,496</b>	<b>393,239</b>
<b><i>Other Financial Information</i></b>		
Current Ratio (expressed as a ratio)	4.16	3.74
Unrestricted Current Ratio (expressed as a ratio)	2.55	2.52
Debt Service Percentage (%)	7.09	8.50
Rate Coverage Percentage (%)	35.96	30.15

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Rates and Annual Charges Outstanding Percentage (%)	8.13	7.24
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1999 Financial Reports

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Recommendation (COR45)

That Council present to the public the 1999 Financial Statements.

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Subject/File No:           DISCLOSURE OF PECUNIARY INTEREST RETURNS - 1998/99  
   (GW/LM: S18)

Prepared By:               Administrative Services Manager - Graeme Wilson

Reason:                     Request by Department of Local Government

Objective:                 To meet the guideline requirements.

Management Plan Activity:     Administrative Services

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Background:

In 1997 the Department of Local Government issued a set of guidelines on the administrative processes associated with the completion of Pecuniary Interest Returns.

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

In accordance with the procedure, tabled are Returns for Councillors from the previous Council and Designated Staff. New Councillors have until mid-December to complete these Returns.

Manager - Finance & Administration Comments

Not required.

Public Consultations

Not required.

Other Group Comments

Not requested.

Recommendation (COR48)

That the report be received and noted.

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Subject/File No: INVESTMENTS HELD BY COUNCIL AS AT SEPTEMBER 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 Activity: General Purposes Revenues

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Information:

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

Council's total investment for September amounted to \$25,144,878 with an average return of 4.91%. Interest rates at the same time last year were 6.96%. On current trends it is unlikely interest will change in the near future.

Financial Section

Included in the body of the report.

Public Consultations

Not required.

Other Group Comments

Not requested.

Recommendation (COR46)

That the report be received and noted.

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Present: Mr Bill Moorhouse (*Chairperson*), Councillors Ken Gallen and John Chant, Messrs Mike Baldwin (*Roads and Traffic Authority*), Chris Mallam (*Lismore Unlimited*), Snr Const Brian Buckley (*Lismore Police*), and Mr Bill MacDonald (*Traffic and Law Enforcement Co-Ordinator*).

Apologies: Apologies for non-attendance on behalf of Mr Thomas George, MP, Councillor Mervyn King and Mrs Wendy Johnson were received and accepted and leave of absence granted.

Minutes of Traffic Advisory Committee Meeting - August 18, 1999

Members were advised that the Minutes of the Meeting held on August 18, 1999 were adopted by Council at its meeting of August 31, 1999.

Disclosure of Interest: Nil

Correspondence:

1. **Petition from Concerned Residents;** requesting the installation of a safe crossing place on Ballina Road at Lismore Heights.

**Mayoral Minute:** At its meeting of August 31, 1999, Council resolved "that the report be received and -

1. that Council identifies the Kellas Street/Gallagher Drive underpass and the Kadina overpass as priorities for funding
2. that this matter be brought before the Traffic Advisory Committee to seek the support of the Police and the RTA
3. that Council Staff undertake the necessary design work and provide costings for each crossing
4. that a report on this issue be provided subsequently to the Council for consideration."

The Committee noted Council's resolution and supported the view that the Lismore Heights Underpass and Kadina Street Overpass be given priority should funding become available.

**TAC152/99** **RECOMMENDED** that both projects be referred to Council's Design Section for completion of a design and estimate and these be referred to the RTA for approval and funding. (99-12563,99-12906,99-13199:R4807,S342,R6408)

2. **Nimbin Motors;** drawing attention to the current irregular use of the Bus Zone fronting Nos. 46-48 Cullen Street, Nimbin, and suggesting it may be better designated as a loading zone or an area for restricted parking.

It would appear that the Bus Zone in question is used irregularly. This leaves the area open to abuse and inaccessible on many occasions. The two options were to either relocate the zone altogether by extending the other existing Bus Zone which is located near Charter Hardware or leave the zone where it is and impose a time limit with one-hour parking at other times. Preference was for the zone to be relocated.

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MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD OCTOBER 20, 1999 AT  
10.00 AM.

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**TAC153/99**      **RECOMMENDED** that the existing Bus Zone in front of the former Service Station be relocated by extending the existing Bus Zone near Charter Hardware one length back towards Lismore.

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2. **Nimbin Motors** (Cont'd)

**TAC154/99** **FURTHER RECOMMENDED** that if the above was not acceptable to all parties affected, that a time limit be imposed on the Bus Zone with one-hour parking at other times. (99-13572:P26721)

3. **M & Mrs K Smith;** outlining the present problems associated with the School bus service and seeking the establishment of a suitable bus drop-off area to service the Modanville community.

