



## **NOTICE OF COUNCIL MEETING**

**An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the CANIABA COMMUNITY HALL, on TUESDAY, MARCH 11, 2003, at 6.30pm and members of Council are requested to attend.**

*Councillors are requested to attend from 6.00pm to meet informally with residents.*

Paul G. O'Sullivan  
**General Manager**

March 4, 2003

# **COUNCIL BUSINESS AGENDA**

March 11, 2003

## **PUBLIC ACCESS SESSION:**

**PAGE NO.**

**PUBLIC QUESTION TIME:**

**OPENING OF MEETING AND PRAYER (MAYOR):**

**APOLOGIES AND LEAVE OF ABSENCE**

**CONFIRMATION OF MINUTES** - Ordinary meeting 11/2/03  
Extraordinary meeting 16/2/03

**CONDOLENCES**

**DISCLOSURE OF INTEREST**

**MAYORAL MINUTES**

1

**NOTICES OF RESCISSION**

**NOTICES OF MOTION**

2 - 3

**SUSPENSION OF STANDING ORDERS**

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

**REPORTS**

4 - 55

**COMMITTEE RECOMMENDATIONS**

56 - 61

**DOCUMENTS FOR SIGNING AND SEALING**

62

**QUESTIONS WITHOUT NOTICE**

**CONFIDENTIAL MATTERS - COMMITTEE OF THE WHOLE**

# INDEX

<b>REPORTS:</b>	<b><u>PAGE NO.</u></b>
DA02/771 – 105 Lot Subdivision - Just Street, Goonellabah	4 - 33
Lismore Neighbourhood Centre	34
Application for Closure of Crown Public Road – Part of Lake Street, North Lismore	35
Replacement of Council Plant – 3 Tipping Trucks	36 - 39
Replacement of Council Plant - Quarry Loader	40 - 43
New Sporting Field Hire Policy	44 - 45
Aspect North Development at Lismore Regional Airport	46 - 47
Bad Debt Write-off	48 - 51
Naming of Sportsgrounds	52
Review of Committee Plans of Management	53 - 55
 <b><u>Committee Recommendations:</u></b>	
Traffic Advisory Committee 19/2/03	56 - 61
 <b><u>Documents for Signing and Sealing:</u></b>	
	62
 <b><u>Questions Without Notice:</u></b>	
 <b><u>CONFIDENTIAL MATTERS - Committee of the Whole:</u></b>	

**MAYORAL MINUTE**

**Subject/ FileNo :** LEAVE OF ABSENCE FOR ACTING MAYOR (S44)

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**Background:**

I wish to advise that due to a long-standing commitment, I will be out of the area from March 15 to April 6, 2003 and thus seek leave of absence from Council, for this period.

As the Governor has not yet confirmed my appointment to the position of Mayor as at the date of this report, thus preventing the election of a new Deputy Mayor, it is my intention to appoint Councillor Hampton to act in the position during my period of absence.

**Group Manager – Corporate & Community Services Comments**

I have been in touch with the Department of Local Government on a number of occasions and as of 11 am on the 4<sup>th</sup> of March they still are not able to give me any time frame on the appointment of Councillor King to the vacant position of Mayor. If the appointment was forthcoming prior to this meeting, then Council could conduct an election for the then, vacant position of Deputy Mayor. I will update Council if further information comes to hand.

**Recommendation (MM01)**

- 1 That leave of absence be granted to the Acting Mayor (Councillor Merv King) for the period March 15 to April 6, 2003.
- 2 That Councillor Hampton be endorsed as Acting Mayor during this period of absence.

**NOTICE OF MOTION**

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

**That in accordance with the recommendations of the Roads Advisory Committee:**

- 1 Council relax its policy which prohibits extension of the sealed road network.**
- 2 That the draft 2003/04 budget incorporate an allocation of \$200,000 to be used for sealing gravel roads.**
- 3 That all funds allocated for sealing gravel roads be additional to the current roads construction budget.**

Reason

Recommended by the Roads Advisory Committee

**COUNCILLOR** D R Tomlinson

**DATE** February 19, 2003

**STAFF COMMENT BY:**

**Acting Group Manager-City Works (Garry Hemsworth)**

The road network has improved since the date Council introduced its policy not to extend the sealed network. However, there still exists a huge backlog of sealed roads which require improvement.

There is a constant demand from the users of gravel roads to provide improvements in travel comfort by sealing gravel roads. Also the Roads Advisory Committee has agreed it is desirable to improve the road network by sealing gravel roads, but only on the condition that this is achieved through additional funding channels.

**Manager-Finance & Administration**

The process of preparing the 2003/04 Management Plan has commenced. A key part of the process will be Council providing direction to Management on what are priorities.

If Council adopts this Notice of Motion, its content will be discussed at the Budget Workshop scheduled for April 1, 2003.

