



NOTICE OF COUNCIL MEETING

An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on TUESDAY, JULY 9, 2002, at 6.00pm and members of Council are requested to attend.

(Col Cooper)
ACTING GENERAL MANAGER

July 2, 2002

COUNCIL BUSINESS AGENDA

JULY 9, 2002

PUBLIC ACCESS SESSION:

PAGE NO.

Mr Bruce Lewis re Notice of Motion

PUBLIC QUESTION TIME:

OPENING OF MEETING AND PRAYER (MAYOR):

APOLOGIES AND LEAVE OF ABSENCE - Councillor Swientek

CONFIRMATION OF MINUTES - Ordinary Meeting 11/6/02
Special Meeting 25/6/02

CONDOLENCES

DISCLOSURE OF INTEREST

MAYORAL MINUTES

1 - 4

NOTICES OF RESCISSION

NOTICES OF MOTION

5 - 6

SUSPENSION OF STANDING ORDERS

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

REPORTS

7 - 24

COMMITTEE RECOMMENDATIONS

25 - 31

DOCUMENTS FOR SIGNING AND SEALING

32

QUESTIONS WITHOUT NOTICE

CONFIDENTIAL MATTERS - COMMITTEE OF THE WHOLE

33 - 37

INDEX

REPORTS:	<u>PAGE NO.</u>
Goonellabah Recreation Centre	7 - 8
Provision for Security Services of Various Council Assets	9 - 10
Hepburn Park – Soil Condition and Sewerage System	11 - 14
Development Assessment Panel – Minor Alterations to Composition and Operations	15 - 16
Art in the Heart Committee of Council	17 - 18
Lismore Regional Airport Business Plan	19 - 20
Quarry Business Plan Review	21 - 24
<u>Committee Recommendations:</u>	
Traffic Advisory Committee 19/6/02	25 - 31
<u>Documents for Signing and Sealing:</u>	32
<u>Questions Without Notice:</u>	
<u>CONFIDENTIAL MATTERS - Committee of the Whole:</u>	33 - 37

MAYORAL MINUTE

Subject/File No: SWIMMING POOL STRATEGY
(P6768,T22004)

Background:

After considering the financial plan to accommodate the financing of the Lismore Levee – approximately \$3 million, and the Memorial Baths – a minimum of \$5.5 million, together with increases in provision of power and probable increases in relocating other services, I have come to the conclusion, that Council should initiate discussions with Southern Cross University on a joint venture.

This was a very difficult decision, however when one considers the backlog in roadworks that Lismore faces, I feel it is the right decision. Preliminary talks with an executive of SCU indicate this is still a possibility.

The intention would be to adopt a location that puts it in the Lismore East catchment and enable Council to access the \$1 million from Section 94 funds. Such a location in the short term may serve Lismore West and Lismore East and eliminate the need to build a pool in Goonellabah. The \$1 million, when added to funds from the sale of the Goonellabah Shopping Centre site, would considerably ease financial burden on Council.

The design for the Memorial Baths should be adaptable to another site and there may be better foundation conditions, eliminating the need for piles. There will still be a north south 50 metre pool and a north/south 25 metre pool heated with leisure water, when considering possible sites.

Payment of a Retainer to Pool Designer

If a joint venture proceeds I would suggest, in order to maintain a good working relationship with Council's designer, Council pay a retainer, which, of course, would come off his final payment when the pool is completed. According to legal advice, the contract for design may not commit Council to pay a retainer, however I believe it would be desirable in order to maintain a sound working relationship. Of course, this would be conditional on the joint venture proceeding.

Purchase of Returned Soldiers' League Club Land

The club has offered to sell the land to Council over a four-year period on payment of \$57,000 each year. The land, I believe, would be suitable for parking and the former bowling green may be the desirable place to establish a suitable memorial to the World War I veterans once the pool is demolished, if the joint venture proceeds. This, of course, would be up to the RSL sub-branch to determine.

The land is not suitable for location of buildings because of flood prone problems and is ideal for parking. There are not many areas which Council can purchase for future parking and as the CBD expands to the south, I feel in the long term, it would be a sound investment for Council. There is currently \$165,000 in the parking reserve.

LISMORE CITY COUNCIL - Meeting held July 9, 2002

Mayoral Minute – Swimming Pool Strategy

There is considerable parking, which occurs on RSL land currently, by people who are not customers of the RSL and I feel in years to come, as parking requirements increase, Council may have a moral obligation to purchase the land.

Other Sites in Goonellabah for 25 Metre Pool

The consolidated property site, according to Manager Client Services, is possible however it may be tight and may not have enough room for parking. One other site which may be a possibility is the Goonellabah Sports Club. Indications from the Club Management indicate the club would favour such a location as it would complement the existing facilities.

Location of a swimming facility may be difficult because of the need to locate it away from residential property.

Acting Manager - Finance & Administration Comments

From a financial perspective, a joint venture with the University and the use of in excess of \$1million in Section 94 levies previously unavailable will greatly improve the viability of the building of a new aquatic centre.

The following table illustrates the potential financial impacts of the current arrangement for redeveloping the Memorial Baths versus a joint venture with the University assuming the same total cost and then a joint venture with an increased facility cost of say \$10million. It should be noted that for comparison purposes these figures exclude any other capital funding such as grants or proceeds from the sale of assets.

Indicative Funding Scenarios	Current	Joint Venture	Joint Venture
	Memorial Baths	Same cost as Memorial Baths	Upgraded Facility
Projected Facility Cost	6,800,000	6,800,000	10,000,000
Funding			
Aquatic Centre Reserve	847,000	847,000	847,000
Section 94 – City Wide Levies currently available	290,000	290,000	290,000
Section 94 – Community Facilities Urban East Levies currently available	0	1,038,000	1,038,000
Half Share from Southern Cross University	0	3,400,000	5,000,000
Borrowings	5,663,000	1,225,000	2,825,000
TOTAL FUNDING	6,800,000	6,800,000	10,000,000
* Loan repayments per annum based on proposed borrowings	671,000	145,000	335,000

As the table shows, the future loan commitments under a joint venture are significantly reduced. In relation to the purchase of the RSL club land, the \$165,000 available for car parking consists of Section 94 levies collected. The Section 94 Plan stipulates that 11% of levies and therefore 89% from other Council sources may be used for acquiring/constructing car parking. As such only a small proportion of these funds are available and the balance needs to be sourced from elsewhere.

Other Group Comments

Manager Client Services – Lindsay Walker

As the section of Council responsible for the majority of the public land over which Council has responsibility Client Services has been asked to make comment with regard to the third recommendation of the “Mayoral Minute – Swimming Pool Strategy”.

In determining the merit of this recommendation Council may consider the following points.

- Should the Memorial Baths be relocated to an alternative site the need for car parking in the area will be greatly reduced. It is also possible that Victoria Street will be upgraded in the future and this work could be carried out in such a way as to provide considerable angle parking without diminishing the quiet nature of this street.
- Should the Memorial Baths be relocated it would be both possible and desirable to strengthen the memorial aspect of the “Menin Gate” entry to the site by creating a reflective pool, a memorial garden or similar in the area currently taken up by the existing pool. Such a memorial would strengthen the axis created by the existing entry and the recently reworked cenotaph.
- The valuation which Council commissioned for the RSL land it required for parking if the Memorial Baths were expanded on the existing site recognised that Council had to purchase the said land to allow the Aquatic Centre to proceed. Accordingly the valuation was based on “current cost of replacement (as a lawn bowling green) of the asset”. As it no longer seems imperative that Council purchase the RSL land for the Aquatic Centre to proceed Council should consider the value of the site as any other purchaser (who did not require a bowling green) would. Such purchase would look only at the value of the land and would consider the cost of removing any improvements which were not compatible with the proposed land use.
The abovementioned valuation which Council holds assessed the “land value” of the site (exclusive of site improvements) as between \$140,000.00 and \$150,000.00.
- It is noted from the Acting Manager of Finance’s comments that 11% of the cost of any given site can be funded from the S94 parking reserve. For this site this would equate to approximately \$18,150.00.

It would not seem prudent to utilise these funds for any purchase Council may consider in Market Street as Council may be required to purchase land in Keen Street near the Browns Creek Car park to assist the Levee project. Any purchase in the Browns Creek area would:

- a. Assist in flood flows and;
- b. attract a 2:1 subsidy, which would ensure greater value for Councils funds.

Contracts Officer

Legal advice has been obtained and under the terms of the agreement with Bzowy Architecture there is no provision for the suspension of works. It is proposed that a Deed of Variation be prepared and signed by both parties to formalise the current suspension of works.

Discussions have been held with Rick Bzowy and he is willing to suspend works in accordance with the terms of a Deed of Variation.

In regard to the payment of a retainer, Bzowy Architecture were requested at the beginning of June to reduced the level of works under the contract and Rick Bzowy has indicated that the reduction and subsequent suspensions of works will adversely affect his operations over the next few months. Bzowy Architecture has provided Council with a high level of service since appointment to the project and therefore I concur with the recommendation to pay a retainer for a two (2) month period during the suspension of works. It is proposed that a “retainer agreement” be prepared, which will formalise this arrangement and require that any fees paid will be credited from future design fees.

Recreation Planner

The need for a new aquatic centre in Lismore has been established for a long time and numerous proposals have been considered over the past decade.

A joint venture with Southern Cross University may provide the most sensible and affordable option to provide a facility that best meets the community’s needs. While the recommendation to pursue this option is supported, there is concern that the proposed approach will jeopardise the development of a community leisure centre in Goonellabah. This project should also be viewed as a high priority.

The recommendation to pay a retainer to the pool designer is also supported. Bzowy Architecture has provided Council with an excellent level and quality of service since its appointment in January.

Recommendation (MM01)

- 1 Council advise the Southern Cross University it is interested in pursuing a joint venture for the establishment of a major swimming complex. If the University participates then a committee be formed to guide the project consisting of Council staff, councillors and University representatives.
- 2 Council pay a retainer to the pool designer of \$7,500 per month subject to the SCU indicating it will join with Council to participate in the provision of a major swimming complex, any retainer to be part of the final design fee.
- 3 Council offer to purchase the Returned Soldiers’ League Club land for future parking over a four year period to be funded from the parking reserve and other sources if the reserve has not increased over the four year period.

NOTICE OF MOTION

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

That the requirement for resumption of 2 metres of land by Council on redevelopment of 40 Zadoc Street be removed.

COUNCILLOR R M Irwin

DATE June 18, 2002

STAFF COMMENT BY GROUP MANAGER-CITY WORKS:

The existing house at No. 40 Zadoc Street is bounded by Little Keen Street and is currently zoned 3A (ie, Commercial).

In the mid-1980s Council developed a series of road widenings aimed at allowing the lanes on the fringes of the CBD to be redeveloped into viable commercial land. In the case of Little Keen Street it was proposed to widen the lanes to give approximately 6.0m of roadway with a footpath of approximately 2.0m on each side (refer attached plan).

The property file contains copies of Section 149 Certificates (1995), indicating the requirement for road widening together with a letter to the property owner in 1991 detailing the need for road widening. Clearly it is not possible to redevelop the lanes into viable commercial business areas if there is insufficient space for vehicles to effectively enter, leave or park in the lane. Unfortunately the most critical houses are located on the intersections with the major streets.

If sufficient land is not obtained when these parcels are redeveloped then the future redevelopment of the lane is severely jeopardised.

It should be noted that the widening is only required if the land is redeveloped into a new commercial use. There is no intention to undergo any form of road widening while ever the land is used for its current residential purpose.

(02-7163: P10629)

NOTICE OF MOTION

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

That this Council organise a deliberative poll of 200 residents to determine the number of councillors to recommend to the community at the 2003 election referendum.

Council's resolution of February 12, 2002 is as follows:

26/02 **Resolved** that the report be received and -

- 1 *That the Council determine that eleven (11) be the number of Councillors (including a popularly elected Mayor) for the following term of office, subject to approval at a constitutional referendum.*
- 2 *That a constitutional referendum be held in conjunction with the next general election or any by-election in the meantime.*
- 3 *That the estimated cost of conducting the referendum be funded from general election funding.*

COUNCILLOR R M Irwin

DATE April 22, 2002

STAFF COMMENT BY ACTING GENERAL MANAGER:

A subsequent rescission motion was defeated at Council's meeting on March 12, 2002.

As it is now more than three months since this matter was last considered, there is no impediment to consideration of this Notice of Motion.

(02-4786: S44)

LISMORE CITY COUNCIL - Meeting held July 9, 2002

Subject/File No: GOONELLABAH RECREATION CENTRE
(P22522)

Prepared By: Manager Client Services, Lindsay Walker

Reason: In conformity with council's request made at Council workshop of June 25, 2002.

Objective: To obtain Council resolution of advice to Vantage Project Management.

Management Plan Activity: Client Services Unit - Community Facilities

Background

At the Council workshop held on June 25, 2002, the Mayor provided Councillors with information with respect to future location and possible funding options for the proposed Memorial Baths Aquatic Centre. It was clear from this information that one of the options being seriously considered would locate the proposed Aquatic Facility much closer to Goonellabah and may access funding held in the Urban Catchment East Section 94 Community Facility fund.

If this proposal were to proceed it may impact upon Council's capacity to fund the proposed Goonellabah Recreational Centre.

Notwithstanding the uncertainties outlined above, Council continues to recognise both the requirements to provide facilities in Goonellabah and the merit of the offer made by Vantage Project Management. To fully explore the implications of the proposed land swap with Vantage Project Management, consideration has to be given to the following points.

- The impact of the site constraints imposed by the Department of Land & Water Conservation (DLWC);
- The impact of existing infrastructure constraints;
- The impact on the road and traffic conditions;
- The appropriateness of the current design; and
- Funding opportunities and constraints.

Manager - Finance & Administration Comments

Funding options already raised and variations on these options could be explored at the proposed workshop on this issue.

Other Group Comments

Manager Community Services

Following discussion with Goonellabah community groups and residents, preliminary indications are that the existing Recreation Centre design is perhaps not the most appropriate design and scope for the current and future needs of Goonellabah. A small-scale community consultation is being developed by staff to more accurately determine the most pressing needs within the community.