Members were advised that there was sufficient space for buses to pull off Dunoon Road, north of the Smiths' driveway if some road shoulder work and repositioning of guide posts was carried out. The Bus Operator has been advised of this proposal and has agreed to comply.

**TAC155/99** **RECOMMENDED** that this matter be referred to Council's Roads & Infrastructure Section to include the above works in its programme.

(99-13607:R3407)

4. **The Channon Public School P & C Association;** seeking the installation of 40 kph zones in appropriate areas near the School and that the walkway on the western side of Standing Street, between Nimbin Street and The Channon General Store, be cleared in line with the 'Safer Routes to School Programme'.

Mr MacDonald advised that he had met with the Principal on-site in the company of RTA and Police Representatives to discuss the School's concerns. Clearing an area off the edge of the road for the children to walk was considered most important. It would appear that most children walked along Standing Street on the School side towards the Store. It was acknowledged that Standing Street already formed part of the reduced 50 kph speed limit. This could be reinforced with the erection of an intermediate 50 kph sign in Standing Street, above Mills Street.

**TAC156/99** **RECOMMENDED** that the overgrowth on the footpath area along the southern side of Standing Street below the School be cleared.

**TAC157/99** **FURTHER RECOMMENDED** that a 50 kph sign and pavement marking be installed in Standing Street above Mills Street. (99-13769:S352,R1602)

5. **Nimbin Organics;** seeking clarification of the parking zone in front of Nos. 46-50 Cullen Street, Nimbin.

The Manager of Nimbin Organics was advised of Council's proposals in relation to the Bus Zone beside his business and raised no objection to either option.

**TAC158/99** **RECOMMENDED** that the above be noted. (99-13903:S16)

6. **F Aquilina;** drawing attention to the continuing dilemma of his driveway at No. 109 James Street, Dunoon, being blocked by fuel tankers whilst off-loading fuel at the adjacent Ampol Garage.

Prior to the meeting, Mr Aquilina had been met on-site to discuss the problems being experienced. It would appear that deliveries only occurred once per week and the fuel distributors have been made aware of the situation and have agreed not to block the access in future.

**TAC159/99** In an effort to help clarify the situation, it was **RECOMMENDED** that a white line be painted from the corner of the Service Station building to the front boundary and that 'No Parking' be painted on the concrete at the start of Mr Aquilina's driveway, immediately outside the gate. (99-13912:P12870)

7. **Mrs PJ Gibbon**; suggesting that 'No Parking' signs be erected adjacent to the newly installed cycleway in the vicinity of Weston Park, Goonellabah, so that full use of the cycleway is assured.

The Committee was advised that a hatched area had been painted at the end of the footpath. However, this paint work had faded.

**TAC160/99** **RECOMMENDED** that the hatched area be repainted and a guidepost be installed at the end of the footpath between the footpath and the road to prohibit the parking of vehicles. (99-13936:R6505)

8. **TSF Hi Fi**; advising in connection with "Cog Night" which is usually held each Thursday night at Magellan Street, Lismore, and seeking the designation of a regular meeting place to the mutual benefit of all parties.

Whilst the Committee had no objection to the proposal, in principal, it was not convinced that young drivers would use a specific area if it was remote from the CBD. There were other attractions in the CBD that would influence their movements. Apart from business houses, the CBD also contains residents who would be inconvenienced by any loud music at night. This would restrict areas in the vicinity that could be used.

**TAC161/99** **RECOMMENDED** that the writer be advised that Council has no objection in principal for a designated area to be provided for youth to meet for such a purpose and would consider any future suggestion bearing in mind the above limitations. (99-14199:S352)

9. **Tweed Shire Council**; advising that the matter of imposing an 80 kph zone for the full length of Blue Knob Road (Nimbin-Murwillumbah Road) will be considered by its Traffic Advisory Committee and the outcome will be advised after being considered by that Council.

Mr MacDonald advised that a further letter had since been received from Tweed Shire Council advising that the matter had been considered by its Traffic Committee and, as a result, Tweed Shire Council had resolved not to support a reduction of the existing speed limit on the Nimbin / Murwillumbah Road down to 80 kph.

Mr Baldwin (RTA) pointed out that the Authority would be reviewing its speed zoning policy within the first half of next year and suggested it would be appropriate to hold over any further speed limit requests until the review was complete.

**TAC162/99** **RECOMMENDED** in accordance with the above. (99-15153,99-17085:R2001)

10. **M/s L Donald**; drawing attention to the traffic hazards which exist on Rous Road, Tregeagle, and seeking the installation of a warning sign on the eastern approach to Mollys Grass Road, as well as appropriate measures to slow the excessive speed of vehicles.