(03-1793: S182,S745)

**NOTICE OF MOTION**

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

**That as recommended by the Roads Advisory Committee and supported by Council's roads consultant Neil Arbuthnot funds be included in the 2003/04 draft budget to allow three gradings per annum of category A unsealed roads.**

Reason:

The twice-yearly grading of busy unsealed roads is insufficient to provide even a barely adequate service for rural ratepayers. Rates have increased over the past eight years but the unsealed road budget in that time has remained virtually unchanged in dollar terms and fallen substantially in real terms.

As the consultant's report says: *"Of note is the need to review the frequency of grading with particular reference to higher trafficked roads currently programmed for two passes per annum. At present the six month programmed maintenance intervals are insufficient to traffic needs as evidenced by the deterioration of the road surface and frequency of defects. Maintenance frequencies should reflect the traffic volumes, traffic type and road conditions."* **Neil Arbuthnot**

**COUNCILLOR** D R Tomlinson

**DATE** February 19, 2003

**STAFF COMMENT BY:**

**Acting Group Manager-City Works (Garry Hemsworth)**

City Works have improved performance in the area of unsealed roads maintenance over the last three years. The cost to grade roads has reduced from \$1,500 per kilometre to approximately \$900 per kilometre. Output has steadily improved to a point where we can now undertake two grades a year on the Category A roads (the busier gravel roads). This improved output has only been evident this financial year and I do not think we have effectively demonstrated to the users of gravel roads the improvements to date.

Further improvements are expected when we start routine inspections, which will more effectively target allocating resources to the most needy locations in a more timely manner.

Complaints received about our gravel roads have also reduced from approximately 320 in 1999 down to approx 150 in 2002.

**Manager-Finance & Administration**

The process of preparing the 2003/04 Management Plan has commenced. A key part of the process will be Council providing direction to Management on what are the priorities.

If Council adopts this Notice of Motion, its content will be discussed at the Budget Workshop scheduled for April 1, 2003

(03-1792: S182,S745)

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## LISMORE CITY COUNCIL - Meeting held March 11, 2003

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**Subject/File No:** DEVELOPMENT APPLICATION NO. 2002/771 – 105 LOT RESIDENTIAL SUBDIVISION, 35 JUST STREET, GOONELLABAH.

**Prepared By:** Development Assessment Planner Chris Soulsby

**Reason:** Council Policy No. 5.2.1.

**Objective:** Determination of the development application for the subdivision of 105 residential allotments

**Management Plan Activity:** Development Assessment

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### **PRECIS**

**Applicant:** Newton Denny Chapelle Consulting Surveyors and Planners on behalf of Mrs B Pearce.

**Zoning:** 2(a) Residential and 6(a) Open Space

**Location:** 35 Just Street, Goonellabah. Lot 49 DP 849862. A locality plan is provided as map 1.

**Proposal:** 105 Lot residential subdivision, dedication of a public reserve, stormwater drainage works and a sewer pump station.

**Key Issues:** Resident objection, land dedication, traffic management and staging, stormwater disposal.

### **DESCRIPTION OF THE PROPOSAL**

The development consists of 105 residential lots and a public reserve. The developer will construct associated infrastructure: roads, sewer, stormwater facilities. Council and the developer will share the cost of the sewer pump station to service the development. Monies are available from the sewer fund for this purpose. The applicant proposes to construct the residential subdivision in stages.

This development will connect City Acres with Goonellabah initially via Just Street and eventually by Dudley Drive when development on the adjoining land to the west occurs. The first stage will be accessed from Mackintosh Road in City Acres. The developer is staging from the southern end to enable the first 19 lots to connect to the existing gravity sewer infrastructure. Further stages will require the construction of the pump station. The development will then proceed to the north to link up with Just Street. The issue of staging is addressed below.

The development is also integrated development as approvals are required from the NSW Rural Fire Service and the Department of Land and Water Conservation. Comments and conditions were sought from these government departments.

### **Public Consultations**

The proposal was notified and exhibited in accordance with the provisions of DCP 41. A detailed analysis of the submissions is provided in the S79C(1) (d) assessment.

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

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

The environmental planning instruments of relevance to the application are:

1. State Environmental Planning Policy No 44 Koala Habitat; and
2. State Environmental Planning Policy No 55 Contaminated Lands; and
3. Lismore City Local Environmental Plan 2000; and
4. North Coast Regional Environmental Plan 1988.