Group Manager – City Works

The proposed land swap gives Council the most usable land and is the best long term option for Council. A direct road link from Ballina Road roundabout at Gordon Blair Drive across to Oliver Avenue is a long term objective of the development of the Town Centre land in accordance with the Section 94 Plan.

Author's Response to Comments from Other Staff

Not required.

Conclusion

The opportunities available to Council to advance the Goonellabah Recreation Centre will continue to be uncertain for some little time. Until these have been determined, it is recommended that no firm decisions be made in this matter, however it is considered that a workshop would allow Councillors the opportunity of developing their understanding of the issues surrounding this project.

Recommendation (GM02)

- 1 That Vantage Project Management be advised of Council's continued commitment to the Goonellabah Recreation Centre, together with its inability to provide a firm date for the commencement of the work pending current Aquatic Centre considerations.
- 2 That Vantage Project Management be requested to continue to make their previous land swap proposal available to Council for a further 18 months.
- 3 That Council conduct a workshop on July 16, 2002 to further explore the opportunities available to advance this project
- 4 That Council staff undertake small scale public consultation to ascertain the appropriateness of the current design.

LISMORE CITY COUNCIL - Meeting held July 9, 2002

Subject/File No: PROVISION FOR SECURITY SERVICES AT VARIOUS COUNCIL ASSETS – T22024

Prepared By: CONTRACTS OFFICER - Chris Allison

Reason: Council consideration of the security contract

Objective: To obtain Council approval to award contract for provision of security services

Management Plan Activity: Client Services

Background:

The current contract for the provision of security services for all of Councils assets/locations expires July 31, 2002. Client Services unit, on behalf of the various asset managers, prepared the tender documents for the next three year period with an option to extend the contract for a further two (2) years.

Tenders were advertised in the Sydney Morning Herald and Northern Star. Tender documents were issued to fifteen (15) companies, with five (5) tenders being received by the close of tender on 2:00 pm Wednesday June 12, 2002.

The assets included in the tender are as follows:

Administration Offices Goonellabah	Laurie Allan Community Centre
Crozier Oval	Dog Pound
Old Municipal Offices	Molesworth House
Blakebrook Quarry	Crematorium/Lawn Cemetery
Koala Child Care Centre	Lismore After School Care
Lismore Central Business District	Neighbourhood Centre
Oakes Oval	Oakes Oval Precinct
East Lismore Treatment Works	Waste Facility Offices
Gingerbread House Day Care	Works Depot - Brunswick St
Lismore City Library	Goonellabah Library
Public Toilets Lismore - CBD	Heritage Park
Works Depot - Block B	Goonellabah Community Centre
Lismore Art Gallery	Tourist Information Centre
South Lismore Treatment Works	Hepburn & Clifford Parks
Lismore Memorial Baths	Lismore Lake Pool
Old High School Site	Parks & Gardens Office
Riley Lookout	Robinson Lookout
Rowing Club Carpark	Ross Street Pumping Station
Transit Centre	Wade Park
Nimbin Water Treatment Plant	

Tender Examination

The tenders received are summarised below

Tenderer	Tender Price
Summerland Security	\$ 214,606.90
Security Hardware Pty Ltd	\$ 218,420.00
Meridian Protective Services	\$ 267,090.40
Group 4 Securitas	\$ 281,608.14*
First Direct Private Security	\$ 282,028.30

* Excluded after hours telephone service & two-way radio monitoring

LISMORE CITY COUNCIL - Meeting held July 9, 2002

Provision for Security Services at Various Council Assets

The tender documentation (Clause B7) defined six (6) areas by which each tender would be assessed: Price, Capability & Relevant Experience, Service Delivery, Staffing, Compliance with Quality & Safety Plans and Management & Financial. The tenderers were required to address each of these criteria in their tender. Attachment A shows the weighted result for each criteria.

The weighted assessment shows that the tender by Summerland Security has provided good value for this contract and Summerland Security are the current provider of security services for Lismore City Council.

Principal Accountant's Comments

Security is an important service that provides an indirect saving to Council's assets and staff through the deterring of crime and the potential issues/costs that are related to crime. The cost increases from the previous tender are manageable and are allocated across many departments of Council. The tendering process shows that Council is receiving a competitive market price for its security related services.

Public Consultations

N/A

Other Group Comments

N/A

Author's Response to Comments from Other Staff

Not required

Conclusion

Summerland Security have provided the lowest conforming tender and have ranked first in the evaluation criteria. Summerland Security have undertaken the provision of security services for Council for the past three years. During this time Summerland Security have provided excellent service to Council in regard to the provision of security services.

Recommendation (GM01)

- 1 The contract for the provision of security services for the period to June 30, 2005 be awarded to Summerland Security for the amount of \$214,606.90.
- 2 The Mayor and General Manager are authorised to execute the Contract on Council's behalf and attach the Common Seal of the Council.

Subject/File No: HEPBURN PARK – SOIL CONDITION AND SEWERAGE SYSTEM
NM:VLC:S744

Prepared By: Manager - Parks & Recreation

Reason: Council resolution.

Objective: To inform Council of the condition of the sports fields at Hepburn Park.

Management Plan Activity: Parks and Recreation

Background:

At Council's ordinary meeting of December 11, 2001, Council resolved as part of resolution 260/01:

“...3. That a report be provided to Council on the condition of the earth at Hepburn Park and actions Council intends to take to improve it.

4. That a report be provided to Council on the condition of the current sewerage system at Hepburn Park and the costs of maintaining it in the current condition.”

This report attempts to address both of these issues.

Condition of the Earth:

Why might the ground condition be suffering?

Hepburn Park is one of Council's most heavily used sports grounds. The ground is used for touch football for nine/ten months of the year; cricket during the summer season, and hockey in the winter months. Oztag also makes use of the ground for four/five months and, in addition, Schools are heavy users of the ground mid-week.

Given the free draining nature of the red soil on which this ground is situated, if dry weather conditions prevail, the turf suffers noticeably as there is no way of irrigating the ground given the existing infrastructure.

Furthermore, there is the problem associated with ants. This problem is created by the mounding that the ants create in their hundreds across the turf surfaces. This problem is not specific to Hepburn Park but exists right across areas of red soil and creates problems at Clifford Park, Balzer Park and Tregagle Oval. This problem can vary from one year to the next with some years being non-existent and others being intense. These mounds create a very uneven surface for balls to run across and in the instance of hockey and cricket, can become dangerous for players.

Council Staff have undertaken extensive research into solution options and the only effective solution is the use of insecticides which are also very expensive. Unfortunately resources do not always permit us to provide regular treatments to this problem.

In addition, soil tests have revealed that there is a nutrient deficiency within the soil. This is most likely attributed to how the ground was originally constructed. Given that it was a cut and fill operation, the quality of the red soil at the excavated depth was poor and is not conducive to turf culture.

What can Council do about the situation?

Council staff plan to undertake a fertiliser programme this financial year in an attempt to address the nutrient problem. It is hoped that this will improve the turf's ability to stand up to the intense use it receives. However, given the intensity of use on these grounds, an obvious solution would be to close one (1) field and rotate the number of fields used at any one time, thus spreading the 'wear and tear'. Council staff have proposed this option and I understand this proposal is acceptable to the Hockey Association.

After discussions with the touch football fraternity last year, Council staff renovated the ground closest to the clubhouses and topdressed about one-half of the entire playing surface. It is planned to topdress the remaining one-half next spring.

Councillors may recall that there have been two (2) previously unsuccessful attempts to seek assistance and agreement from the user groups on the installation of an irrigation system at this ground. The installation of an irrigation system would solve most of the problems.

When the original Notice of Motion regarding this matter was tabled with Council, I provided a comment for the Council Meeting of November 13, 2001. In light of the fact that Council resolved as above (Part 3), I arranged a meeting on February 27, 2002 between Messrs Jim Challenor and Barry Carney (*Far North Coast Hockey*), Clint Mallett (*East Lismore Hockey Club*), and Laurie Cooper and myself.

The outcome of the meeting was as follows –

- Both parties agreed that the main problem was the over-use/heavy traffic caused to the ground.
- Both parties agreed that sections of the ground required spelling/closure.
- Both parties agreed that it was difficult for Council to gain access to the ground for refurbishment works because of the high demands from user groups. It was identified that individual groups were reluctant to stand aside to allow such works to be undertaken with the exception of hockey.
- It was agreed that some rotation of where the hockey fields are marked would assist.
- Both parties agreed that regular refurbishment works, such as fertilising, coring, topdressing, renovating, etc, is desirable.
- Both parties agreed that the installation of an irrigation system would make a significant improvement to the situation. It was acknowledged by the hockey representatives that Council staff had made previous attempts to seek assistance and agreement on irrigation without success. It was agreed that it might be appropriate for the LDSA Committee to seek a resolution on this matter.

As a result of the meeting, it has been decided that for the current winter season, one (1) of the two (2) marked hockey fields will be relocated to balance the wear on the turf. Each year the hockey fraternity will be prepared to close a field for a period of time to allow renovation works to proceed if required.

In the longer term Council may need to consider developing a new field complex in the Eastern Goonellabah area or nearby, or alternatively, redeveloping one of its existing grounds such as Clifford Park to enable it to absorb some of the demand for sports fields in this area of the City.

LISMORE CITY COUNCIL - Meeting held July 9, 2002

Hepburn Park – Soil Condition and Sewerage System

Condition of Sewerage System:

The sewerage system at Hepburn Park is a septic system, which was installed by the East Lismore Hockey Club and the Touch Football Association when they built their respective clubhouses. Both sporting groups have installed their own septic tanks. The liquid waste from the tanks is then pumped to the sewer main located nearby. The septic tanks are pumped regularly to remove solids.

As mentioned in previous correspondence to Councillors on this matter, the pump on this system was vandalised some 12-18 months ago and, as a consequence, there was a minor overflow. Since being enclosed in vandal-proof housing, no further problems have been experienced.

There is an unpleasant odour from the septic tanks but this is normal for all septic systems and is not attributed to any fault in the system. Council covers the cost of pumping out the septic tanks at less than \$100 per tank as Schools and other members of the public also utilise the ground. The tanks are pumped out between two/three times per year.

If it was considered that this system should be upgraded (to connect to the recently installed sewer main installed for the new Far North Coast Hockey Inc Clubhouse), then it is my understanding that such costs would be divided three (3) ways between the Touch Football Association, East Lismore Hockey Club and Council. Plumbing costs would not be great with estimates at \$2,200. However, this would then open the debate about whether or not Council, the East Lismore Hockey Club and the Touch Football Association would need to contribute to the costs associated with installing the new sewer line for the recently constructed Hockey Association Clubhouse, such a contribution could amount to a very sizeable sum of money. Touch Football organisers have indicated they are satisfied with their sewerage system and have no desire to upgrade, and the East Lismore Hockey Club is unlikely to have the funds to contribute as confirmed by its Treasurer, Clint Mallett.

Manager - Finance & Administration Comments:

It would appear that the issues surrounding the playing surface have been resolved, or are being pursued, after discussions between the users and the Manager - Parks & Recreation. I understand any works will be funded from within existing budgets.

As to the septic tank system, on the basis that it is in "good working order" and the impact of an estimated \$2,200 connection cost and potential for an additional contribution to the Hockey Association (for sharing the sewer main) on a limited Parks & Recreation budget, the recommendation to maintain the status quo is supported.

Public Consultations:

"Hockey Far North Coast Inc are satisfied with the comments in this report". (Clint Mallett representing HFNC Inc).

Other Group Comments:

Acting Manager - Environmental Health:

Council's Environmental Health Section has not received complaints in regard to any effluent or odour issues at Hepburn Park. The issue of whether or not the facilities should be connected directly to the sewerage system is not of concern to this Section as the existing system appears to be operating in good working order and the effluent is ultimately being discharged to the sewerage system.

Author's Response to Comments from Other Staff: Not required

Conclusion:

There are some options available to improve the situation regarding the ground condition at Hepburn Park. There is still the unresolved issue of the cost-sharing arrangements for the irrigation system, however the LDSA Committee may be in a better position to resolve this matter.

In addition, the existing septic system continues to work adequately and whilst the cost to upgrade to the new sewer line is minimal, the potential to be required to contribute to the FNC Hockey sewer main could potentially be a financial burden on not only Council but the two other sporting groups involved.

Recommendation (WOR2)

- 1 That Council staff continue with the ground renovation and topdressing of the remaining areas of the ground next spring.
- 2 That Council staff undertake a fertiliser programme to address the nutrient deficiency of the soil.
- 3 That if there is no improvement to the turf surface within the expected timeframe, staff introduce a ground spelling/closure programme on a rotation basis.
- 4 That the LDSA Committee seek resolution on the matter of when the irrigation works will be undertaken.
- 5 That the existing septic system be retained for the time being.

Subject/File No: DEVELOPMENT ASSESSMENT PANEL – MINOR ALTERATIONS TO COMPOSITION AND OPERATIONS (S371)
Prepared By: Manager Planning Services – Helen Manning
Reason: To update the composition and activities of the Panel in accordance with current practices and legislation.
Objective: Improved service to applicants
Management Plan Activity: Planning Services

INTRODUCTION

At its meeting of June 27, 2002 senior management considered a report recommending alterations to the operation of the Development Assessment Panel. Senior management agreed with the recommendations of the report but, as the DAP is set up by policy adopted by Council, alteration to the operation requires an alteration to the adopted policy. Therefore Council's agreement is sought to the alteration of Policy 5.5.2 *Development Assessment Panel – Function and Modus Operandi* as set out below.

BACKGROUND

Policy 5.5.2 specifies the role of the DAP as considering, from a corporate and departmental point of view, all aspects of development applications, including compliance with current legislation and Council policy and practice. In the light of these considerations, it is to concur or refuse to concur with recommendations of the Planning and Development and City Works Groups. The constitution of the Panel is defined as comprising six fully qualified professional staff representing the Group Managers of Corporate and Community Services, City Works, and Planning and Development.

A copy of the policy showing highlighted amendments is attached (Item 2 under Constitution and Item 3 under Special Issues).