As vehicle numbers increased along Rous Road it was felt that appropriate warning signs indicating an intersection ahead may assist.

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**TAC163/99**      **RECOMMENDED** that a T-Junction warning sign and supplementary 200m plate beneath be erected on Rous Road prior to Mollys Grass Road for west-bound traffic.  
(99-15849:R6610)

11. **NSW Roads & Traffic Authority;** thanking Council for its input into the initial version of the Risk Assessment procedure to accompany *Technical Direction 98/6 - Use of Traffic Calming Devices as Pedestrian Crossings*, and requesting renewed feedback for incorporation into the final version.

TAC164/99 As Council had already provided feedback on the Draft it was **RECOMMENDED** that the above be noted. (99-16463:S363)

12. **R Wetherell;** drawing attention to the excessive speed of vehicles using Bank Street, North Woodburn, and requesting a lower speed limit be applied; as well as the erection of 'No Standing' signs on both sides of the boat ramp.

The existing 60 kph speed limit along Bank Street was considered appropriate given that development was only on one side of the street and speed was controlled to some extent by the existence of 'Stop' signs at the Woodburn bridge junction. A lower limit was unlikely to be complied with. 'No Standing' signs already existed along the lower road opposite the boat ramp but additional signs both sides of the boat ramp itself may assist in keeping the area clear.

TAC165/99 **RECOMMENDED** that the existing 60 kph speed limit remain in Bank Street.

TAC166/99 **FURTHER RECOMMENDED** that 'No Standing' signs be erected on the river side of Bank Street, each side of the boat ramp. (99-16566:S352,R5725)

13. **Mesdames R Gough & JA Elbourn;** expressing concern for the traffic hazard which has been created following the recently installed turning lane at the intersection of Ballina Road and Holland Street, Goonellabah.

The Committee was of the opinion that the recent line-marking upgrade at the intersection was appropriate. Motorists in general appeared to be adapting to the new layout. It was pointed out that the accident referred to in the letter was totally unrelated to the new work and involved vehicles travelling into Lismore. However, it was suggested that investigations be carried out into the need to provide a right-turn lane for east-bound traffic wishing to enter Hillview Drive or the Media Centre driveway; bearing in mind that this would all but eliminate the overtaking lane.

TAC167/99 **RECOMMENDED** that the existing intersection layout remain for the present time but the area be monitored.

TAC168/99 **FURTHER RECOMMENDED** that this issue be referred to Council's Design Section to produce a plan showing the existing overtaking lane used as a right-turn lane to the various intersections and this be submitted back to the Committee for further consideration. (99-16614:S352,R6461)

14. **J Payne & M/s J Rhodes;** seeking a lower speed limit to be applied for Eltham and Boatharbour Roads.

As the RTA had indicated that a review of speed zoning across the State would be undertaken within the first half of next year, it was suggested that any further speed limit requests be held over until the review was complete.

TAC169/99 **RECOMMENDED** in accordance with the above. (99-16716:R4002,R4408)

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Reports

15. **Road Safety Officer's Progress Report:** August/September 1999.  
The Committee noted the Road Safety Officer's report and acknowledged the excellent result of recent campaigns.  
TAC170/99 **RECOMMENDED** that the report be received and noted. (S596)

General Business

16. **80 kph Zone - Wyrallah Road (Between Wyrallah Village and Tuckurimba Road)**  
The Koala Management Plan Steering Committee had requested that consideration be given to the extension of the 80 kph zone on Wyrallah Road, between the Wyrallah Village and Tuckurimba Road, due to the number of traffic impacts on koalas in the vicinity of the Tucki Tucki Nature Reserve.  
The majority of the road between Wyrallah Village and Tuckurimba Road was in reasonable condition and the general speed limit was considered to be appropriate. As koalas were mainly concentrated around the Tucki Tucki Nature Reserve area, it was suggested that 'Koala' warning signs erected on Wyrallah Road, each side of the reserve, would be more appropriate.  
TAC171/99 **RECOMMENDED** in accordance with the above. (R5201)

17. **Intersection of Bright and Nielson Streets, Lismore**  
A request had been received for consideration of replacing the existing 'Give Way' signs with 'Stop' signs.  
This intersection was currently controlled with 'Give Way' signs but as sight distance was limited, it was felt that 'Stop' signs would be more appropriate.  
TAC172/99 **RECOMMENDED** that the existing 'Give Way' signs at the intersection of Bright and Nielson Streets be replaced with 'Stop' signs. (R7413,R7459)