**SEPP 44 and Threatened Species**

As the land is greater than one hectare in area and is within a scheduled LGA the SEPP applies. The applicant has undertaken a survey of the vegetation on the site. As less than 15% of the trees found on the site are preferred koala feed trees the site is not core koala habitat and an individual koala plan of management is not required. The applicant has also undertaken a habitat assessment for any other threatened species likely to be found on / or in the area. This identified the following threatened or endangered species that may potentially be found on the development site:

- Rose Crowned Fruit Dove;
- Superb Fruit Dove;
- Wompoo Fruit Dove;
- Barred Cuckoo Shrike;
- Coxen's Fig Parrot;
- Koala;
- Little Bent Wing Bat;
- Eastern Long-eared Bat;
- Black Flying Fox;
- Grey Headed Flying Fox;

An assessment of the impacts of the development in accordance with section 5(a) of the Environmental Planning and Assessment Act 1979 has been undertaken. This 8-part test found that whilst there is foraging habitat for these threatened species on the site the development will not endanger the continued survival of these species or local populations thereof. The reason for this is that much of the habitat suitable for these species is located within the area zoned 6(a) and proposed to be dedicated as public reserve. This will preserve the available habitat.

**SEPP 55 Contaminated Land**

SEPP 55 applies to the development site. The SEPP requires that, where there is a change of use of the land is involved, the Council must be satisfied that the level of contamination, if any, is appropriate for the new use. Council's records and the investigations by the applicant indicate that no potentially contaminating activities have been undertaken on the land.

**Environmental Health Comments**

Section 5.7.2 of the Statement of Environmental Effects provides comment in relation to contaminated land stating that the risk of contamination is not an issue as the site has been within the one family (Pearce family) since the early 1930's and has only been used for "low scale cattle grazing which has no history of chemical use".

An assessment of aerial photography undertaken by Council's Environmental Health Services Unit revealed no evidence of previous landuses such as banana farming, market gardens, and intensive horticulture known to be associated with land contamination on the proposed site.



Aerial photography however only provides a snapshot of previous landuses specific to the time the photographic run was taken.

A site inspection undertaken by the EHU did not reveal any evidence of previous landuses generally associated with land contamination such as road terracing associated with bananas and existence of storage sheds etc.

In situations where historical ownership and previous landuse activities can be accounted for, the need for soil sampling to determine if the site is contaminated may not be necessary. The Statement of Environmental Effects however does not provide a signed written statement from Pearce family representatives verifying their ownership since the early 1930's and that prior landuse activities did not involve chemical use that might result in land contamination. In addition there is no evidence that landuse activities prior to their ownership (pre early 1930's) did not involve chemical use that might cause land contamination. A condition is recommended that a statutory declaration be provided by Pierce family representatives verifying ownership and previous landuse activities and evidence be provided that landuse activities prior to their ownership did not involve use of chemicals likely to cause land contamination.

**Lismore City Local Environmental Plan 2000**

The land is Zoned 2(a) - (*Residential*) and 6(a) - (*Recreation Zone*) under the provisions of the Lismore City Local Environmental Plan 2000. The development is permissible with consent in the 2(a) zone.

**Clause 29** of the Lismore City Local Environmental Plan 2000 requires Council to be satisfied that the proposed development is consistent with the zone objectives. The objectives are:

- (a) to encourage a wide range of housing densities and types to ensure maximum utilisation of infrastructure and equitable distribution of housing densities, and
- (b) to ensure the development of all land within the zone adequately provides for the demand for physical services and community facilities created by the additional population, and
- (c) to allow development for other than residential purposes, except where the scale, type and traffic-generating aspects of the development will significantly alter the landscaping, character or amenity of the surrounding residential area, and
- (d) to ensure the design quality of new development is compatible with the character of each residential area.

It is considered that the proposal meets the zone objectives.

**Clause 51 Subdivision of land in Zones Nos 2(a) and 2(v)** of the L.E.P applies to the development and states:

- (1) *This clause applies to land within Zone No 2(a) or 2(v).*
- (2) *Consent must not be granted to subdivision of land to which this clause applies unless:*
  - (a) *the consent authority has had regard to the matters relating to environmental impact specified in Schedule 5, and*
  - (b) *if the land is within Zone No 2(a), each separate lot of land created by the subdivision has an area of not less than 400 square metres, and*
  - (c) *arrangements satisfactory to the consent authority have been made for the provision of a reticulated water supply, an electricity supply and disposal of stormwater and sewage effluent on each lot created.*

The applicant submitted a Statement of Environmental Effects with the Development Application that deals with the matters in Schedule 5 to satisfy Clause 51(2)(a). The issues raised in that assessment are not in dispute.

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The proposal complies with clause 51(2)(b) as no lot proposed to be created has an area of less than 400m<sup>2</sup>.

There is adequate provision of water and electricity services available to the development.

Council's Water and Sewer Engineer (Business and Enterprise Group) has indicated that there is sufficient sewer capacity to cater for the development subject to the construction of a new pump station. There is an existing pump station that will be decommissioned and the load from this station will be directed to the new station. Council will be partially responsible for the cost of the new pump station. The applicant will be required as a condition of consent to provide the requisite sewer infrastructure internal to the subdivision, and payment of S64 levies.