PROPOSAL

The alteration of the operation of the Development Assessment Panel (DAP) is sought in relation to two matters:

1. the inclusion of a representative of Lismore Water on the Panel; and
2. the threshold of value of the application above which the application must be determined by Council.

1. Lismore Water Representative

Currently the Business and Enterprise Group is not represented on the Panel, despite the requirements of Lismore Water having to be considered in the assessment and conditioning of applications for development in serviced areas. The inclusion is recommended of a representative of Lismore Water on the Panel, to ensure that water and sewerage requirements are accurately reflected in consents. To date, Lismore Water staff have relied on Panel members from other Groups to ensure that water and sewer requirements contained in referrals are carried through into the consent, but this has proved to be problematic in some instances. Water and sewer issues are integral to most urban development and it is considered important that the Panel truly reflect all significant issues raised in development.

2. Value of application to be determined by Council

The Panel is prevented from considering and determining a 'significant development application' as defined within the Policy. This definition includes *'all development applications over \$2 million in value'*.

LISMORE CITY COUNCIL - Meeting held July 9, 2002

Development Assessment Panel

Over the past few years there have been a number of applications possibly under-reporting their value at \$1.9 million, perhaps in order to take advantage of the quicker determination time through the DAP. The \$2million threshold may have originated when the Policy was initiated in 1988 and should be updated to reflect current costs of development.

Although the figure of \$3million was recommended to MGM, which agreed, the Panel itself considers that \$2.5 million may be a more appropriate figure.

Alteration of the threshold figure to \$2.5 million is recommended.

Manager - Finance & Administration Comments

Not required.

Public Consultations

Not required.

Other Group Comments

Manager Client Services agrees with the requirement that a representative of Lismore Water should attend DAP to ensure that their matters were given correct interpretation. He also thinks that the value of the ceiling of matters for referral to Council should be increased to \$2.5m.

Manager Lismore Water has agreed with the proposal, on the proviso that matters concerning his responsibilities can be considered early in the Panel's meetings and his representative is not required to attend for DAs in which water/sewerage provision is not an issue.

Author's Response to Comments from Other Staff

The requirements of the Manager, Lismore Water should be able to be accommodated, as all applications for consideration by the Panel are known in advance of the meeting.

Conclusion

Alterations to the composition of the Development Assessment Panel are recommended in order to fully reflect a corporate approach to the consideration of development applications, and to ensure that applications of higher dollar value are considered by Council.

Recommendation

That Council amend Policy No. 5.2.2 as proposed above.

LISMORE CITY COUNCIL - Meeting held July 9, 2002

Subject/File No: ART IN THE HEART COMMITTEE OF COUNCIL
(P26243)

Prepared By: Manager Community Services – Wendy Adriaans

Reason: To select community representatives

Objective: To formalise the existing group as a committee of Council as per Committees Policy

Management Plan Activity: Community Services

Background:

Existing community representatives on Council Committees were endorsed by Council at the December 2001 Council meeting. However, the Art in the Heart Committee was not formally meeting at that time, and was not included in the Council report. The Committee has since re-formed, and would like to be formally acknowledged and endorsed as a Committee of Council.

In early 2002 expressions of interest were sought from the general public to attend meetings relating to the Art in the Heart Arts and Cultural Precinct development. Numerous nominations were received from the floor, and an interim committee was formed. The nominees represented a broad cross-section of the general public, including artists, academics, business people, professional arts organisations, and interested citizens. Councillors Irwin, Tomlinson and King have been regular attendees at these meetings.

The interim committee has been meeting on a regular basis, has formulated its Plan of Management, and is progressing well. A draft Plan of Management is attached for reference. In accordance with established procedures, Council is required to formally adopt committee members, and applications have been received from the following:

Rohan Shearn
Jill Jameson
Jan Davis
Bronwyn Larnar
Lorraine Vass
Marion Forwood
Adele Wessell
Ellen Shead
Jon Haigh
Phillipa Howells
Rob Garbutt
Steven Welstead
Emma Newman
Jyllie Jackson

It should be noted that committee members have requested the committee title to be **The Art in the Heart Advisory Panel**.

Manager - Finance & Administration Comments

Not required.

LISMORE CITY COUNCIL - Meeting held July 9, 2002

Art in the Heart Committee of Council

Public Consultations

This has been achieved by requesting attendance at meeting via the local print and radio media, in addition to invitation fliers available from organisations such as the Art Gallery, Conservatorium, Library etc.

Other Group Comments

Not required.

Author's Response to Comments from Other Staff

Not required.

Recommendation

That:

- 1 Rohan Shearn, Jill Jameson, Jan Davis, Bronwyn Lerner, Lorraine Vass, Marion Forwood, Adele Wessell, Ellen Shead, Jon Haigh, Phillipa Howells, Rob Garbutt, Steven Welstead, Emma Newman and Jyllie Jackson be appointed to the Art in the Heart Advisory Panel.
- 2 The Plan of Management for the Art in the Heart Advisory Panel be adopted.

LISMORE CITY COUNCIL - Meeting held July 9, 2002

Subject/File No: LISMORE REGIONAL AIRPORT BUSINESS PLAN
(CWK:CD:P25804)

Prepared By: Craig Kelly – Group Manager Business & Enterprise and
Colin Fort – Ambidji Frontec

Reason: To inform Council of impending plans for the Airport

Objective: To seek Council resolution

Management Plan Activity: Airport

Background:

On March 11, 2002 a joint workshop of the Council and the Airport Advisory Panel reviewed the performance of the Business Plan for 1998 to 2002 for the Lismore Regional Airport. At that workshop a number of broad strategies for the airport were considered to form the basis of a business plan for the period to 2005.

At the April meeting of Council a report on the Lismore Regional Airport Business Plan was tabled and adopted.

At the June Meeting of the Airport Advisory Panel a draft of the business plan was reviewed and amended based upon the comments of the members. This document is now put to the Council for comment and if appropriate endorsement (see attached).

Business Plan 2002 -2005

The business plan highlights a number of areas for future planning and development of the airport. Overt and covert competition from surrounding airports combined with upheaval in the industry has put pressure on the financial performance of the business. The efforts of Hazelton, Ambidji Frontec and Council over the past six months have seen a concerted effort to retain and develop air services for the airport. Apart from the recent introduction of a midday jet service into Coffs Harbour and six additional services in and out of Lismore, there have been no other airports in regional New South Wales that have seen an increase in air services.

The plan includes a range of actions that are at this time unfunded. The challenge to Ambidji Frontec and Council over the coming planning period will be to deliver the essential elements of the plan within the financial constraints of Council's budget setting process. The challenge to Hazelton will be the recovery of 20,000 passengers per annum who formerly flew from Lismore and Casino who have since chosen alternatives. This presents an enormous latent market that must be recaptured if the ultimate objectives for the airport and the City are to be realised.

The future for the airport continues to improve. Interest in a link to Brisbane and the potential Mapping Australia development augur well for the future. These developments are not locked in and the onus continues to rest with Council to work with our commercial partners at the airport so that we maintain an environment of further investment in the City.

Principal Accountant's Comments

Council has already signalled its intention to support the Lismore Regional Airport. It has further demonstrated this support in the 2002/03 budget by contributing \$258,000 in general purpose revenues. This was necessary because of a marked decrease in projected passenger numbers.

LISMORE CITY COUNCIL - Meeting held July 9, 2002

Report – Lismore Regional Airport Business Plan

It is important to note that the operating costs of the Airport have been funded based on a predicted passenger level of 37,500. However, there are a variety of proposed capital works contained in the business plan, with no funding allocated in the 2002/03 budget. If any of these capital projects are to proceed then an additional revenue source will have to be identified. In late June the Airport sold two parcels of land. The net proceeds from these sales will be reserved after the final operating result compared to budget is established for 2001/02. These funds are potentially one such source of additional funding available for capital works.

The Lismore Regional Airport is an important community asset. At present, due largely to factors outside the Airport's control, the financial performance has not gone according to plan. The business plan presented here reflects a tight, but achievable financial forecast in an industry that is going through a turbulent period.

Public Consultations

The draft plan was provided to the Airport Advisory Panel for review and comment.

Other Group Comments

Not required.

Author's Response to Comments from Other Staff

Nil.

Conclusion

The original Lismore City Airport Strategy adopted by Council in December 1997 and the Lismore City Airport Development Study adopted by Council in April 1998 formed the basis of the original Lismore Regional Airport business plan. These reports prepared under the auspices of the Lismore Economic Development Advisory Board continue to reverberate within this current plan as we move from revolution to evolution. The Introduction to that report stated:

“The Lismore City Airport has been identified as a key communication and transport asset for the City of Lismore providing many direct and indirect benefits to the local and regional population.”

The challenges for the airport are many and significant, however the planning process adopted by Council is providing a path to follow to achieve the benefits, both direct and indirect, that are referred to above.

Recommendation (ENT12)

That the report be received and noted.

Subject/File No: QUARRY BUSINESS PLAN REVIEW (Q1)

Prepared By: Craig Kelly – Group Manager Business & Enterprise

Reason: To provide Council with current progress on business plan outcomes

Objective: To inform Council.

Management Plan Activity: Northern Rivers Quarry & Asphalt

Background:

In early 2000, a report was presented to Council on the Business Plan for what was then the Blakebrook Quarry. Below is a listing of the various programmes, objectives and outcomes from that plan.

The timeframe for that plan was to conclude in 2002. According to the plan all outcomes should be complete, this however is not the case. Some planned actions are in process or not commenced. There are three prime reasons for this situation. Firstly, other activities have been undertaken that were not planned and these have replaced some initiatives. Secondly, some planned actions became redundant due to macro or micro economic changes and, thirdly, the quarry has experienced long periods without a manager to action all of these plans.

Where the above factors influenced actions or outcomes these will be highlighted within the report below.

The Northern Rivers Quarry & Asphalt (NRQ&A) will be preparing a new plan in the coming months to present to Council in this financial year.

Overview of Key Outcomes

- **Overall Goals**

NRQ&A set about achieving enhanced returns to Council by deriving profits from external sources and providing products to internal customers using best value principles. To this end we set a goal of \$2.2M in sales for the financial year 2000/01. Actual sales for that year were \$2.76M. This is a top line approach that does not demonstrate any more than we are capable of generating sales.

More importantly than sales, we aimed to achieve a net profit before dividend transfers of \$335,000 in 2000/2001. The actual result achieved was \$235,161 before indirect costs and dividend transfers. This includes the bad debt of McMaster that reduced the result by \$104,000.

The current financial year will not be in accordance with the goals. The NRQ&A as reported in the March quarterly review is below budget and has a bad debt exposure of \$183,000 to Asphalt Aggregates Australia (AAA). As stated in the quarterly report, the quarry will still meet its dividend transfer but however will not make a profit this year.

On a cumulative basis from 1998/99 to 2001/02 the quarry has contributed \$985,000 to the general fund of Council and Section 94 levies collected for use on Lismore's roads.

- **Marketing Goals**

Two key marketing goals were achieved in the life of the plan. These were the establishment of the brand Northern Rivers Quarry & Asphalt (NRQ&A) and the preparation of a marketing plan for the business.

A range of other actions were not commenced or not completed. We had planned to commence tracking of where our sales enquiries were derived from and to enhance our data on customers and targets. Significant analysis was undertaken of our customer and product mix data, however the flow of this analysis into specific actions will be taken up in the new plan.

- **Finance Goals**

The one major drawback of the quarry operation over the plan period has been the appointment of receivers to two companies with significant debts to NRQ&A. Both of these accounts represented one-off projects where large exposure was generated in short periods. Both accounts were vetted and passed for credit. Both projects were for government instrumentalities. The lessons learned from these experiences definitely go to how or if we become involved in similar projects in the future and what surety we can commercially extract without harming the business. Bad debts are a fact of a capitalist economy and I can only conclude that with improved procedures and controls, we can limit but not eliminate the risk of future occurrences.

On a more positive note NRQ&A staff in conjunction with Finance have spent considerable time improving the financial reporting and product cost reporting for NRQ&A. The aim of which is to correctly account for inventory and production in such a way that actual profits can be reported on a monthly basis. This project is not complete but it is expected to be in the fine-tuning stage by year ended June 2002.

For the first time the quarry has a planned capital expenditure program that is detailed for the next five years. This provides senior management with information regarding the future finance requirements and the likely requirements for the quarry reserves.

A significant project that was undertaken that was not included in the plan was the financing of the new quarry dump truck. When the time came to replace the quarry dump truck, there were insufficient funds in the Plant Fund to purchase the equipment outright (despite the quarry contributing sufficient funds for this purpose). Negotiations ensued with a number of suppliers to ascertain the best lease / hire option to Council. The outcome of an operating lease with maintenance contract included in a fixed hourly rate was the best outcome possible and may now be an option for wider consideration by Council, given the amount of funds consumed in capital purchases of this type.

- **Operational Goals**

The quarry has operated with adhoc maintenance plans since my arrival. The plan envisaged that a more sophisticated program (possibly computer based) of fixed and mobile plant maintenance would be introduced to ensure all programmed and breakdown maintenance was undertaken and recorded. This has not been done, however it remains a priority and this is more so the case as we are moving away from a major shutdown period in January to regular maintenance throughout the year. The maintenance scheduling will be carried forward to the new plan.

Production of road base and road making products is a primary purpose for Council to own a quarry. NRQ&A staff have worked closely with the City Works Group to overcome shortcomings in these materials. This work has progressed over the past four years but has finally started to bear fruit in the last six months. NRQ&A looks forward to continued product development and the opportunity to provide the best possible products for Council purposes.

Through major projects such as the Ewingsdale interchange and the AAA contract in Grafton, the staff at NRQ&A have now had exposure to quality systems and the documentation and testing regimes that these standards require. NRQ&A will be further evaluating quality assurance as a means to provide a higher value product in the next plan period.