18. **Intersection of Larkin Lane and Keen Street, Lismore**  
The Proprietor of 'My Baby Shop' had requested that consideration be given to the installation of a 'Stop' sign in Larkin Lane at its intersection with Keen Street.  
Motorists exiting Larkin Lane beside 'Suffolks Sports Store' had a very restricted view of pedestrians walking along Keen Street. Accordingly, a 'Stop' sign in Larkin Lane was considered appropriate.  
TAC173/99 **RECOMMENDED** that a 'Stop' sign be erected in Larkin Lane at its intersection with the western side of Keen Street. (R7315,R7313)

19. **Rezoning Application - Corner of Ballina Road/Holland Street, Goonellabah - Eastpoint Shopping Centre**  
It was the Committee's view that a requirement of any future development on the south-east corner should be that a roundabout would be required at the above intersection. Further, it was agreed that all pedestrian and vehicular access to the site from Ballina Road should be prohibited.
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**TAC174/99**      **RECOMMENDED** that the above be adopted as part of any further consideration of future development of the site in question. (S746)

20. **Elizabeth Street, East Lismore - School Children Crossing**

Mrs Susan McGeever of the Wyrallah Road Public School had raised concern for the safety of children crossing Elizabeth Street in the vicinity of Nielson Street.

An inspection of the site revealed that an upgrade of the existing pedestrian refuge at the intersection of Elizabeth and Nielson Streets would assist in highlighting its existence to motorists. The speed limit for Elizabeth Street was already 50 kph and this was considered appropriate. A 40 kph School Zone for this section of Elizabeth Street was not possible as the street was remote from the School and did not have a School frontage. It was noted that the existing 'Children Crossing' flags on Wyrallah Road in front of the School were being left out all day which was not the intention for their use. Their impact on motorists was significantly reduced when this occurred. Mr Baldwin undertook to liaise with the School Principal about this issue.

**TAC175/99** **RECOMMENDED** that the existing speed limit of 50 kph remain for Elizabeth Street.

**TAC176/99** **FURTHER RECOMMENDED** that new hoop signs be installed on the existing refuge and that advanced warning signs be erected both sides of the refuge. (R7434)

21. **High Street, Lismore (Dead-End Section)**

Mr Bernie O'Connor of High Street had raised his concern for the lack of visitor parking available in this section of High Street due to the number of staff from St Carthage's School parking their vehicles on-street.

Mr MacDonald advised that he had met with the Principal of St Carthage's School on-site, together with Police and RTA Representatives, to discuss the problems being experienced by residents of the dead-end section of High Street adjacent to the School. It would appear that the parking problem had increased as a result of the loss of parking in Dawson Street due to the underpass construction. It was suggested that once the underpass and the proposed interchange were completed, additional parking would be available both at Dawson and Leicester Streets. In the interim, the Principal has undertaken to advise his staff and parents of the current difficulties and request that they consider the residents' needs.

**TAC177/99** **RECOMMENDED** that the above be noted. (R7117)

22. **Walsh Bridge - Rosehill Road**

Although warning signs existed at each approach to the bridge indicating no overtaking or passing, it was felt that traffic volumes had increased to such an extent that additional controls were required.

**TAC178/99** **RECOMMENDED** that a 'Give Way' sign be erected on Rosehill Road on the former 'Brewery' side of the bridge giving Lismore-bound traffic right-of-way.

**TAC179/99** **FURTHER RECOMMENDED** that an advance warning 'Give Way Ahead' sign be erected prior to the 'Give Way' sign. (R2704)

23. **East Lismore Taxi Service**

Mr MacDonald advised that a request had been received for consideration of the reintroduction of a Taxi rank at the Wyrallah Road Shopping Centre. The proposal had been discussed with Lismore Taxi Co-Operative which indicated that it was more than satisfied with the new rank at the University and was not in a position to provide an additional rank at East Lismore.

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23. **East Lismore Taxi Service** (Cont'd)

It was noted that when the rank existed in front of the Shopping Centre it had been relocated further along Wyrallah Road several times as a result of complaints from shoppers and business owners that it was restricting the view of oncoming traffic when exiting the Centre. Nearby residents had also complained about limited access to their driveways and the noise coming from the Taxi radios, particularly late at night.

**TAC180/99** In light of the above it was **RECOMMENDED** that the Taxi Rank for East Lismore remain in its current location. (R5201)

24. **Lismore Central - Keen Street Median**

The centre median along Keen Street adjacent to Lismore Central had been completed. However, it would appear that some motorists were experiencing difficulty adjusting to the new traffic conditions. The median could not be extended any further at this stage due to the restrictions which would be placed on large delivery vehicles unable to access the site from Keen Street. Appropriate signs had been placed within the median and it was suggested that the facility be monitored to ascertain if current problems did not improve.