The applicant has proposed a stormwater strategy involving both quantity and quality control to contain and treat stormwater runoff from the development prior to disposal into Tucki Tucki Creek. It is proposed to impose performance based conditions in accordance with Council's adopted Stormwater Management Plan "For Quality Control of Urban Stormwater" dated June, 2000. The conditions provide for sedimentation control during the construction phase, and long term nutrient control after completion of the development, to protect the creek system. The issue of stormwater disposal is discussed in more detail below.

**Clause 19 Variation of Zone Boundaries:-** The applicant has proposed allotments that encroach onto the 6(a) zoned land. This land was identified as being surplus to requirements by Planning staff through the review of the 6(a) land. This clause allows Council to consent to development that would normally be prohibited in a zone if that land is within 50m of a zone boundary and the use would be permissible within the adjoining zone. To utilise this clause Council must be satisfied that the development is desirable due to design or ownership requirements. As Council no longer desires to own this land such a variation of the zone boundaries is reasonable.

It is considered that this development meets all these requirements and the creation of lots partially within the 6(a) zone is acceptable in the circumstances of this case. It should be noted that this zoning anomaly will be rectified in the next LEP amendment.

**Dedication of Land**

There is an area of land on the development site that is zoned 6(a) Open Space. Part of this land is identified as urban bushland in the Lismore Contributions Plan (S94 plan). Clause 70 of the Lismore City Local Environmental Plan 2000 applies to this land. The relevant sections of clause 70 are set out as follows:

**1 Acquisition of land**

- (1) *This clause applies to land within Zone No 5 or 6(a).*
- (2) *The owner of any land to which this clause applies zoned as specified in Column 1 of the Table to this subclause may, by notice in writing, require the body specified in Column 2 of the Table opposite that zoning to acquire that land.*

<b>Column 1</b>	<b>Table Column 2</b>
<i>Special Uses (Main Road)</i>	<i>RTA</i>
<i>Special Uses (University)</i>	<i>Southern Cross University</i>
<i>Recreation Zone</i>	<i>Council</i>

# LISMORE CITY COUNCIL - Meeting held March 11, 2003

## Development Application No. 2002/771

- (3) *On receipt of such a notice, the Council or the Southern Cross University must acquire the land to which the notice relates.*
- (4) *The Council shall not be required to acquire land the subject of a notice referred to in subclause (2) where the land is required to be dedicated to the Council as a condition of development consent.*

This Clause pertains to the portion of the land to be dedicated that is Zoned 6(a). The owner via the applicant has served on Council a notice to acquire in accordance with clause 70.

Clause 70 (4) would allow Council to condition that the land be dedicated to Council as a condition of development consent. The power to require dedication as a condition of consent is fettered by the three tests for validity of a condition that are:

- (i) *It must be for a planning purpose or relate to a planning purpose;*  
(ii) *It must fairly and reasonably relate to the subject development; and*  
(iii) *It must be such as a reasonable planning authority, duly appreciating its statutory duties, could have properly imposed."*

*(Pyx Granite Co Ltd v Ministry of Housing & Local Government [1958] 1 QB 554 at 572)*

In this case the dedication of 6(a) land for urban bushland and the 6(a) land that is not urban bushland is considered to be for a valid planning purpose and therefore clearly meets the requirements of the first test. The condition would also satisfy the third test.

The Department of Urban Affairs and Planning Section 94 Contribution Plans Manual indicates that section 94 is the sole source of power in the Environmental Planning and Assessment Act 1979 to require the dedication of land. On this basis consideration needs to be given to the S94 contribution plan to determine if the land to be dedicated as open space fairly and equitably relates to the amount of contributions to be paid by the developer. Whilst the 6(a) land's proximity to the subdivision relates it to the development, the amount of land to be dedicated creates an inequity.

This inequity can be rectified by a cash payment to the developer from the S94 funds collected for this purpose, or offsetting other contributions by way of internal transfer of funds from the components of the S94 plan that is receiving a greater benefit from this development than it is entitled to. The following levies would normally apply for 104 lots.

<b>Levy Area</b>	<b>Account No.</b>	<b>No. of ET</b>	<b>Cost Per ET</b>	<b>Amount Payable</b>
<b>Open Space</b>				
Urban Catchment (East) - Local	1643-3	104	655	\$ 68,120
- Citywide	1643-1	104	340	\$ 35,360
<b>Urban Bushland</b>				
Rest of Goonellabah/East Lismore/Lis Heights	1644-2	104	349	\$ 36,296
<b>Street Trees</b>				
Urban Catchment (East)	1643-22	104	85	\$ 8,840
<b>Community Facilities</b>				
Urban Catchment (East) - Local	1650-3	104	1157	\$ 120,328
- Citywide	1650-1	104	581	\$ 60,424

# LISMORE CITY COUNCIL - Meeting held March 11, 2003

Development Application No. 2002/771

## Urban Roads

### Arterial Roads

Urban Catchment (East) res	1655-3	104	1839	\$ 191,256
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### SES