NRQ&A has undertaken a number of significant projects in the operational area that were not identified in the plan. These include:

- Installation of a dust extraction system over the entire plant for occupational health, environmental and product quality purposes;
- Installation of a third screen deck that allows the NRQ&A to produce a further three products that are of high value. One of these is used in the new Paveliner adopted by City Works and two other products replace products previously purchased for the asphalt plant;
- A new aggregate precoating plant is currently under construction to provide a quality product without compromising the quality of asphalt production. This plant is due for completion in July 2002.
- **Human Resources Goals**

The staff at the NRQ&A have worked with management to complete skills assessments for Award purposes and to develop the Mine Safety Management Plan, which is a requirement for the Mines Inspection Act. Both of these processes have identified a range of training and skill development opportunities for staff and on the whole these opportunities have been taken up. This has led to a multi skilled team that have a wide range of experience operating multiple equipment and aiding in a wide range of services including maintenance.

NRQ&A has not been without staff problems. It has had three managers, higher than average staff turnover and a number of disciplinary incidents over the review period. This is not a proud record. Despite this, staff have shown a willingness to look at new ideas and have taken substantial ownership of the importance of safety on site. The site has a safety committee that assesses hazards and promotes solutions to risks identified. The safety committee is chaired by a staff member and this person also is the quarry representative on the Council wide safety committee.

The staff have been instrumental in initiating a number of key projects that have substantially improved site safety which were not previously identified in the business plan. These include:

- Installation of a rock hammer over the primary jaw to break down large rock blockages. This hammer is remotely controlled to ensure staff are not required to work in this highly unstable area;
- Reconstruction and widening of the access point of the quarry onto the Nimbin Road so that trucks entering and exiting the site have clearer vision of other vehicles at this intersection.

In November 2001 a review of the NRQ&A staffing structure was undertaken by CMS consultants and this review presented a number of recommendations that were put to the staff and the Council Management Group. These recommendations are currently being implemented, the aim of which is to fundamentally address some of the underlying causes of staff discontent on the site.

LISMORE CITY COUNCIL - Meeting held July 9, 2002

Report – Quarry Business Plan Review

There is no magic solution apart from a genuine commitment from all stakeholders to see these issues resolved and the retention of stable and effective management of the NRQ&A team is seen as a key first step.

Principal Accountant's Comments

From a business planning perspective, it is pleasing to see a well constructed plan being created and used as a working document to achieve goals in a systematic manner.

NRQ&A's financial performance has been variable over the last two financial years. However, it is a significant point to note that since 1998/99 the business has contributed \$985,000 or almost a quarter of a million dollars per annum, predominantly to the general fund.

Public Consultations

Nil.

Author's Response to Comments from Other Staff

Nil.

Conclusion

The objective of the business planning process for the NRQ&A was to set significant but achievable goals, objectives and actions. The process was the first attempt to adopt this form of longer term planning within Council and it has been hampered by the shortage of resources created by management and staff changes. Having said this, the achievements accomplished within the planning period are significant as this report identifies and it augers well for the coming planning process which will chart the course for the coming five years.

Recommendation (ENT09)

That the report be received and noted.

LISMORE CITY COUNCIL - Meeting held July 9, 2002

MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD ON JUNE 19, 2002

AT 10.00 AM.

(WMacD:VLC:S352)

Present: Mr Garry Hemsworth (*Chairperson*), Councillors Ken Gallen, John Chant, John Hampton and Mervyn King, Messrs Mike Baldwin (*Roads and Traffic Authority*), John Daley (*Lismore Unlimited*), Snr Const David Sales and Greg Pike (*Lismore Police*), and Ms Karen Wilson (*on behalf of Mr Thomas George, MP*), together with Mrs Wendy Johnson (*Road Safety Officer*) and Mr Bill MacDonald (*Traffic and Law Enforcement Co-Ordinator*).

Deputations: Ms Carol Shipard and Messrs Andrew Bain and Robby Robinson (*Dunoon Village Representatives*) for Item No. 1; Mr Richard Forbes (*Richmond River High School bus bay facilities*) for Item No. 3; Messrs Tub Nardi, Wilson Cregan and Malcolm Bird for Item No. 13.

Apologies: Apologies for non-attendance on behalf of Mr Bill Moorhouse (*Leave*) and Mr Thomas George, MP, were received and accepted and leave of absence granted.

Minutes of Traffic Advisory Committee Meeting – May 15, 2002

Members were advised that the Minutes of the meeting held on May 15, 2002 were adopted by Council at its meeting of June 11, 2002.

Disclosure of Interest: Nil

1. **Presentation by Dunoon Village Representatives - Speeding Vehicles through Village**

Ms Carol Shipard and Messrs Andrew Bain and Robby Robinson in attendance for this item.

The Dunoon Representatives were welcomed to the meeting and offered the opportunity to outline their concerns to the Committee. The visitors acknowledged that counts had been carried out 12 months ago to ascertain vehicle speeds through the Village with the result that the 85th percentile speed was 59 kph. This was not considered excessive at the time.

It was agreed that new counts would be carried out; one in the vicinity of No. 15 James Street and the other in the vicinity of the Hall. It was proposed that the classifiers be installed for one week and then Council's "advisory speed trailer" be positioned near No. 15 in addition to the classifiers, for an additional week to ascertain the impact of the device on motorists' driving habits.

The results of these counts would then be brought back to the Committee for further deliberation and consultation with the visitors. Mr Robinson acknowledged that Police resources were stretched but requested that Police Officers carry out more regular patrols within the Village as resources permitted. Snr Const Pike undertook to address these concerns.

Mrs Johnson offered to provide written material in relation to speeding to Ms Shipard to distribute through various means within the Village in an effort to make local residents aware of their responsibilities.

TAC73/02

RECOMMENDED in accordance with the above.

(R1501)

Correspondence:

2. **Kadina High School P & C Association;** expressing grave concern regarding traffic safety at the entrance to the School.

The Committee was not in favour of extending the centre median on Kadina Street as there was a need to maintain the right-turn movement into the School access road to avoid motorists needing to use the roundabout on the Highway to negotiate U-turns.

Snr Const Sales advised that several infringements had been issued to offenders who had chosen to disobey the current turning restrictions at the location in question and it was felt this was the most effective means of ensuring compliance, bearing in mind that the offenders were either students, parents or teachers who would be fully aware of the reasons behind the works.

Snr Const Sales advised that further patrols of the area would be undertaken and the situation monitored to assess whether or not any further action was required.

TAC74/02 **RECOMMENDED** in accordance with the above. (02-6649:S352,R6469)

3. **Thomas George, MP, on behalf of Richard Forbes;** drawing attention to bus bay facilities and pedestrian problems at Richmond River High School.

Mr Forbes was present for this item and was afforded the opportunity to relay concerns relative to conditions in front of Richmond River High School at Lake Street. The main concerns were the lack of pedestrian facilities, railings at the Bus Zone, and the existence of two large palms on the southern side of Lake Street. Mr MacDonald advised that he had inspected the area the day preceding the meeting and had observed conditions from approximately 3.15 pm to 4.00 pm. There had been around a dozen through vehicles within that time with all other vehicular traffic related to the School. The behaviour of students waiting for buses was generally good and there was no bus congestion due to staggered times of arrival. The most number of buses in front of the School at any one time was four (4). It was noted that the warrant for a marked pedestrian crossing would not be met but it was suggested that an investigation could be carried out to ascertain if there was sufficient space for a pedestrian refuge to be installed in the vicinity of where the footpath on the southern side of Lake Street and the footpath on the northern side started and finished.

The existence of the palm trees was not considered to be a significant problem bearing in mind that there were no plans to reconstruct the old bitumen footpath along the southern side of Lake Street.

The Committee raised no objection to the School's proposal to install a railing along the length of the Bus Zone similar to that installed at the Trinity Interchange if the School was prepared to pursue funding through the Department of Education. It was agreed that the School would be provided with an estimate to enable this to occur.

It was also suggested that the School encourage parents to use Alexandra Parade to collect their children as this would remove any potential for conflict with vehicular traffic and the need for students to cross roads.

TAC75/02 **RECOMMENDED** in accordance with the above. (02-6650:S352,P5988)

4. **Thomas George, MP;** forwarding reply from the Hon Carl Scully, MP, Minister for Roads, concerning the speed camera at Clunes.

Members noted the contents of the letter in relation to proposed facilities and those already in place.

It was also noted that it was the Minister's view that compared with other intersections on the State Road Network, the intersection of Walker Street and Booyong Road with Main Street, Clunes, was operating satisfactorily and would have a low priority for improvement works.

TAC76/02 **RECOMMENDED** that the above be noted. (02-6315: R4101)

5. **Thomas George, MP, on behalf of Mrs Joan Vale;** enclosing letter from Mrs Vale highlighting her concerns relating to pedestrian and vehicle safety on Main Street, Clunes.

It was noted that Mr George had arranged to advise Mrs Vale of pedestrian issues raised in accordance with what had been discussed at the previous meeting.

In relation to the request for consideration of introducing a 50 kph zone through the Clunes Village, neither the Police or RTA representatives were in favour of such a proposal. It was considered that Clunes did not hold the same level of development as Bangalow or Casino and compliance with a lower limit would be low. Mr Baldwin also advised that the introduction of a lower speed limit would mean the removal of the speed camera as such devices did not operate in 50 kph zones. Bearing this factor in mind, it was felt that lowering the speed limit could in fact have a negative impact on the overall reduction of speeds through Clunes.

TAC77/02 **RECOMMENDED** that the existing speed limit remain for the reasons set out above. (02-6417:S352,R4101)

6. **Lismore High School and Lismore High School Council;** thanking Council for signs and road markings around the junction of Dalley Street and College Road but urging Council to consider placing a guard rail around the bend from Dalley Street into College Road.

The Committee was aware of the location in question due to a previous on-site meeting. It was agreed that a railing installed behind the kerb around the north-western corner of Dalley Street and College Road would assist in ensuring that students were not exposed to turning traffic right on the corner. The railing would be positioned between the first driveway along Dalley Street and the first driveway along College Road. It was noted that a small section of footpath would also need to be installed on the western side of College Road, from Dalley Street up to the first driveway.

TAC78/02 **RECOMMENDED** that the railing and footpath extension be installed as soon as a funding source had been identified. (02-5565,02-5783:S342,R7419,R7426)

7. **Bruce's Bus Service;** expressing concern at the positioning of the new bus bay at Larnook School.

The Committee noted the concerns of the writer and agreed that the facility would have been much better located on the same side as the School. It was noted that the Principal of the School had attended a Council Meeting and convinced Council that the bus bay be constructed on the opposite side of Cawongla Road, adjacent to the School and had given an undertaking that teachers would supervise children crossing the road.

TAC79/02 **RECOMMENDED** that the writer be advised in accordance with the above. (02-5826:P5826)

8. **Tullera Rural Fire Service;** requesting the extension of the 60 kph zone on Dunoon Road, to 0.3Km north of the Minshul Crescent turn-off.
It was noted that the corner in question already had significant signposting in the form of chevron markers and that only one accident had occurred since their erection. The RTA would not agree to an extension of the 60 kph zone into what is a predominantly rural environment. It was felt that an additional 'right hand curve' warning sign for south-bound traffic on Dunoon Road prior to the corner might assist in warning motorists of the impending bend.
- TAC80/02 **RECOMMENDED** in accordance with the above. (02-6782:R3407:S346)

General Business

9. **Parking Restrictions – Wyrallah Road (Opposite Waste Facility Entrance)**
The Committee had been asked to consider restricting parking on the eastern side of Wyrallah Road, opposite the waste facility entrance. Apparently there were some motorists who were parking in the slip lane opposite the entrance to the waste facility whilst waiting for the gates to open which reduced the capacity for through traffic to take evasive action should someone be propped to turn right into the facility.
- TAC81/02 **RECOMMENDED** that 'No Stopping' signs be erected to prohibit parking for the length of the slip lane. (R5201)

10. **No. 62 Bridge Street, North Lismore – On-Street Parking Facilities**
A request had been received from Mr Mick McKinlay for the two (2) existing 45° angle parking bays on the western side of Bridge Street, just south of the service station, to revert back to parallel parking.
Mr MacDonald advised that this request had been received as a result of Council recently installing a pedestrian refuge at the pedestrian crossing on Bridge Street. This meant drivers of large vehicles were experiencing trouble accessing the service station.
- TAC82/02 **RECOMMENDED** that the two (2) existing 45° angle parking bays on the western side of Bridge Street, just south of the service station, revert back to parallel parking. (R6208)

11. **No. 54 Uralba Street – Driveway Access**
Mrs Helen Chappell had requested that the Committee consider introducing parking restrictions each side of the driveway to stop motorists blocking vehicular access.
It was noted that this driveway was located immediately below the new Riverlands development and parking was generally heavy. Mrs Chappell had advised that she was regularly prohibited from entering her driveway due to vehicles being parked across the entrance.
- TAC83/02 **RECOMMENDED** that 'No Stopping' signs be erected 3.0m below and 1.0m above the driveway. (R6058)

12. **Intersection of Wyrallah Road and Dibbs Street**
A plan was tabled showing the proposed traffic control measures. The Committee was advised that due to the wide open nature of the intersection, it was proposed to install traffic facilities at the various legs to tighten traffic movements and reduce any potential conflicts. These included a short centre median on Wyrallah Road at Murray Street; a pedestrian refuge on Harmony Avenue, and some footpath and line-marking adjustments.
- TAC84/02 **RECOMMENDED** that the proposed works be adopted by Council and carried out when funds became available. (R5201,R7448)