**TAC181/99** **RECOMMENDED** that no further action be taken at this stage. (R7313)

25. **Nimbin Road - Line-Marking**

Mr Mallam raised concern for the lack of line-marking around a 'bend' on Nimbin Road past the old quarry road turn-off. It would appear that motorists tend to come across the 'bend' on the wrong side of the road.

**TAC182/99** **RECOMMENDED** that the existing centre line-marking be extended to include the 'bend' in question. (R2801)

26. **Intersection of Ballina Road and Holland Street, Goonellabah**

A plan was tabled at the meeting showing the layout of a proposed roundabout for the above intersection. Mr Baldwin advised that any future roundabout construction on the Highway would need to be undertaken using concrete.

**TAC183/99** **RECOMMENDED** that the roundabout be supported in principal with the final plans being forwarded to the RTA for approval. (R6408,R6461)

This concluded the business and the meeting terminated at 11.30 am.

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CHAIRPERSON

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TRAFFIC & LAW  
ENFORCEMENT CO-ORDINATOR

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## **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:-

Lease - Council to Jopol Pty Ltd (Pollard)  
Suite G2/186 Molesworth Street, Lismore.  
(P6832)

Final Plan of Survey & S88B Instrument - Proposed Easement for Drainage  
Proposed Easement for Drainage for Sewerage - Hilltop Estate, 339 Ballina Road, Goonellabah  
Kundry Pty Ltd, Godunov Pty Ltd & Affetti Pty Ltd  
(D99/56)

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**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, OCTOBER 12, 1999 AT 6.07PM.**

Present: His Worship the Mayor, Councillor Gates; Councillors Baxter, Chant, Crowther, Gallen, Hampton, Irwin, King, Roberts, Suffolk, Swientek and Tomlinson, together with the General Manager; Group Managers-Corporate & Community Services, City Works, Planning & Development, Business & Enterprise; Manager-Finance & Administration, Acting Manager-Community Services (Tricia Shantz), Manager-Development Control, Waste Strategy Officer, Crime Prevention Officer, Manager-Business & Development and Administrative Services Manager.

Apologies/  
Leave of  
Absence: Nil

- 313/99 Minutes: The Minutes of the Ordinary Meeting held on August 31, 1999, were confirmed.  
(Councillors Irwin/Roberts)
- 314/99 The Minutes of the Special Meeting held on September 28, 1999, were confirmed.  
(Councillors Irwin/Crowther)

PUBLIC ACCESS SESSION:

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

Mr Greg Jeromson re Report - Relocation of the Lismore Pie Cart  
(See Minute No. 316/99)

Mr Jeromson detailed the history of his negotiations with Council. He claimed support from Magellan Street traders to his relocation to Magellan Street. His preferred site is the pavement area. He sought Council assistance with service costs and objected to the proposed level of rent.  
(P23113)

Mr Dallas Palmer re Report - Relocation of the Lismore Pie Cart  
(See Minute No. 316/99)

Mr Palmer expressed his concerns about any relocation to the footpath against the building on the grounds that it would detract from the heritage nature of the "old Post Office", obscure signage on the building and lead to increased security concerns.  
(P23113)

Mr Stan Heywood re Reports - (a) Tenders for Sprayed Bitumen Surfacing and  
(b) Review of Market Policy  
(See Minute Nos. 317-318/99)

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Mr Heywood questioned the quality of the bitumen currently being used as compared to yesteryear.

With respect to the market policy, he considered that the markets were meeting a need not supplied by local shops. (S219)

Messrs Jill Grove and Lyn Heath re Report - Review of Market Policy

(See Minute No. 318/99)

The speakers advised that local markets could not survive on a "craft only" basis. They spoke to the broader benefits to the community of the markets, in particular local community groups and charities.

(S219)

Mr Darren Singh re Report - 1999 Financial Reports

(See Minute No. 319/99)

Mr Singh outlined the function of the Auditors and spoke to the draft Auditor's Report of the 1998/99 Financial Report.

(S699)

NOTICE OF MOTION:

Proposed New Airport Terminal

(Copy attached)

Formal notice having been given by Councillor Swientek it was MOVED -

- 1 That Lismore City Council seek the agreement of McMaster Qld Pty Ltd to defer the commencement of the construction of the new airport terminal building until:
  - A The project can be assured of being self-funding;
  - B The airport can be assured of holding and improving current passenger numbers following:
    - a) the de-regulation of the airline industry in March 2000;
    - b) the issue of regional airline access into Sydney (KSA) Airport or Bankstown Airport is resolved;
    - c) that a Brisbane service is guaranteed.
- 2 Lismore City Council seek Hazelton Airlines and other potential air service providers to come into partnership with LCC to share in the funding of the new airport terminal building.