All areas	1695-1	104	20	\$ 2,080
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### Bushfire

Equipment	1690-1	104	78	\$ 8,112
Facilities (Control Room)	1690-6	104	20	\$ 2,080

### Footpaths

Goonellabah Trunk	1680-4	104	57	\$ 5,928
Connector	1680-5	104	53	\$ 5,512
Internal	1680-9	104	194	\$ 20,176

### Cycleways

Urban East Catchment	1680- 8	104	16	\$ 1,664
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### Bus Shelters

Urban catchment East	1683- 3	104	2	\$ 208
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<b>Total</b>			<b>5446</b>	<b>\$ 566,384</b>
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In this case the developer is dedicating more land to satisfy the Open Space East component of the S94 plan than the liability generated by the development. The applicant has indicated that reduced rate of contribution is an acceptable solution. On this basis it is proposed to reduce the developer's cash contribution to reflect the value of land dedicated. The value of the land to be dedicated is \$252,742.98. Council is also requiring partial embellishment of the reserve by sealing of the fire trail to act as part of the cycleway. The cost of these works is \$7250. This sum will be deducted from embellishment component of the Open Space East component.

The amended contributions schedule would appear thus:

Levy Area	Account No.	No. of ET'	Cost Per ET's/m2	Amount Payable	Reduced Cost per ET after dedication	Amount Payable after land dedication
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### Open Space

Urban Catchment (East) - Local	1643-3	104	655	\$ 68,120.00	\$ -	\$ -
- Citywide	1643-1	104	340	\$ 35,360.00	\$ -	\$ -

### Urban Bushland

Rest of Goonellabah/East Lismore/Lis Heights	1644-2	104	349	\$ 36,296.00	\$ -	\$ -
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### Street Trees

Urban Catchment (East)	1643-22	104	85	\$ 8,840.00	\$ 85.00	\$ 8,840.00
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### Community Facilities

Urban Catchment (East) - Local	1650-3	104	1157	\$ 120,328.00	\$ 1.55	\$ 161.02
- Citywide	1650-1	104	581	\$ 60,424.00	\$ 581.00	\$ 60,424.00

### Urban Roads

# LISMORE CITY COUNCIL - Meeting held March 11, 2003

## Development Application No. 2002/771

### **Arterial Roads**

Urban Catchment (East) res	1655-3	104	1839	\$ 191,256.00	\$ 1,839.00	\$ 191,256.00
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### **SES**

All areas	1695-1	104	20	\$ 2,080.00	\$ 20.00	\$ 2,080.00
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### **Bushfire**

Equipment	1690-1	104	78	\$ 8,112.00	\$ 78.00	\$ 8,112.00
Facilities (Control Room)	1690-6	104	20	\$ 2,080.00	\$ 20.00	\$ 2,080.00

### **Footpaths**

Goonellabah Trunk	1680-4	104	57	\$ 5,928.00	\$ 57.00	\$ 5,928.00
Connector	1680-5	104	53	\$ 5,512.00	\$ 53.00	\$ 5,512.00
Internal	1680-9	104	194	\$ 20,176.00	\$ 194.00	\$ 20,176.00

### **Cycleways**

Urban East Catchment	1680- 8	104	16	\$ 1,664.00	\$ 16.00	\$ 1,664.00
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### **Bus Shelters**

Urban catchment East	1683- 3	104	2	\$ 208.00	\$ 2.00	\$ 208.00
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<b>Total</b>			<b>5446</b>	<b>\$ 566,384</b>	<b>\$ 2,946.55</b>	<b>\$ 306,441.02</b>
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It should be noted that the developer is paying nothing to the following components of the S94 plan: Open Space - Local- and Citywide and Urban Bushland. The developer is also paying into the Community facilities component of the plan at a significantly reduced rate. Upon dedication of the reserve in the first stage of the development an internal transfer of funds from the Local open space components of the S94 plan to each of the components that the developer is not paying into will occur. This will ensure that all components on the S94 plan are satisfied. The open space component will be satisfied by dedication of the land and the other components by cash from the developer and internal transfer of funds by Council. Councillors should note that process is cost neutral to Council as it has been done in accordance with the S94 plan.

### **Manager - Finance & Administration Comments**

The owner/applicant of the 6(a) land has effectively served notice on Council to acquire it in accordance with the Lismore City LEP. The value of the 6(a) land is \$252,742.98. In this instance, the land is included in the Open Space Section 94 Plan (Plan) and sufficient funds are available to meet its purchase. The owner/applicant will be required to pay the difference between the 'total developer contributions' and the 'value of the land dedication' of 313,641.

The issue regarding the 'automatic' requirement to acquire land zoned 6(a) was the subject of a report, "Review of 6(a) (Recreation) Zoned Land", considered by Council at the December 12, 2002 meeting. The purpose of the review is to rationalise listed 6(a) land to ensure that they are required and appropriately zoned, and then to incorporate this outcome into the Plan for funding. This is important because if the land we are about to acquire as part of this DA were not part of the Plan, we would need to find the acquisition funds from general fund, to the detriment of other funded and planned works and services.