13. **No. 210 Keen Street – On-Street Parking Facilities**
Messrs Tub Nardi, Wilson Cregan and Malcolm Bird were in attendance for this item. The visitors were welcomed to the meeting and Mr Cregan was invited to outline the proposal to provide parking for loading of goods from the proposed shop. Mr Cregan supplied a photo which showed an existing driveway in front of the former Traveland Office on the eastern side of Keen Street beside the Ambulance Station. In the ensuing discussion it was proposed that a 'No Parking' Zone be introduced which would include the existing driveway and a metre or so for each side. Mr Cregan advised that it was intended to install a new Rolla door in line with the driveway entrance.
13. **No. 210 Keen Street – On-Street Parking Facilities** (Cont'd)
TAC85/02 **RECOMMENDED** that a 'No Parking' Zone, as outlined above, be installed upon confirmation from Mr Cregan that the subject business had in fact entered into a lease agreement for the premises. (R7313)
14. **Booerie Creek Road**
A request had been received for an unbroken white line to be painted on the curve where the first hill is encountered.
Mr MacDonald advised that as a result of an inspection of the road, it was proposed to install a double white centre line on Booerie Creek Road over the first crest and also around the following bends. The double white line in this area would start approximately 600m from Nimbin Road.
- TAC86/02** **RECOMMENDED** in accordance with the above. (R2853)
15. **Somerset Square, Goonellabah – Grassed Centre Median**
Mr MacDonald advised that Ms Sue Plunkett had sought clarification of the status of the grassed area in the centre of the road at the end of Somerset Square. This was a reasonably large area and provided space for children in the street to play and visitors to park. The Police Representatives advised that there was no reason why vehicles could not be parked within the area in question provided they did not obstruct through traffic. It was noted that it was proposed to plant some additional trees in this area and this should be done so as to still provide the opportunity for vehicles to park.
- TAC87/02** **RECOMMENDED** that Ms Plunkett be advised in accordance with the above. (R6518)
16. **Traffic Issues on Dunoon Road – Rosebank / Repentance Creek**
Mr MacDonald advised that additional information had been provided by Mr Stan Heywood as to the location of several bends (two on the gravel section of Dunoon Road and one on the bitumen section between Rosebank Road and Repentance Creek Hall). The locations had been inspected with Snr Constables Sales and Pike and it was felt that the bends in question were no different to others on the road and that the accidents would have occurred as a result of speed and not driving to the conditions.
Whilst specific measures on these individual corners were not considered necessary, it was suggested that a 'Slow Down' plate be installed on the existing 'Winding Road' symbol sign near the start of the gravel section of Dunoon Road from the Rosebank Road end and that another 'Winding Road' symbol sign and 'Slow Down' plate be installed approximately 1.0Km along on the gravel section. In addition, a 'Winding Road' symbol sign and 'Slow Down' plate should be installed on the bitumen section of Dunoon Road, below Fox Road.
- TAC88/02** **RECOMMENDED** in accordance with the above. (R3407)
17. **Cowlong Road – Speed Reduction**
-

LISMORE CITY COUNCIL - Meeting held July 9, 2002

MINUTES OF TRAFFIC ADVISORY COMMITTEE MEETING OF JUNE 19, 2002 (Cont'd)

Mr Hemsworth advised that a request had been received from a resident for consideration of reducing the speed limit on Cowlong Road to 60 kph or 70 kph. As the area was predominately rural with any development generally set well back from the road, a reduction in speed limit was not considered appropriate.

TAC89/02 **RECOMMENDED** in accordance with the above. (R4501)

18. **Lantern Parade**

Mr MacDonald advised that the Co-Ordinator of the parade had requested consideration be given to allowing the Organisers to restrict parking on Magellan Street, between Keen and Molesworth Streets, during the parade in order to reduce any potential conflict with motorists who had been parked in the area and were attempting to leave while the parade was in progress. They would have personnel walking along the street speaking to motorists who were just arriving and advising them of the circumstances and/or place witches hats in bays that were unoccupied.

The Committee raised no objection to the proposal provided that Organisers went along Magellan Street and spoke to the Café owners prior to this happening.

TAC90/02 **RECOMMENDED** in accordance with the above. (R7319)

19. **Rural Forum – Numulgi Hall**

Mr Hemsworth advised that the issue of excessive speed of through traffic past the Hall had been raised by residents at a recent Forum. It was unclear of the main times of concern but it was noted that a School Zone existed on all four (4) roads leading off the intersection and this was considered to be sufficient to resolve day time concerns. There was little else that could be done during the night apart from possibly suggesting the Hall Committee place signs on the roadside both sides of the Hall on nights that functions were being held, warning motorists of the traffic hazard ahead. Council may be in a position to provide the signs if the Hall Committee wished to pursue this option.

TAC91/02 **RECOMMENDED** in accordance with the above. (R4201)

20. **Intersection of High Street and Donnans Road**

Snr Const Sales advised that Police Officers had observed a significant number of motorists driving on the wrong side of the road when negotiating the roundabout at the above intersection, particularly when turning right into Donnans Road from High Street. There were concerns that a serious accident could occur as a result of this practice. It was noted that this roundabout had been constructed by Contractors at the time the Bowling Club was being upgraded.

TAC92/02 **RECOMMENDED** that this matter be referred to Council's Design Services Section for investigation and submission to the Committee of any proposed treatments that might address the current problems. (R7117,R7113)

21. **Intersection of Nielson and Bright Streets, East Lismore**

Snr Const Sales raised concerns regarding sight distance for motorists coming out of the eastern leg of Bright Street onto Nielson Street being restricted by a hedge growing onto the roadside of the south-eastern corner.

TAC93/02 **RECOMMENDED** that this issue be referred to Council's Manager - Parks & Recreation for action as required. (R7459,R7413)

22.

Pedestrian Access & Mobility Plan (PAMP)

Mrs Johnson tabled several plans which formed part of the proposed PAMP and spoke on the development of the Plan and what was intended to finalise the project. Members were requested to take the opportunity after the meeting to note on the urban street map, any areas of concern they had relative to pedestrian safety. It was hoped that the Plan would be nearing completion within the next few weeks.

TAC94/02

RECOMMENDED that the above be noted.

(S342)

This concluded the business and the meeting terminated at 11.45 am.

CHAIRPERSON

**TRAFFIC & LAW
ENFORCEMENT CO-ORDINATOR**

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:-

Transfer Granting Easement

Easement over Council's water supply reserve land (Lot 2, DP 726489) to Rous Water for construction of a main to supply our High Street No. 4 reservoir.
(02-7216: P21166)

Mortgage Deed – Commonwealth Bank of Australia

Council's Loan Program – borrowing requirements for 2001/2002
(02-7399: S780)

CONFIDENTIAL MATTERS - COMMITTEE OF THE WHOLE

A Council may close the public only so much of its meeting as comprises the receipt or discussion of any of the following:-

- a) personnel matters concerning particular individuals;
- b) the personal hardship of any resident or ratepayer;
- c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business;
- d) commercial information of a confidential nature that would, if disclosed:
 - prejudice the commercial position of the person who supplied it, or
 - confer a commercial advantage on a competitor of the council, or
 - reveal a trade secret;
- e) information that would, if disclosed, prejudice the maintenance of law;
- f) matters affecting the security of the council, councillors, council staff or council property;
- g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

Recommendation:

That the Council exclude members of the press and public from the meeting and move into Committee-of-the-Whole to consider the following matters:-

Item 1: Tryton Waste Contract

Grounds for Closure -

Section 10D(2): a) Section 10A (2)(d)(i)

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD AT DUNOON COMMUNITY HALL ON TUESDAY, JUNE 11, 2002 AT 6.34PM.

Present: His Worship the Mayor, Councillor Gates; Councillors Baxter, Chant, Crowther, Gallen, Hampton, Irwin, King, Roberts, Suffolk, Swientek and Tomlinson, together with the Acting General Manager (Col Cooper); Group Managers - City Works, Planning & Development, Business & Enterprise; Manager-Client Services, Manager-Finance & Administration, Manager-Communications & Community Relations, Manager-Planning Services, Manager-Roads & Infrastructure, Manager-Economic Development & Tourism, Strategic Planner (Bruce Blackford), Development Assessment Planner (Chris Soulsby), Recreation Planner, Administrative Services Manager and Team Leader-Administrative Support.

124/02 **Apologies/**
Leave of
Absence: Leave of absence was granted to Councillor King for the period 12/6/02 to 14/6/02 and to Councillor Swientek for the Council meeting of 9/7/02.
(Councillors Hampton/Suffolk)

125/02 **Minutes:** The Minutes of the Ordinary Meeting held on May 14, 2002, were confirmed subject to the words "*for their consideration prior to signing the document*" being added to the second last sentence of Minute 123/02 and the last sentence being deleted.
(Councillors Roberts/Irwin)

PUBLIC ACCESS SESSION:

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

Paul Recher re Rescission Motion – Skyline/Durheim Road

Mr Recher spoke in increasing volumes against the general concept of ring roads.
(02-6152: S642)

Mr Stan Heywood re Notice of Motion – National Farmers Museum

(See Minute No. 128/02)

Mr Heywood questioned the degree of commitment that this Council and the community had to promoting tourism and tourism events.
(02-6148: S640)

Paul Recher re Report – DA98/07 – S96 Modification - Rous County Council – Perradenya

(See Minute No. 130/02)

Mr Recher challenged the economic viability of the development, Rous County Council's due diligence and its ethics in becoming involved in such a project.
(D98/07)

Elisabeth Brown re DA98/7 – S96 Modification – Rous County Council – Perradenya

(See Minute No. 130/02)

On behalf of Rous County Council, Ms Brown claimed the Section 96 application was necessary to remove uncertainty and achieve reasonable outcomes on a small number of consent conditions. (D98/07)

David Yarnall re Proposed 2002/2003 Roadworks Programme

(See Minute No. 131/02)

Mr Yarnall spoke against the inclusion of Skyline Road, Kellas Street and Willis/Muller Roads in the works programme and the source of funding of these roads. He urged Council to reallocate more funds to rural areas and to stick to the priority points process.

(S374)

Rob Doolan re DCP 44 – Rural Landsharing Communities & DCP 30

(See Minute No. 132/02)

Mr Doolan praised Council's approach to rural land sharing communities but asked Council to explore ways in which the requirement to lodge house plans at the development application stage could be modified.

(S798,S554)

Barry Robinson – DCP 18 – Off Street Car Parking

(See Minute No. 133/02)

Mr Robinson raised concerns over proposed requirements for footpath access to shopping centres, undercover taxi ranks and covered walkways from bus stops.

(S510)

MAYORAL MINUTES:

Sutherland Shire Council Request – Protest – New Reactor at Lucas Heights

126/02

RESOLVED that the minute be received and Council remain neutral on the issue, as to whether the nuclear reactor at Lucas Heights should be rebuilt.

(Councillors Gates/Hampton)

Voting Against: Councillors Irwin, Roberts, Tomlinson, Gallen and Swientek.

(02-4985: S244)

Goonellabah Section 94 Plan

A MOTION WAS MOVED that the minute be received and Council hold a workshop on its Section 94 Community Facilities Plan for Lismore only and defer making a decision on any projects related to the Section 94 Plan, except for Kadina Activity Park as some of the funding has been specifically allocated to that project.

(Councillors Gates/Crowther)

AN AMENDMENT WAS MOVED that the minute be deferred and be considered in conjunction with the report on the Goonellabah Recreation Centre.

(Councillors Swientek/Irwin)

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

Voting Against: Councillors King, Baxter, Hampton, Suffolk and Gates.

127/02

RESOLVED that the minute be deferred and be considered in conjunction with the report on the Goonellabah Recreation Centre.

(Councillors Swientek/Irwin)

Voting Against: Councillors Baxter and Suffolk.

(P22522)

RESCISSION MOTION:

Skyline/Durheim Road

Formal notice was given by Councillors Irwin, Roberts and Tomlinson that Council rescind its decision of May 14 concerning Skyline/Durheim Road.

At the request of Councillor Irwin the motion was WITHDRAWN.

(02-6152: S642)

NOTICE OF MOTIONS:

Skyline/Durheim Road

Formal notice was given by Councillor Irwin –

- 1 That Council take action to restore the road corridor for the whole of Skyline/Durheim Road to its present route.
- 2 That staff provide a report to Council on options for sealing parts of Skyline/Durheim Road to address the needs and concerns of residents on that road.

At the request of Councillor Irwin the motion was WITHDRAWN.

(02-6151: S642)

Proposed National Farmers Museum

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

- 1 That Council support in principle the establishment of a National Farmers Museum in its local area.
- 2 That Council identify suitable sites and compatible partnerships that may be appropriate to facilitate and further this project to fruition.
- 3 That Council identify an appropriate source and amount of funding to complete a feasibility study of this project (local, state, federal, private/corporate sponsorship).
- 4 A committee be formed to pursue the concept.

(Councillors Swientek/Chant)

AN AMENDMENT WAS MOVED that –

- 1 Council reconsider the establishment of a substantial built attraction in the future once significant progress has been made on the physical works of the Wilson's River project, old Lismore High School site, levee construction and swimming pool projects.
- 2 Council provide ongoing encouragement to community and interest groups, in progressing concepts for the establishment of a substantial built attraction.

(Councillors Irwin/Tomlinson)

On submission to the meeting the amendment was DEFEATED.

Voting Against: Councillors Roberts, Gallen, Swientek, King, Chant, Baxter, Suffolk, Gates and Crowther.

(02-6148: S640)

128/02

RESOLVED that the report be received and –

- 1 That Council support in principle the establishment of a National Farmers Museum in its local area.
- 2 That Council identify suitable sites and compatible partnerships that may be appropriate to facilitate and further this project to fruition.
- 3 That Council identify an appropriate source and amount of funding to complete a feasibility study of this project (local, state, federal, private/corporate sponsorship).

- 4 A committee be formed to pursue the concept.
(Councillors Swientek/Chant)
(02-6148: S640)

SUSPENSION OF STANDING ORDERS:

129/02 **RESOLVED** that standing orders be suspended and Council now deal with the undermentioned matters:-

- DA 98/7 – S96 Modification – Rous County Council
- Proposed 2002/2003 Roadworks Programme
- DCP 44 – Rural Landsharing Communities
- DCP 18 – Off Street Carparking

(Councillors Irwin/Gallen)

DA98/7 - Section 96 Modification – Rous County Council – Perradenya

130/02 **RESOLVED** that the report be received and -

A That Council refer the application to the Minister for determination with the following reasons for recommending refusal:

- 1 The application must be refused because it will result in a development that is not substantially the same as is currently approved, and
- 2 The applicant has not provided adequate justification for the modification, and
- 3 The application contravenes the provisions of DCP 35- Caniaba Village; and
- 4 The development, if amended, would have an unacceptable adverse impact on the environment due to:
 - a) Reduced density of trees in the regeneration areas;
 - b) Impacts on the drainage system in the locality;
 - c) Impacts on the functionality of the road network within the development, resulting in traffic and parking problems;
 - d) Lack of pedestrian facilities.