(Councillors Swientek/Tomlinson)

On submission to the meeting the motion was DEFEATED.

**Voting Against:** Councillors Irwin, Roberts, King, Gallen, Chant, Baxter, Hampton, Suffolk, Gates and Crowther.

(99-16324: T99011)

SUSPENSION OF STANDING ORDERS:

315/99 RESOLVED that standing orders be suspended and Council now deal with the undermentioned matters:-

- Relocation of the Lismore Pie Cart
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1999

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- Tenders for Sprayed Bitumen Surfacing
  - Review of Policy 3.1.12 - Market Policy
  - 1999 Financial Reports  
(Councillors Irwin/Gallen)
-

Relocation of the Lismore Pie Cart

(Copy attached)

316/99

RESOLVED that the report be received and -

- 1 That Council request the EDU to conduct a survey of Magellan Street traders and all tenants of the former Post Office building to determine a preferred location in Magellan Street.
    - a) Magellan Street, south of kerb and east of power pole'
    - b) Magellan Street, kerbside;
    - c) Any other location in that vicinity in Magellan Street, utilising the paved areas.
  - 2 A report be submitted with the survey results indicating the problems associated with servicing the preferred site together with the cost.
  - 3 An investigation be conducted into the option of moving the new proposed entry road from the Rowing Club Carpark further west to allow the van to remain in its current location.
  - 4 That the above matter (Item 3) be the subject of a report to the next Council meeting.
  - 5 That Council advise Walker & Newton it is prepared to consider lodgement of a Development Application in Magellan Street once the results of the survey are known.
- (Councillors Gallen/Swientek) (P23113)

Tenders for Sprayed Bitumen Surfacing

(Copy attached)

317/99

RESOLVED that the report be received and that Council adopt the following order of priority for the engagement of bitumen sealing contractors for major and minor works:

- 1 Boral Asphalt
  - 2 Roads and Traffic Authority, NSW
- (Councillors Roberts/Hampton) (T20002)

Review of Policy 3.1.12 - Market Policy

(Copy attached)

318/99

RESOLVED that the report be received and Council amend Policy No. 3.1.12 - Policy on Weekend Markets in accordance with the recommendations contained in the report and the policy be placed on exhibition for public comment.

(Councillors Roberts/Irwin)

1999 Financial Reports

(Copy attached)

319/99

RESOLVED that the report be received and -

- 1 Adopt the 1998/99 Financial Reports and 'Councils Statement' for both the General Purpose Financial Reports and Special Purpose Financial Reports.
  - 2 Present the Financial Reports to the public at the November 2, 1999 Council meeting.
  - 3 Advertise the presentation of the Financial Reports to the public from October 16, 1999 and invite inspection of the reports.
- (Councillors Crowther/Swientek) (S699)
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320/99 RESUMPTION OF STANDING ORDERS:  
RESOLVED that standing orders be resumed.  
(Councillors Irwin/Gallen)

REPORTS:

DA95/105 - Section 96 Amendment - 10 Lot Rural Residential Subdivision -  
454 Boatharbour Road, Eltham  
(Copy attached)

A MOTION WAS MOVED that the report be received and that the application under Section 96 of the Environmental Planning and Assessment Act 1979 lodged with Council on July 12, 1999, for modification of determination of Development Application No. 95/105, dated July 21, 1995, for rural residential subdivision at Lots 3, 4, 5 & 6 DP 876069, be refused as follows:

- 1 That Council refuse the amendment of Condition No. 1 of Development Application No. 95/105 pertaining to the requirements for an amended building envelope on Lots 3, 4, 5 and 6 for the following reasons:
    - (a) The proposal is not consistent with Clause 17 of Lismore Local Environmental Plan 1992 (EPA Act S79C(1)(a)).
    - (b) The proposal will create an adverse affect upon the visual amenity of the rural area (EPA Act S79C(1)(b)).
    - (c) The proposal is not consistent with Development Control Plan No. 27 - Buffer Areas (EPA Act S79C(1)(a)).
    - (d) The proposal is not considered to be in the public interest (EPA Act S79C(1)(e)).
- (Councillors Irwin/Roberts)

AN AMENDMENT WAS MOVED that the report be received and -

- 1 Council approve the amendment to the building envelope for Lot 4 as detailed in plan 2371-12, dated 2/8/98.
- 2 Council approve an amendment to the building envelope for Lot 3, requiring a minimum 20 metre setback to the western boundary which shall incorporate intensive landscaping in accordance with conditions of Development Consent Notice 95/105.
- 3 Council refuse to amend the building envelopes for Lots 5 and 6 in accordance with the reasons for refusal as outlined within the recommendation of the Council report.