### **North Coast Regional Environmental Plan 1988**

Clause 43 (1) of the REP requires that the Council shall not grant consent to a subdivision unless the Council is satisfied that the density of dwellings has been maximised without adversely affecting the environment.

There are a range of lot sizes provided in the plans for the development. The residential lots range in size from 708m<sup>2</sup> to 2081m<sup>2</sup> with the majority of lots being between 800m<sup>2</sup> and 1100m<sup>2</sup> with an average area of 945m<sup>2</sup>. There are a total of 105 lots in the development and the density of the development will be approximately 10.5 lots per hectare, excluding the reserve. This compares favourably with the Waratah Way development which achieved 7.36 lots per hectare.

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

Currently there are no Draft Planning Instruments of relevance to this application that have been placed on exhibition.

**79C(1)(a)(iii) Any Development Control Plan**

Development Control Plan 27 - Buffer Areas applies to this development. There is grazing land to the south of the property. DCP 27 requires a 30m buffer to grazing land to dwelling houses. The applicant has proposed a 20m asset protection zone (APZ) to satisfy the requirements of the Planning for Bushfire Protection Guidelines. Such an APZ will partially satisfy the requirements of this 30m buffer. It is proposed to vary this buffer standard in this circumstance. Before variation of any standard Councillors should consider the underlying objective of the standard. In this case the objective of the standard is not specified in the DCP. It is contended that the 30m standard is intended to protect adjoining landowners from dust, noise and odour of grazing activities. Clearly these impacts, from grazing cattle, are not as significant as spray drift from intensive horticulture, odour from a piggery or noise from a quarry. On this basis a minor variation, 10m, the standard is considered to be reasonable given the likely level of impact. It should be noted that lots 1 to 3 cannot even achieve the 20m buffer. Again given the minor nature of the predicted impacts it is reasonable to vary the standard in the DCP for 3 lots.

**Development Control Plan 28 - Subdivision.** The applicant through the statement of environmental effects has demonstrated that the proposed subdivision generally meets the requirements of DCP 28. However there are three lots that have slopes in excess of 15%. Lot size and dimensions should take into account the slope of the land and the desirability of minimising earthworks, retaining walls etc. associated with dwelling construction. The DCP recommends that lots over 15% slope have areas of greater than 1000m<sup>2</sup> to provide adequate area for construction of dwellings. Although the lots that have a slope of greater than 15% are less than 1000m<sup>2</sup>, in the circumstances of this case these lots are not so constrained that a dwelling could not be erected on them. It is considered that a minor variation to the DCP is warranted.

**Public Open Space**

The objective of Section 6.2.6 Public Open Space is:

*To provide, where appropriate, public open space that meets user requirements for outdoor recreational and social activities and for landscaping that contributes to the identity and environmental health of the community.*

The relevant performance criteria that the development is required to meet is that:

*Public open space provides:*

*a clear relationship between public open space and adjoining land uses established by appropriate treatment including alignment fencing, landscaping, and issues of noise, security and surveillance; and*

*avoidance of continual lengths of solid fencing along open space areas for security, surveillance, aesthetic and maintenance reasons.*

and the accepted compliance with these performance criteria is that:

*Parks are located so that at least 50% of their perimeter length has a direct frontage to a public road and near facilities such as community facilities, sports fields shops etc.*

The applicant has proposed to dedicate an area of land partially zoned 6(a) and part 2(a). The dedication of the reserve has been discussed above. The layout of the proposed reserve meets the above objectives and performance criteria. The subdivision design was specifically amended to ensure the preservation of a significant fig tree at the main entrance to the reserve. Some minor variation to the lot boundaries to improve vision into the reserve is warranted. This is discussed below with respect to crime prevention.

**Development Control Plan 43** - Crime Prevention through Environmental Design. This DCP focuses primarily on urban design and is particularly relevant to this development. Overall the development performs adequately in accordance with the principles set out in the DCP. Having allotments backing onto a reserve is not desirable in accordance with this DCP, this is however contradicted by DCP 28 that allows up to 50% of the reserve to have allotments fronting onto it and the other 50% must front a public road. Given the low crime rating for this area and the existence of another Council DCP that specifically allows a different standard, as opposed to providing a guiding principal, it is reasonable to allow lots to back on to the reserve. Interestingly the relevant provision of DCP 28 that requires 50% road frontage is primarily concerned with crime prevention and passive surveillance in reserves.