5 The applicant has accepted the benefit of the development consent and is now seeking to relieve itself of the burden of certain conditions where there has been no appreciable change in circumstances. This is contrary to the decision of the Court in Progress and Securities Pty Ltd v North Sydney Municipal Council (1988). 66 LGRA 236.

B That Council delegate authority to the Acting General Manager, to undertake the negotiations as required by Part 5A of the EPA Act 1979, with the applicant and the Director General of Planning NSW to make minor amendments to the consent.

(Councillors Roberts/Irwin) (D98/07)

ADJOURNMENT:

The meeting adjourned at 9.01pm and resumed at 9.30pm.

Proposed 2002/2003 Roadworks Programme

A MOTION WAS MOVED that the report be received and –

- 1 That Council approve the proposed Roadworks Programme as set out in the body of the report.
 - 2 That any savings in the above programme be used to fund the Willis/Muller Roads project.
 - 3 That the Contractor's Reserve maintain a balance of \$300,000 to cover over-expenditure and rectification of contract works and that any additional funding be allocated to local roadworks.
 - 4 That the Contractor's Reserve be included in Council's Reserves Policy No. 1.5.10.
-

(Councillors Crowther/Hampton)

AN AMENDMENT WAS MOVED that the report be received and –

- 1 That Council approve the proposed roadworks programme set out in the body of this report but with the following amendments:
 - a) That the Kellas Street and Skyline Road projects be included in the urban road programme where they belong;
 - b) That the funding ratio of rural to urban roadworks be maintained at 2:1 and the proposed roadworks in each category be amended accordingly;
 - c) That \$100,000 of the rural roadworks programme be reallocated to maintenance works, specifically the grading of busy gravel roads three times a year as recommended by Council's consultant.
- 2 That the roads point system be adjusted to give extra weightings to roads where local residents wish to contribute to the upgrading project.
- 3 That the Contractor's Reserve maintain a balance of \$300,000 to cover over-expenditure and rectification of contract works and that any additional funding be allocated to local roadworks.
- 4 That the Contractor's Reserve be included in Council's Reserves Policy No. 1.5.10.

(Councillors Tomlinson/Irwin)

On submission to the meeting the amendment was DEFEATED.

Voting Against: Councillors Swientek, King, Chant, Baxter, Hampton, Suffolk, Gates and Crowther.

131/02 **RESOLVED** that the report be received and -

- 1 That Council approve the proposed Roadworks Programme as set out in the body of the report.
- 2 That any savings in the above programme be used to fund the Willis/Muller Roads project.
- 3 That the Contractor's Reserve maintain a balance of \$300,000 to cover over-expenditure and rectification of contract works and that any additional funding be allocated to local roadworks.
- 4 That the Contractor's Reserve be included in Council's Reserves Policy No. 1.5.10.

(Councillors Crowther/Hampton)

Voting Against: Councillors Irwin, Roberts, Tomlinson, Gallen and Swientek.
(S374)

Draft DCP 44 – Rural Landsharing Communities and DCP 30 – Rural Residential Subdivision and Detached Dual Occupancy

132/02 **RESOLVED** that the report be received and -

- 1 Place draft Development Control Plan No. 44 for Rural Landsharing Communities on public exhibition for a period of 28 days; and
- 2 Repeal Development Control Plan No. 30 in accordance with the procedure set out in clauses 23(1) and (2) of the Environmental Planning and Assessment Regulation 2000.
- 3 That Council review the current LEP amendment with regard to the reference to building and the related requirement in the draft DCP to provide house plans at the development application stage.

(Councillors Roberts/Irwin)

Voting Against: Councillor Crowther.
(S798,S554)

Draft Amendment 2 to DCP 18 – Off Street Car Parking

A MOTION WAS MOVED that the report be received and - pursuant to cl. 22 of the Environmental Planning and Assessment Regulation, Council alter Development Control Plan No. 18 as described by the draft Amendment to the DCP within the attachments, and to publicly exhibit the draft amendment for 28 days. The amendment to the DCP to define the size of the development prior to exhibition. (Councillors Gallen/Roberts)

AN AMENDMENT WAS MOVED that the report be referred back to the author and the author consult the shopping centre owners and clarify the impending SEPP prior to being advertised.

(Councillor Suffolk)

The amendment LAPSED for want of a seconder.

133/02 **RESOLVED** that the report be received and pursuant to cl. 22 of the Environmental Planning and Assessment Regulation, Council alter Development Control Plan No. 18 as described by the draft Amendment to the DCP within the attachments, and to publicly exhibit the draft amendment for 28 days. The amendment to the DCP to define the size of the development prior to exhibition.

(Councillors Gallen/Roberts)

Voting Against: Councillor Suffolk.

(S510)

RESUMPTION OF STANDING ORDERS:

134/02 **RESOLVED** that standing orders be resumed.

(Councillors Irwin/Baxter)

REPORTS:

DA98/7 - Section 96 Modification – Rous County Council – Perradenya

(See Minute No. 130/02)

Kadina Park

135/02 **RESOLVED** that the report be received and –

1 That Council approve funding for the staged development of Kadina Park, as outlined within this report.

2 That other sources of funding continue to be actively pursued to offset Council's financial contribution to the project.

(Councillors Irwin/King)

Voting Against: Councillors Swientek and Baxter.

(P517)

Goonellabah Recreation Centre and Mayoral Minute – Goonellabah S94 Plan

A MOTION WAS MOVED that the report be received and -

1 That Vantage Project Management be advised that Council is committed to the Goonellabah Recreation Centre and that such commitment is contingent upon their previous offer being finalised.

2 Small-scale consultation to ascertain the appropriateness of the current design be undertaken by Council staff.

3 That Council seek grant funding for the project.

4 That Council seek partnerships with community groups to operate and manage the facility.

5 That management undertake a review of the Community Facilities Section 94 Plan to facilitate the development of an appropriate and affordable facility.

(Councillors Swientek/Irwin)

AN AMENDMENT WAS MOVED that the report be received and Council hold a workshop on its Section 94 Community Facilities Plan for Lismore East and defer making a decision on any projects related to this Section 94 Plan.

(Councillors Gates/Crowther)

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

Voting Against: Councillors Irwin, Roberts, Tomlinson, Gallen and Swientek.

136/02 **RESOLVED** that the report be received and Council hold a workshop on its Section 94 Community Facilities Plan for Lismore East and defer making a decision on any projects related to this Section 94 Plan.

(Councillors Gates/Crowther)

Voting Against: Councillors Irwin, Roberts, Tomlinson, Gallen and Swientek. (P22522)

Lismore Floodplain Management Plan

137/02 **RESOLVED** that the report be received and –

1 That Council re-exhibit the Lismore Floodplain Management Plan with such amendments as are recommended in this report for a period of twenty-eight (28) days.

2 That the Plan be referred to the SES for comment during the exhibition period.

(Councillors Crowther/King)

Voting Against: Councillor Irwin. (S106)

Proposed 2002/2003 Roadworks Programme

(See Minute No. 131/02)

Lismore Urban Strategy

138/02 **RESOLVED** that the report be received and the draft Lismore Urban Strategy, subject to the deletion of the area on the northern side of Uralba between Brewster and Diadem Streets, which was identified as being suitable for non-retail commercial development, be placed on public exhibition for a period of two (2) months and that the consultation process be in accordance with that outlined in this report.

(Councillors Roberts/King) (S650)

Draft DCP 44 – Rural Landsharing Communities and DCP 30 – Rural Residential Subdivision and Detached Dual Occupancy

(See Minute No. 132/02)

Draft Amendment 2 to DCP 18 – Off Street Car Parking

(See Minute No. 133/02)

Draft Amendment No. 9 to Lismore LEP – “Art in the Heart” Site

139/02 **RESOLVED** that the report be received and Council endorse the public exhibition of draft Amendment No. 9 to Lismore Local Environmental Plan, with the exception of Lot 15, DP 867281, concerning the ‘Art in the Heart’ site, subject to –

1 The words “at least” in the fourth line from the bottom of page one of the draft being excluded.

2 The words “in accordance with Council’s Flood Plain Management Plan” being added to Item (i) on page 2.

3 Council publicly exhibit the draft amendment for the statutory period of 28 days.

(Councillors Irwin/Crowther) (S710)

DA98/14 Broadwater Bridge Section 96(2) Modification

A MOTION WAS MOVED that the report be received and –

- 1 The application for modification to Development Application No. 98/14 be determined as follows:
 - a) Condition No. 14 not be deleted.
 - b) Condition No. 25(d) not be deleted, and the applicant be required to comply with the design criteria as per the original condition.
- 2 The applicant be advised that an individual and separate Section 96 application may be made to request deletion of Condition No. 14. In the event that such an application be received, the General Manager be delegated authority to determine the application.

(Councillors Crowther/Hampton)

AN AMENDMENT WAS MOVED that the report be received

- 1 The application for modification to Development Application No. 98/14 be determined as follows:
 - a) Condition No. 14 not be deleted.
 - b) Condition No. 25(d) not be deleted, and the applicant be required to comply with the design criteria as per the original condition.

(Councillors Irwin/Roberts)

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

140/02 **RESOLVED** that the report be received and –

- 1 The application for modification to Development Application No. 98/14 be determined as follows:
 - a) Condition No. 14 not be deleted.
 - b) Condition No. 25(d) not be deleted, and the applicant be required to comply with the design criteria as per the original condition.

(Councillors Irwin/Roberts) (D98/14)

Crime Prevention Plan Evaluation

141/02 **RESOLVED** that the report be received and –

- 1 That Council endorse the Crime Prevention Plan, Evaluation Report as prepared by Southern Cross Institute of Action Research.
- 2 That Council maintain an ongoing commitment to Crime Prevention/Community Safety as recommended in the conclusion of the Evaluation Report.

(Councillors Roberts/Tomlinson) (S717)

Lismore Water Business Plans

142/02 **RESOLVED** that the report be received and a report be brought back to Council on the identification and rectification of problems with odour at the Airport and South Lismore.

(Councillors Crowther/Baxter) (S301,S387)

Northern Rivers Waste Strategic Business Plan

143/02 **RESOLVED** that the report be received and noted.

(Councillors Baxter/Suffolk) (P25041)

Getting More “Clout” from our Regional Development Bodies

- 144/02 **RESOLVED** that the report be received and –
- 1 The General Manager write to the governing board of each of the organisations referred to in the report, asking them to consider co-locating and outlining the potential benefits.
 - 2 The General manager write to relevant State and Commonwealth Ministers, seeking their assistance in achieving a more streamlined network of regional organisations.
- (Councillors Crowther/Chant) (S640)

Voluntary Flood Prone Acquisition Scheme – 3 Terania Street, North Lismore

- 145/02 **RESOLVED** that the report be received and –
- 1 That Council authorise the General Manager or his delegate to purchase No 3 Terania Street, North Lismore.
 - 2 That Council contribute its 1/3 funding contribution for the purchase of Lot 1 in D.P. 992552, for an agreed price of \$80,000.00 together with reasonable legal expenses, from its Voluntary Acquisition Funding and such contribution be contingent upon matching 1/3 funding being available from both Richmond River County Council and the Dept of Land and Water Conservation.
 - 3 That the General Manager and Mayor be authorised to sign and apply the common seal of the Council to the contract for sale and property transfer documents as necessary.
- (Councillors Gallen/Chant) (P9441)

Voluntary Flood Prone Acquisition Scheme – 7 Terania Street, North Lismore

- 146/02 **RESOLVED** that the report be received and –
- 1 That Council authorise the General Manager or his delegate to purchase No 7 Terania Street, North Lismore.
 - 2 That Council contribute its 1/3 funding contribution for the purchase of lot 1 in D.P.772994, for an agreed price of \$65,000.00 together with reasonable legal expenses, from its Voluntary Acquisition Funding and such contribution be contingent upon matching 1/3 funding being available from both Richmond River County Council and the Dept of Land and Water Conservation.
 - 3 That the General Manager and Mayor be authorised to sign and apply the Common Seal of the Council to the contract for sale and property transfer documents as necessary.
- (Councillors Gallen/Baxter) (P9441)

Application for Closure of Council Public Road – Unformed Section of Tomki/Tatham Road

- 147/02 **RESOLVED** that the report be received and –
- 1 That the application to close the unformed section of Tomki Tatham Road passing through Lot 1 DP 725819 be endorsed and the application sent to the Department of Land and Water Conservation for adoption and gazettal if approved.
 - 2 Any costs associated with the road closure by borne by the applicant.
 - 3 That the General Manager be authorised to sign any documents necessary to bring about the action.
 - 4 The City Works negotiate the provision of a suitable area for the construction of a stormwater drain with the landowner prior to Council's endorsement of the road closure application. The provision of the above mentioned land area be at no cost to council.
- (Councillors Baxter/Hampton) (P27525)

Annual Policy Review

- 148/02 **RESOLVED** that the report be received and –
- 1 That Policies Nos. 5.12.1, 8.4.1, 5.2.7, 5.2.18, 5.2.20, 11.2.2, 11.6.,1, 10.6.1, 10.6.2, 10.6.3 and 10.6.4 be deleted.
 - 2 That Policies Nos. 2.2.1, 11.3.2, 8.4.2 be amended in accordance with attachments.
- (Councillors Hampton/Suffolk) (S9)

Annual Remuneration Fee for Mayor and Councillors

- 149/02 **RESOLVED** that the report be received and in accordance with Sections 248 and 249 of the Local Government Act 1993, Council fix the 2002/2003 annual fee for councillors at \$12,125 and for the mayor at \$25,605.
- (Councillors Crowther/Suffolk)
- Voting Against:** Councillors Irwin, Roberts and King
- Dissenting Vote:**
Councillor Irwin. (S38)

COMMITTEE RECOMMENDATIONS:

Traffic Advisory Committee 15/5/02

- 150/02 **RESOLVED** that the minutes be received and the recommendations contained therein be adopted.
- (Councillors Roberts/Tomlinson) (S352)

DOCUMENTS FOR SIGNING AND SEALING:

- 151/02 **RESOLVED** that the following documents be executed under the Common Seal of Council:-

EPA Licence – quarterly report on controlled waste facility for period 1/7/01 to 30/9/01

This is a report submitted quarterly which requires the common seal.