(Councillors Crowther/King)

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

**Voting Against:** Councillors Irwin, Roberts and Gallen.

321/99 RESOLVED that the report be received and -

- 1 Council approve the amendment to the building envelope for Lot 4 as detailed in plan 2371-12, dated 2/8/98.
- 2 Council approve an amendment to the building envelope for Lot 3, requiring a minimum 20 metre setback to the western boundary which shall incorporate intensive landscaping in accordance with conditions of Development Consent Notice 95/105.

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3 Council refuse to amend the building envelopes for Lots 5 and 6 in accordance with the reasons for refusal as outlined within the recommendation of the Council report.

(Councillors Crowther/King)

**Voting Against:** Councillors Irwin, Roberts and Gallen.

(D95/105)

Clunes Old School Association Inc. - Consideration of Business Plan

(Copy attached)

322/99 RESOLVED that the report be received and -

1 Council accept the business plan of COSA apart from the funding allocation for maintenance of \$4,800.

2 Council write to COSA and advise that the maintenance allocation for COSA will be consistent with other community halls.

3 Council staff finalise lease conditions with COSA for the land identified as Lot 111 DP 859126.

4 Council amend Policy 1.4.11 to include COSA.

(Councillors Roberts/Irwin) (P25787)

Relocation of the Lismore Pie Cart

(See Minute No. 316/99)

Kerbside Dining Charges Review

(Copy attached)

323/99 RESOLVED that the report be received and -

1 That the draft policy be displayed on public exhibition;

2 That a report be provided to Council containing comments received from such exhibition.

(Councillors Crowther/Baxter) (S659)

Community Recycling Drop-off Centres - Contract Service Review

(Copy attached)

A MOTION WAS MOVED that the report be received and -

1 Council call tenders to operate the rationalised drop-off centres and these tenders be advertised in Lismore and nearby towns including Casino, Ballina, Coffs Harbour and the Gold Coast.

2 Council consider submitting a tender for the work.

(Councillors Tomlinson/Irwin)

AN AMENDMENT WAS MOVED that the report be received and -

1 That Council further negotiate with Richmond Waste with the intention to take up the further two year option of the existing contract for the collection, transport and disposal of recyclable material from drop off centres and the maintenance of those drop off centre, being a rationalised network incorporating centres at Dawson Street, Brewster Street and Holland Streets.

2 That the rationalisation of centres not be effected until the commissioning of the Wyrallah Road community recycling drop off facility.

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- 3 That should negotiations with Richmond Waste not achieve a service cost structure more representative of the existing contract, as determined by the General Manager, that Council call tenders for the servicing of a rationalised drop off centre network.

(Councillors Crowther/Chant)

On submission to the meeting the AMENDMENT was DEFEATED.

**Voting Against:** Councillors Irwin, Roberts, Tomlinson, Gallen, Baxter, Hampton, Suffolk.

324/99 RESOLVED that the report be received and -

- 1 Council call tenders to operate the rationalised drop-off centres and these tenders be advertised in Lismore and nearby towns including Casino, Ballina, Coffs Harbour and the Gold Coast.

- 2 Council consider submitting a tender for the work.

(Councillors Tomlinson/Irwin) (S317)

Tenders for Sprayed Bitumen Surfacing

(See Minute No. 317/99)

Review of Council Policy 3.1.12 - Market Policy

(See Minute No. 318/99)

Crime Prevention Plan

(Copy attached)

325/99 RESOLVED that the report be received and -

- 1 The Crime Prevention Plan be placed on public exhibition for a period of 28 days.

- 2 Council staff be congratulated on the work that has gone into this Plan.

(Councillors Irwin/Roberts) (S717)

1999 Financial Reports

(See Minute No. 319/99)

Strategic Directions & Information Workshop

(Copy attached)

326/99 RESOLVED that the report be received and -

- 1 That Council conduct a one day Strategic Directions and Information workshop on a date and at a venue to be determined by the General Manager.

- 2 That an independent facilitator conduct the workshop.

- 3 That the General Manager in consultation with Council, the facilitator and staff determine the agenda.

- 4 That the "appreciation" dinner for former Councillors and Christmas Party for councillors and spouses be conducted that evening, at a venue to be determined by the General Manager.