The long walkway from Pauline Court through to Dudley Drive does not meet the Crime prevention principals. Council has an adopted policy (No 1.8.19) regarding provision of pedestrian access from culs-de-sacs. This policy would appear to be contrary to current crime prevention and planning principals. It is proposed to delete the access way with a condition of consent. This subdivision design integrates short cul-de-sacs and a walkway via the public reserve to provide an adequate level of pedestrian permeability. Access to public transport will not be impacted upon by removal of the access way. 1.5m splays on rear corners of lots 57, 67, 82 and 89 will improve vision to the cycleway / footpath in the reserve and will eliminate a hiding place for potential offenders.

The subdivision layout was also considered by the Crime Prevention Officer from the Local Area Command. The long walkway from Pauline Court to Dudley Drive was considered to be undesirable; also splays on lots at the entrances to the reserves was also considered desirable. No other significant issues were raised.

**Development Control Plan 33 East Goonellabah**:- applies to this land. No specific layout was required by this DCP. Issues such as road hierarchy and open space are adequately addressed by DCP 28. No significant trees (Koala feed trees) are to be removed as a result of the development.

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

There are no matters prescribed by the regulations that have a significant impact on this development.

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

**Traffic**:- The traffic impact on the environment and the road network needs to be considered by Council. There are long term plans for the creation of a link road connecting Dudley Drive to McIntosh Road, and water main was laid along the proposed road alignment.

The main issues, with respect to traffic are: amenity impacts on residents due to alterations in the traffic flow and changes to the functionality of the road network.

The staging of this subdivision means that there will be short and long term impacts on both of these issues. The developer is proposing to commence the development by constructing Dudley Drive and accessing the development via McIntosh Road (refer staging plans in the attachments). The reason for this is that the first 19 lots utilising this part of the road network can access the gravity sewer. This lessens the initial financial burden on the developer. The short term impact of this will be the placement of an potential additional 171 vehicle movements onto McIntosh Rd. As further stages are developed up to 769 vehicle movements per day will be directed through McIntosh Rd. This is based on the worst case scenario of a mix of dwellings and up to 25% dual occupancies being erected onto all allotments before any alternate road connection is made. This worst case is unlikely to occur as there is always a lag between creation of a stage and erection of dwellings on all lots. There has been strong resident objection to any additional traffic movements on McIntosh Rd.

In the longer term all this traffic will be directed out of the development via Just Street or Dudley Drive. This will virtually eliminate all traffic flows from this development through City Acres. The creation of these links will mean a small increase in traffic flows from the south through City Acres. Traffic from City Acres will likely utilise the Dudley Drive or Just Street link to access facilities in Goonellabah. It is probable that there will be a split between the use of Rous Road and Dudley Dr / Just Street by traffic from City Acres but no modelling has been done on this. These matters were considered by the Traffic Advisory Committee which was supportive of creation of the link but did recognise that there were potential short term amenity impacts.

Neither the short term or long term impacts will significantly impact on the functionality of the road network. The roads in question have adequate capacity to deal with the additional movements. There is no justifiable reason, from a traffic management perspective to warrant conditions requiring the alteration to the proposed staging or to require the construction of Just Street.

It is the short term amenity impacts that are the only concern. The residents of City Acres particularly those at the western end of McIntosh Road will notice a significant increase in noise due to traffic movements in the short term. This will decline once the link to Just Street or Dudley Drive is completed. Although there will be a long term increase over what currently exists, this is not considered significant. The long term amenity impacts are not of such a magnitude to warrant either refusal of the DA, or imposition of conditions deleting the link road as requested by some of the objectors (see comments on objections below). The short term amenity impacts do provide a legitimate planning reason to impose conditions on the staging or construction of Just Street. Whilst such a condition is for a valid planning purpose ie to minimise an amenity impact, Councillors need to consider if the magnitude of the impact is significant enough to warrant the imposition of such a condition.

In order to assess the magnitude of the impact Council needs to consider the impact in its totality and not just the increase. That is: the noise caused by the total number of vehicle movements is what is important not the change from virtually nil to 769. The level of change seems significant and will be significant to the residents however, as this road was always intended to be a collector road the total vehicle movements and their impacts should be assessed on the basis that it is a collector road. That is why the totality of the number of trips is the relevant factor to consider. The Environment Protection Agency has guidelines on the amount of traffic noise that is acceptable in a residential area. It is proposed to require the applicant to model the traffic noise prior to the construction of any stage of the development. If at any time the traffic from the proposal generates enough noise to breach the standards then the construction of Just Street is justified. A condition has been prepared to reflect this.



## LISMORE CITY COUNCIL - Meeting held March 11, 2003

### Development Application No. 2002/771

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As an alternative Council could require the construction after a set number of lots. This is less defensible as it is not based on an accepted standard and is not recommended.

#### Environmental Health Comments:

Consideration should be given to the EPA Guideline for Road Traffic Noise. This is relevant where development of initial stages of the proposed subdivision may occur prior to construction of the loop road connecting the subdivision to the existing Just Street thereby requiring residents to use McIntosh Rd. This will significantly increase flows along McIntosh Rd and increase road traffic noise.