EPA Licence – quarterly report on controlled waste facility for period 1/10/01 to 31/12/01

EPA Licence – quarterly report on controlled waste facility for period 1/1/02 to 31/3/02

(P25041)

Service Agreement for funding from NSW Department of Community Services

\$10,859 salary subsidy for a community worker and \$31,939 for funding of the Koala Long Day Care Centre.

(02-6205: S728)

Contract for the Supply of Electricity to Non-Metered Sites

As part of the deregulation of the power industry, councils are able to choose the supplier of electricity for street lighting. Council has previously (June 2000) chosen to use the State Supply contract for the supply of power for contestable sites. The State Government has now finalised the Electricity Supply Agreement for the supply of electricity to non-metered sites, which includes street lighting with Energy Australia.

(S95)

Lease to ACE North Coast Inc. – 1/7/01 to 30/6/03

Lease of Council property known as the Terania building in Magellan Street.
(02-6422: P6397)

Sale of Lot 24 DP855155, being 13 Bristol Circuit, Goonellabah.

Council has negotiated an offer of \$48,000.00 for the purchase of Lot 24 in D.P. 855155 being vacant land at Bristol Circuit, Goonellabah. This price is consistent with the previous sales which were brought to Council last month, being \$46,000.00 for Lot 16 and \$52,000.00 for Lot 22.

This resolution to execute the contract for sale and transfer documents follows Council's previous resolution of July 2001 in which Council resolved to sell Lot 24.
(P25536)

Department of Transport and Regional Services

Infrastructure funding contract for a grant of \$303,600 for the Wilson's River Heritage Parklands development. Council's contribution of \$188,000 has been included in the budget for 2001/02 & 2002/03. This is in accordance with that previously reported to Council.

(Councillors Roberts/Irwin)

RESCISSION MOTION:

The Acting General Manager advised Council that he had been handed a Notice of Rescission Motion signed by Councillors Irwin, Roberts and Tomlinson with respect to the resolution 2002/03 Roadworks Programme (Min. No. 131/02).

The Acting General Manager advised Council that this Rescission Motion would be considered at the next meeting of Council.

(02-6728: S374)

This concluded the business and the meeting terminated at 11.05 pm.

CONFIRMED this 9TH day of JULY, 2002 at which meeting the signature herein was subscribed.

MAYOR

MINUTES OF THE SPECIAL MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, JUNE 25, 2002 AT 6.05PM.

Present: His Worship the Mayor, Councillor Gates; Councillors Baxter, Chant, Crowther, Gallen (from 6.36pm), Hampton, Irwin, King, Roberts, Suffolk, Swientek and Tomlinson, together with the Acting General Manager (Col Cooper); Group Managers - City Works, Business & Enterprise, Planning & Development; Manager-Client Services, Manager-Finance & Administration, Manager-Community Services, Manager-Communications & Community Relations, Management Accountant, Recreation Planner, Waste Minimisation Officer, Contracts Officer and Administrative Services Manager.

Apologies/ NIL
Leave of
Absence:

PUBLIC ACCESS SESSION:

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

Dr Effie Ablett re Rescission Motion

Dr Ablett spoke against the inclusion of the proposed upgrade of Skyline Road in the budget. She emphasised the cost of the project and claimed other worthier road projects should have priority.
(02-6728: S374)

Mr Chris Calear re Recommendation 4 of Management Plan Report

(See Minute No. 155/02)

Mr Calear spoke on behalf of the Jungle Patrol in support of their budget request. He spoke to the activities of the Jungle Patrol and benefit that the financial support would bring.
(S802)

Dr. A Binns re Recommendation 12 of Management Plan Report

(See Minute No. 156/02)

Dr. Binns outlined the history of the involvement of NORPA with the City Hall and the cultural and financial benefits NORPA brought to the city. He requested financial support in an amount of \$50,000.
(S802)

RESCISSION MOTION:

Roadworks Programme

Formal notice having been given by Councillors Irwin, Roberts and Tomlinson it was MOVED that Council rescind its decision at the meeting of June 11, 2002 in regard to the Roadworks Programme.
(Councillors Tomlinson/Irwin)

On submission to the meeting the MOTION was DEFEATED.

Voting Against: Councillors King, Chant, Baxter, Hampton, Suffolk, Gates and Crowther.
(02-6728: S374)

REPORTS:

Wastewater Sewer Charging Strategy

- 152/02 **RESOLVED** that the report be received and Council adopt the Wastewater Sewer Charging Strategy
(Councillors Irwin/Hampton) (S518)

Tenders for the Collection of Recycling Materials from the Drop Off Centres

- 153/02 **RESOLVED** that the report be received and –
- 1 The Contract for the collection of recycling materials from the four (4) drop off centres be awarded to Richmond Waste Services for the rates tendered in Option B of the tender submission.
 - 2 Council extend the contract term to an eight (8) year period.
 - 3 Council negotiate with Richmond Waste Services to construct a two (2) bay transfer station at the Wyrallah Road Waste facility and Council contribute a maximum of \$40,000.00 to the facility, on agreement that the ownership of the facility will revert to Council at the conclusion of the contract.
- (Councillors Roberts/Irwin)
Voting Against: Councillors Swientek, Baxter and Hampton.
(T22010)

At this juncture (6.36pm) Councillor Gallen attended the meeting.

2002/2003 Management Plan

- 154/02 **RESOLVED** that the report be received and the requests from the Old Clunes School Association, Woodburn Chamber of Commerce and Cedar Country Music Awards be added to the Section 356 donation requests (if eligible) for consideration by Council.
(Councillors Irwin/King)
- 155/02 **RESOLVED** that Council adopt the advertised draft Management Plan including the Budget and Fees & Charges, and :-
- 1 Recognise the additional \$188,000 from the NSW Local Government Grants Commission, with \$54,000 for the local roads component allocated to road rehabilitation. The remaining \$134,000 from the general purpose component be allocated as detailed in the following recommendations.
 - 2 The working funds surplus be increased from \$22,000 to \$30,000 from the additional FAGs revenue.
 - 3 The request for \$15,000 to match funds from the NSW Department of Juvenile Justice be included, funded from additional FAGs revenue.
 - 4 Insurance costs be increased by \$6,000 following formal notification of a previously underestimated amount, funded from additional FAGs revenue.
 - 5 \$9,000 be included for the purchase and installation of a permanent data projector in the Council Chambers, funded from FAGs additional revenue.
 - 6 \$15,000 not be included for the feasibility study relating to the creation of a National Farmers Museum.
 - 7 Grant income and expenditure be included totalling \$67,600 for stormwater improvements and education.
 - 8 Increase the annual charge to rural ratepayers within the Nimbin S94 catchment not receiving a waste collection service by \$6 to \$47 and reallocate the \$5,000 in Nimbin CBD garbage collection to street cleaning.
 - 9 Increase the consumption charges for water to 86 cents per kilolitre and include the corresponding increase in revenue and expense relating to these changes.
 - 10 As Council has earlier adopted the recommendation contained in the Recycling Service report, the current budget allowances for this department be maintained.

11 That Council include Mr Stevens' submission regarding the Sister City program for \$1,500, funded from the FAG's additional revenue.

(Councillors Irwin/Gallen)

Voting Against: Councillors Chant, Suffolk, Swientek, Tomlinson and King.

A MOTION WAS MOVED that -

1 An additional \$50,000 be included for NORPA, funded from the FAGs additional revenue.

2 \$44,500 from the increase in FAGs revenue be allocated to reserves to restore interest earned on reserves in accordance with policy.

(Councillors Irwin/Tomlinson)

AN AMENDMENT WAS MOVED that –

1 An additional \$25,000 be included for NORPA, funded from the FAGs additional revenue.

2 \$69,500 from the increase in FAGs revenue be allocated to reserves to restore interest earned on reserves in accordance with policy.

(Councillors Hampton/King)

The voting being tied the Mayor declared the amendment DEFEATED on his casting vote.

Voting Against: Councillors Irwin, Roberts, Tomlinson, Gallen, Gates and Crowther.

156/02 **RESOLVED** that –

1 An additional \$50,000 be included for NORPA, funded from the FAGs additional revenue.

2 \$44,500 from the increase in FAGs revenue be allocated to reserves to restore interest earned on reserves in accordance with policy.

(Councillors Irwin/Tomlinson)

The voting being tied the Mayor declared the motion APPROVED on his casting vote.

Voting Against: Councillors Swientek, King, Chant, Baxter, Hampton and Suffolk.
(S802)

A FORESHADOWED MOTION WAS MOVED that over the next 6 months Council consult with the Nimbin Community (that pay the Nimbin transfer fee) over the funding of the service.

(Councillors Roberts/Irwin)

157/02 **RESOLVED** that over the next 6 months Council consult with the Nimbin Community (that pay the Nimbin transfer fee) over the funding of the service.

(Councillors Roberts/Irwin)

Voting Against: Councillor Gates.

(S802)

2002/2003 Rates and Charges

158/02 **RESOLVED** that the report be received and the following motions be adopted to **continue the levying of the Special Rate for the Flood Levy**

(A) SUBJECT: GENERAL FUND RATES

Whereas Council has advertised its Draft Management Plan for 2002/2003, in accordance with Section 405 of the Local Government Act, 1993, and has considered submissions to its Draft Management Plan in accordance with Section 406 of the Local Government Act, 1993:

- (i) It is hereby resolved that a **Business Rate** to be known as the “**Business Inner CBD**” Rate, of **four point two seven five seven (4.2757) cents in the dollar** per assessment, on the Land Value as at Base Date July 1, 2001 subject to a minimum amount of **three hundred and ninety seven dollars thirty cents**
-

- (\$397.30)** per assessment, be now made for the rating year July 1, 2002 to June 30, 2003, on all rateable land within the centre of activity known as the 'Inner CBD' within the area shown in Schedule 'C' and which meets the definition of Business as defined in Section 518 of the Local Government Act, 1993.
- (ii) It is hereby resolved that a **Business Rate** to be known as the "**Business Urban**" Rate, of **two point four zero six nine (2.4069) cents in the dollar** per assessment, on the Land Value as at Base Date July 1, 2001 subject to a minimum amount of **three hundred and ninety seven dollars thirty cents (\$397.30)** per assessment, be now made for the rating year July 1, 2002 to June 30, 2003, on all rateable land within the centre of activity outside the Inner CBD but within the urban area of Lismore as shown in Schedule 'D', which meets the definition of Business as defined in Section 518 of the Local Government Act, 1993.
- (iii) It is hereby resolved that a **Business Rate** to be known as the "**Business Other**" Rate, of **two point two zero nine eight (2.2098) cents in the dollar** per assessment, on the Land Value as at Base Date July 1, 2001 subject to a minimum amount of **three hundred and ninety seven dollars and thirty cents (\$397.30)** per assessment, be now made for the rating year July 1, 2002 to June 30, 2003, on all rateable land in the City of Lismore but not within the areas defined in Schedules 'C' and 'D' attached which meets the definition of Business as defined in Section 518 of the Local Government Act, 1993.
- (iv) It is hereby resolved that a **Farmland Rate**, to be known as the "**Farmland Rate**" of **point nine one two seven (.9127) a cent in the dollar**, on the Land Value as at Base Date July 1, 2001, subject to a minimum amount of **three hundred and ninety seven dollars thirty cents (\$397.30)** per assessment, be now made for the rating year July 1, 2002 to June 30, 2003, on all rateable land in the City of Lismore area, which meets the definition of Farmland as defined in Section 515 of the Local Government Act, 1993.
- (v) It is hereby resolved that a **Residential Rate** to be known as the "**Residential Rate**" of **one point eight five four one (1.8541) cents in the dollar**, on the Land Value as at Base Date July 1, 2001, subject to a minimum amount of **three hundred and ninety seven dollars thirty cents (\$397.30)** per assessment, be now made for the rating year July 1, 2002 to June 30, 2003, on all rateable land within the centres of population defined in Schedule 'A' attached and meeting the definition of residential land, as set out in Section 516 of the Local Government Act, 1993.
- (vi) It is hereby resolved that a Residential Rate sub-category to be known as "**Residential Billen**" of **one point eight five four one (1.8541) cents in the dollar**, on the Land Value as at Base Date July 1, 2001 subject to a minimum amount of **two hundred and seventy nine dollars fifty cents (\$279.50)** per assessment, be now made for the rating year July 1, 2002 to June 30, 2003 on all rateable land within the centre of population defined in Schedule 'B' attached and meeting the definition of residential land, as set out in Section 516 of the Local Government Act, 1993.
- (vii) It is hereby resolved that a Residential Rate sub-category to be known as the "**Residential Rural**" rate of **one point three three seven eight (1.3378) cents in the dollar**, on the Land Value as at Base Date July 1, 2001 subject to a minimum amount of **three hundred and ninety seven dollars thirty cents (\$397.30)** per assessment be now made for the rating year July 1, 2002 to June 30, 2003 on all land which meets the definition of Residential as defined in Section 516 of the Local Government Act, 1993, except for the land described in Schedules 'A' and 'B' attached to this report.
- (viii) It is hereby resolved that a Special Rate to be known as the "**Flood Levee**" rate of **point one zero six seven (.1067) of a cent in the Dollar**, per assessment, on the Land Value as at Base Date July 1, 2001 subject to a minimum amount of **two dollars** be now made for the rating year July 1, 2002 to June 30, 2003 on all
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land within the area defined in Schedule 'I' attached to this report which in Council's opinion will receive a special benefit from the construction of the Flood Levee from a one in ten year flood event

(B) SUBJECT: SEWERAGE CHARGES

Council adopted a user pays charging system for sewerage and trade waste discharges at its November 28, 1995 meeting, Resolution 518/95. Council has recently considered a review of this process and a report was considered earlier at this meeting in this regard. The adoption of the following draft motions will continue this Policy. In addition, Council's adoption of a charge for the monitoring of grease arrestors and corrugated plate interceptors at its January 27 1998 meeting is provided for within the following resolutions.