(Councillors Irwin/Gallen)

**Voting Against:** Councillor Swientek.

(S44)

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Union Picnic Day

(Copy attached)

- 327/99 RESOLVED that the report be received and Council approve Friday, November 19, 1999 as the Union Picnic Day for members of the abovementioned Unions/Association.  
(Councillors Irwin/Gallen) (99-16013: S25)

Investments Held by Council as at 31/8/99

(Copy attached)

- 328/99 RESOLVED that the report be received and noted.  
(Councillors Roberts/Crowther) (S170)

DOCUMENTS FOR SIGNING AND SEALING:

- 329/99 RESOLVED that the following documents be executed under the Common Seal of Council:-

Deed of Agreement - Federation Grant

Agreement between Council and the Department of Communications, Information Technology and the Arts - Lismore Riverbank Access Project

Assignment of Footpath Restaurant Licence

Sale of Crackerjack's Restaurant, Molesworth Street, Lismore - Sharpe to Ward  
(99-14417: P6894)

Request & S88B Instrument - 33 Funnell Drive, Modanville

Application to modify a restriction as to user within S88B Instrument to allow the construction of a timber home on 33 Funnell Drive (Lot 102, DP 848192)  
(99-12700: P25107)

Extinguishment and Replacement of Sewer Easement - 238 Rous Road

Olley Estate - Stage 6 of urban subdivision to create 27 new lots.  
(D94/310)

Transfer - Council to Palgild Pty Ltd - Lot 1, DP 876771

Northern half and closed section of Little Dawson Street.  
(D97/185)

Transfer and Transfer Granting Easement - Palgild Pty Ltd & Council

Transfer to Palgild of the northern half of the closed part of Little Dawson Street and Transfer Granting Easement to Council to drain sewage 1 metre wide - Lot 1, DP 876771  
(D97/185)

Lease of Land for Carpark - Lismore & District Workers Club Limited

Council land at 180 High Street leased to Workers Heights Bowling Club for carpark.  
(99-15290: D98/165)

Contract and Transfer - Council to Baldwin - 20 Blue Hills Avenue

Sale of vacant land at Lot 14, DP 839941

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Licence Agreement - Council and Northern Region SLSA Helicopter Rescue Service Pty Ltd

The Licence Agreement has been set up to allow radio equipment to be installed on Council's reservoir sites for a yearly fee. Each individual user of Council's sites will be required to enter into a separate licence agreement with Council.

(P4031)

(Councillors Irwin/Roberts)

MATTERS OF URGENCY:

Election of Delegates to Rous County Council

330/99 RESOLVED that this matter be admitted to the business paper as a matter of urgency.

(Councillors Swientek/Irwin)

331/99 RESOLVED that a ballot be held for the two delegates to Rous County Council.

(Councillors Swientek/Crowther)

Nominations were received for Councillors Crowther, Hampton and Baxter.

An optional preferential ballot was conducted.

At the conclusion of the counting the Returning Officer (Group Manager-Corporate & Community Services) declared Councillors Crowther and Hampton elected.

(S44)

Bush Fire Co-ordinating Committee and Rural Fire Services Advisory Council

332/99 RESOLVED that this matter be admitted to the business paper as a matter of urgency.

333/99 RESOLVED that Council nominate Councillor Gallen for appointment to the Bush Fire Co-ordinating Committee and Rural Fire Services Advisory Council.

(Councillors Swientek/Baxter)

(S104)

1999 Local Government Conference

334/99 RESOLVED that this matter be admitted to the business paper as a matter of urgency.

335/99 RESOLVED that Council appoint Councillor Hampton as a delegate to the 1999 Local Government Conference in lieu of Councillor Irwin.

(Councillors Irwin/Gallen)

(S569)

CONFIDENTIAL MATTERS - COMMITTEE OF THE WHOLE:

336/99 RESOLVED that Council now exclude the press and public and meet in Committee of the Whole to consider the following matter:

Unauthorised Use of Premises as a Shop - Palings Music Centre, Cnr Ballina & Dawson Streets, Lismore - (Mr Steve Kennedy)

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(Councillors Irwin/King)

**Voting Against:** Councillors Baxter, Swientek, Gallen and Crowther.

(Z99/39)

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RESUMPTION OF OPEN COUNCIL:

When the Council had resumed its former sitting, the General Manager reported that Council, meeting in Committee of the Whole, had resolved to exclude the press and public during its consideration of the beforementioned matters to preserve the confidentiality of a legal matter

AND IT NOW RECOMMENDED

Item 1:

That Council continue to pursue legal action through Walters Solicitors against the Palings development at 83 Ballina Street, Girards Hill.

- 337/99 RESOLVED that the General Manager's report of Council meeting in Committee of the Whole be received and adopted.  
(Councillors Baxter/Crowther)  
**Voting Against:** Councillor Swientek.

This concluded the business and the meeting terminated at 9.33 pm.

**CONFIRMED** this 2ND day of NOVEMBER, 1999 at which meeting the signature herein was subscribed.

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**MAYOR**

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