Sewerage and Trade Waste Charges

Whereas Council has advertised its Draft Management Plan for 2002/2003 in accordance with Section 405 of the Local Government Act, 1993 and has considered submissions to its Draft Management Plan in accordance with Section 406 of the Local Government Act, 1993.

Lismore and Perradenya Sewerage Scheme

- (i) It is hereby resolved that in accordance with Sections 501, 503, 539 and 541 of the Local Government Act, 1993, an annual charge be now made for the provision of Sewerage Services to single units of residential occupation, residential, as defined in Section 516 (1) (a) of the Local Government Act, 1993, including residential strata units of **three hundred dollars and thirty four dollars (\$334.00)**, per assessment. This charge applies to properties connected to the Lismore Sewerage Scheme and is to be known as the "**Lismore Sewer**" charge for the period July 1, 2002 to June 30, 2003.
- (ii) It is hereby resolved that in accordance with Sections 501, 539 and 541 of the Local Government Act, 1993, an annual charge, as per the attached Schedule "E", where the charge is indicated by the number of units of residential occupancy located on a property, be now made for the provision of Sewerage Services to a parcel of land connected to the Lismore Sewerage Scheme to be known as the "**Lismore Sewer Multiple**" charge for the period July 1, 2002 to June 30, 2003, excluding residential Strata Units.
- (iii) It is hereby resolved that in accordance with Sections 501, 539 and 541 of the Local Government Act, 1993, an annual charge be now made for the availability of sewerage of **two hundred dollars (\$200.00)** per assessment for all rateable parcels of land within 75 metres of a Lismore Sewer Main and capable of discharging into that main but not connected thereto to be known as the "**Lismore Sewer Unconnected**" charge for the period July 1, 2002 to June 30, 2003.

Lismore Trade Waste Charges

- (iv) It is hereby resolved that in accordance with Sections 501, 503, 539 and 541 of the Local Government Act, 1993, for all other properties, not being residential land as defined in Section 516 (1) (a) of the Local Government Act, 1993, an annual charge be now made for the provision of trade waste services for properties connected to the Lismore Sewer Scheme, as per the attached Schedule "F", where the charge is indicated by the number of equivalent tenements allocated to an assessment in accordance with the methodology set out in Council's Sewer Usage Charging Strategy to be known as the "**Lismore Non-Residential Sewer**" charge, except for properties declared by Lismore City Council to be Established Strength Users, for the period July 1, 2002 to June 30, 2003.
- (v) It is hereby resolved that, in accordance with Sections 502 and 539 of the Local Government Act, 1993, a charge be now made, for properties declared by Lismore City Council to be Established Strength Users in accordance with Lismore City Council's Trade Waste Policy, Section 3.2, to be calculated in

accordance with Lismore City Council's Sewerage Usage Charging Strategy, Section 2.5, as follows:

- A charge of **seventy eight cents (78 cents)** per kilolitre of discharge; plus
- A charge of **one dollar and eighteen cents (\$1.18)** per kilogram of Biochemical Oxygen Demand; plus
- A charge of **seventy five cents (75cents)** per kilogram of Suspended Solids; plus
- A charge of **two dollars (\$2.00)** per kilogram of Oils and, or Grease to be known as the "**Established Strength**" charge for the period July 1, 2002 to June 30, 2003.

Nimbin Sewerage Scheme

- (vi) It is hereby resolved that in accordance with Sections 501, 503, 539 and 541 of the Local Government Act, 1993, an annual charge be now made for the provision of Sewerage Services to single units of residential occupation, residential, as defined in Section 516 (1) (a) of the Local Government Act, 1993, including residential strata units of **four hundred and seventy one dollars (\$471.00)** per assessment. This charge applies to properties connected to the Nimbin Sewerage Scheme and is to be known as the "**Nimbin Sewerage**" charge for the period July 1, 2002 to June 30, 2003.
- (vii) It is hereby resolved that in accordance with Sections 501, 539 and 541 of the Local Government Act, 1993, an annual charge, as per the attached Schedule "G", where the charge is indicated by the number of units of residential occupancy located on a property, be now made for the provision of Sewerage Services to a parcel of land connected to the Nimbin Sewerage Scheme to be known as the "**Nimbin Sewerage Multiple**" charge for the period July 1, 2002 to June 30, 2003, excluding Residential Strata Units.
- (viii) It is hereby resolved that in accordance with Sections 501, 539 and 541 of the Local Government Act, 1993, an annual charge be now made for the availability of sewerage of **two hundred and eighty three dollars (\$283.00)** per assessment for all rateable parcels of land within 75 metres of a Nimbin Sewer Main and capable of discharging into that main but not connected thereto to be known as the "**Nimbin Sewerage Unconnected**" charge for the period July 1, 2002 to June 30, 2003.

Nimbin Trade Waste Charges

- (ix) It is hereby resolved that in accordance with Sections 501, 539 and 541 of the Local Government Act, 1993, for all other properties, not being residential land as defined in Section 516 (1) (a) of the Local Government Act, 1993, an annual charge be now made for the provision of trade waste services for properties connected to the Nimbin Sewer Scheme, as per the attached Schedule "H", where the charge is indicated by the number of equivalent tenements allocated to an assessment, in accordance with the methodology set out in Council's Trade Waste Approvals Policy to be known as the "**Nimbin Non Residential Sewer**" charge for the period July 1, 2002 to June 30.

Lismore & Nimbin Sewerage Schemes

- (x) It is hereby resolved in accordance with Section 501 of the Local Government Act, 1993, that an annual charge of **fifty seven dollars (\$57.00)** be now made for the annual inspection of properties connected to either the Lismore or Nimbin Sewer Schemes with grease arrestors or corrugated plate interceptors, to be known as the '**Sewer Inspection**' charge for the period July 1 2002 to June 30 2003.

(C) SUBJECT: WATER CHARGES

Council has adopted a user pays water charging process. To continue this formula the following resolutions should be adopted.

Water

Whereas Council has advertised its Draft Management Plan for 2001/2002 in accordance with Section 405 of the Local Government Act, 1993 and has considered submissions to its Draft Management Plan in accordance with Section 406 of the Local Government Act, 1993:

- (i) It is hereby resolved that in accordance with Section 501, 503, 539 and 541 of the Local Government Act, 1993 an annual charge be now made for the provision of water and water service availability, based on the size of the water service connected to a property.

For a property which has two or more water connections, the cost of the services will be the total number of services multiplied by the fixed service charged; in cases where different sized services are connected the sum of the cost of the fixed service charges, except for water connections used solely for fire fighting services, the cost of which shall be **Eighty six Dollars (\$86)** per fire fighting service; for the year July 1, 2002 to June 30, 2003 to be known as the “**Fixed Service Charge**” is hereby made in respect of:

Size of Service	Fixed Service Charge
20mm	\$ 86
25mm	\$ 145
32mm	\$ 240
40mm	\$ 371
50mm	\$ 579
65mm	\$ 971
80mm	\$ 1,477
100mm	\$ 2,308
150mm	\$ 5,190

- (ii) In accordance with Sections 501, 503, 539 and 541 of the Local Government Act, 1993 an annual charge, for the availability of water to property not connected to Council’s Water Supply but capable of connection thereto and within 225 metres of a Lismore City Council water main in accordance with Section 552 (1)(b) of the Local Government Act, 1993, for the year July 1, 2002 to June 30, 2003, to be known as the “**Water Availability**” charge, of **Eighty six dollars \$86.00** per assessment is hereby made.
- (iii) In accordance with Section 502 and 503 of the Local Government Act, 1993 for water recorded by the water meter on a property a charge of **eighty six cents (86 cents)** per kilolitre for the year July 1, 2002 to June 30, 2003 to be known as the “**Consumption**” charge is hereby made.

(D) SUBJECT: DOMESTIC AND NON DOMESTIC WASTE MANAGEMENT SERVICES

Whereas Council has advertised its Draft Management Plan for 2002/2003 in accordance with Section 406 of the Local Government Act, 1993 and has considered submissions to its Draft Management Plan in accordance with Section 406 of the Local Government Act, 1993:

- (i) It is hereby resolved that an annual charge be now made, in accordance with Sections 496 of the Local Government Act, 1993, for all land within the declared domestic waste scavenging areas, both urban and rural, maps of which are available at Council’s Oliver Avenue Office, not utilising the domestic waste management service provided by Council to be known as the “**waste availability**” charge, of **Thirty four dollars (\$34.00)** per assessment, except for those properties within the Nimbin Section 94 Plan Area, maps of which are

- available at Council's Oliver Avenue Office, which are levied the Nimbin Transfer Station Charge, for the period July 1, 2002 to June 30, 2003.
- (ii) It is hereby resolved that an annual charge be now made, in accordance with Section 501 of the Local Government Act, 1993, for all land within the Lismore City Council area, to be known as the “**Environment Protection** ” charge, of **thirty five dollars and eighty cents (\$35.80)** per assessment, except for those properties within the Nimbin Section 94 Plan Area, maps of which are available at Council's Oliver Avenue Office, which are levied the Nimbin Transfer Station Charge, for the period July 1, 2002 to June 30, 2003.
 - (iii) It is hereby resolved that an annual charge be now made, in accordance with Sections 501 and 541 of the Local Government Act, 1993, for all land located within the Nimbin Section 94 Plan Area, maps of which are available at Council's Oliver Avenue Office, for the provision of the Nimbin Transfer Station Facility of **forty seven dollars (\$47.00)** per assessment, for properties with multiple units of resident occupancy a charge of **forty seven dollars (\$47.00)** per unit of residential occupancy located on each assessment, to be known as the “**Transfer Station**” charge. Properties exempted from this charge within the Nimbin Section 94 Plan Area are those properties paying a Waste Collection Service or Non-Domestic Waste Collection – Rural, Charge for the period July 1, 2002 to June 30, 2003.
 - (iv) It is hereby resolved that an annual charge be now made, in accordance with Section 501 of the Local Government Act, 1993, for all properties, located within the Lismore CBD, a map of which is available at Council's Administration offices, whose waste does not meet the definition of domestic waste contained within the Local Government Act 1993 and Council collects an approved 240 litre mobile waste bin from that property, of **one hundred and ten dollars (\$110.00)** per bin collected per annum, to be known as the “**CBD Non-Domestic Waste**” charge for the period July 1, 2002 to June 30, 2003.
 - (v) It is hereby resolved that an annual charge be now made, in accordance with Section 501 of the Local Government Act, 1993, for all properties located outside the Urban area of Lismore, maps of which are available at Council's Administration offices, whose waste does not meet the definition of domestic waste contained within the Local Government Act 1993 and Council collects an approved 240 litre mobile waste bin from that property, of **one hundred and four dollars (\$104.00)** per bin collected per annum, to be known as the “ **Rural Non-Domestic Waste**” charge for the period July 1,2002 to June 30,2003.
 - (vi) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, weekly, of a 140 litre approved wastemaster bin. In addition, on a fortnightly basis Council will remove a 240 litre approved wastemaster bin. This charge is to be known as the “**Integrated Waste**” collection service for the period July 1, 2002 to June 30, 2003 and will be charged at **one hundred and twenty two dollars \$122)** per annum . Additional services will be charged at **one hundred and twenty two dollars (\$122) per annum**. Services commenced during the charging period will be charged for on a proportional basis.
 - (vii) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act, 1993, for the removal of one approved 240 litre wastemaster bin each week, from domestic premises, located outside the urban area of Lismore but within the declared domestic waste scavenging area, a map of which is available at Council's Oliver Avenue Office, of **one hundred and ten dollars (\$110.00)**, to be known as the “ **Waste Collection Service**” charge, additional services will be charged at **one hundred and ten dollars (\$110.00)**, for the period July 1 2002 to June 30 2003. Services

commenced during the charging period will be charged for on a proportional basis.

- (viii) It is hereby resolved that an annual charge be now made, in accordance with Section 501 of the Local Government Act, 1993, for all properties, located within the Urban area of Lismore, a map of which is available at Council's Administration offices, whose waste does not meet the definition of domestic waste contained within the Local Government Act 1993 and where Council collects an approved 240 litre mobile waste bin on a fortnightly basis and a 140 litre approved wastemaster bin on a weekly basis from that property, of **one hundred and four dollars (\$104.00)** per bin collected per annum, to be known as the "**Non Domestic integrated waste**" charge for the period July 1, 2002 to June 30, 2003. For services commenced during the year a proportional charge will be made.

(E) INTEREST CHARGES

Council is able, under Section 566 of the Local Government Act, to charge interest on outstanding Rates and Charges. The Minister for Local Government has advised, Circular 02/115, that the maximum allowable amount of interest for 2002/2003 is 9%. This Council has generally adopted the maximum interest Rate as the amount to be charged.

- (i) It is hereby resolved that the 2002/2003 interest Rate on outstanding Rates and Charges will be **9%**.
(Councillors Crowther/Roberts) (S384)

MATTER OF URGENCY

- 159/02 **RESOLVED** that the following items be admitted to the business paper as a matter of urgency.
(Councillors Crowther/Baxter)

Temporary Appointments to the Position of General Manager

- 160/02 **RESOLVED** that pursuant to section 351(1)(a) of the Local Government Act 1993, Council ratifies the appointment of the following persons as general manager for the period specified in relation to that person:
(a) Mr William J Moorhouse – period 16/5/02 to 10/6/02.
(b) Mr Colin M Cooper – period 11/6/02 to 30/6/02.
(Councillors Crowther/Chant)

Casual Vacancy in the Position of General Manager and Appointment of Acting General Manager

- 161/02 **RESOLVED** that pursuant to section 336(1) of the Local Government Act 1993, Council appoints Mr Colin M. Cooper to be acting general manager until the commencement of the person appointed to that position pursuant to section 334, or until further resolution of the Council pending that commencement.
(Councillors Gallen/Hampton)
(S6)

This concluded the business and the meeting terminated at 7.16 pm.

CONFIRMED this 9TH day of JULY 2002 at which meeting the signature herein was subscribed.

MAYOR