Table 1 of the EPA "Environmental Criteria for Road Traffic Noise" guideline sets out criteria to be applied to particular types of road and landuses. McIntosh Road fits the standard definition of a collector road and Table 1 of the EPA guideline specifies a daytime (7 am-10pm) criteria of 60dB(A) measured as the equivalent continuous noise over 1hr and night time (10pm-7am) criteria of 55dB(A) for landuse developments with potential to create additional traffic on collector roads. A condition is recommended to secure compliance with the EPA guideline.

**Tucki Tucki Creek:-** The development will result in the dedication of a public reserve, refer comments above, that will contain Tucki Tucki Creek. The impacts of the development on the creek system have been considered by Council Environmental Health Services Unit.

#### Environmental Health Comments:

Throughout the Statement of Environmental Effects and the Appendix to the report, reference is made to the importance of Tucki Tucki creek and the need to protect and remediate it.

The proposed subdivision adjoins a section of the Creek for approximately 470 lineal metres. Tucki Ck is a significant waterway that flows through much of the urban area of Goonellabah to the Tuckean Swamp and Richmond River. The creek has been the subject of Council's attention since the mid 1990's with development of the Tucki Tucki Ck Plan of Management, dedication of Public Reserve areas adjoining the creek and more recently with revegetation, remediation and public education associated with Council's Stormwater Management Plan.

Tucki Tucki Ck provides habitat for a large number of native flora and fauna including the platypus which has been observed regularly and recently (2002) in the urban areas of Goonellabah to south of Chilcotts Grass. Creation of a public reserve adjoining Tucki Ck and associated rehabilitation of the creek has not only provided improved habitat and ecological value for native wildlife but importantly has also provided an area for passive recreation for residents and visitors. Consultation with residents living in the catchment of the creek has revealed an appreciation of the creek and desire to protect and enhance its environmental value. There is evidence it has created a heightened awareness of environmental values amongst local residents and recognition by them of the benefits of a healthy waterway both for ecological and aesthetic reasons. There is evidence the creek improves the enjoyment of people living in the catchment.

As stated above the applicant has recognised the value of the creek recommending remediation, stormwater management controls and revegetation of the riparian zone in order to protect and enhance the creek. The report recognises that there is minimal riparian vegetation and much of what exists is weed species such as camphor laurel. A buffer of at least 20m is provided between the creek and the adjoining residential properties in the subdivision. This is a minimal buffer in order to protect the creek from residential development but does provide an area for riparian remediation.

An assessment of the physical parameters of this section of Tucki Ck was undertaken by Council's Environmental Health Services Unit. There is evidence of good physical characteristics in this section of creek such as pools, riffles and boulder clusters.

These physical characteristics are extremely important and provide patterns that stream biota respond and adapt to. There is some minor streambank impact from cattle access to the creek resulting in small areas of slip however overall this section of creek provides good physical habitat for a variety of organisms and presents opportunity for good general habitat value if riparian revegetation and stabilisation works are undertaken.

Section 4.0 of Appendix 1 "Ecological Assessment Report" which discusses impacts and amelioration with respect to the development recommends in a number of circumstances the revegetation of the riparian zone of Tucki Tucki creek and suggests details will be provided in a landscape plan.

This section of Tucki Tucki Ck has great potential in providing a good habitat for a diversity of native organisms, and remediation of the riparian zone will significantly help in achieving this potential. A condition has been recommended to ensure this is achieved.

Stormwater discharges from the site entering Tucki Tucki Creek have the potential to impact on the health of the creek due to increased volumes of runoff, increased peak flow rates and poor water quality.

Section 4.2 of the Statement of Environmental Effects includes a section on stormwater management and refers to improving quality and reducing peak flow rates and volume of discharge from stormwater through the adoption of point source measures and appropriately sized sedimentation control basins.

Section 5.8 of the Statement of Environmental Effects makes reference to soil and water management principles proposed to be implemented during construction of the subdivision.

Specific details on the methods to manage stormwater during construction and post construction should be provided in a detailed stormwater management plan for approval by Council prior to submission of detailed engineering design plans being lodged with Council.

**Social:-** A social impact assessment was prepared by the applicant in accordance with Council policy. No significant issues were raised.

**Rural Fire Service:-** The matter was referred to the Rural Fire Service under the integrated development provisions. The RFS had initially proposed the deletion of 4 lots adjacent to the public reserve. The reason for the deletion was that there was not provision of a sufficient asset protection zone (APZ) for these lots. Council's planners and the applicant reject this. The RFS undertakes a desktop review of the proposal in Sydney with no site inspection or local involvement. The applicant and the Development Assessment Planner contend that the cleared and slashed reserve, to be maintained by Council meets the requirement of an APZ under the terms of Planning for Bushfire Protection Guideline produced by the RFS and Planning NSW. This report has been prepared on the basis that the RFS will alter its decision. Should the retraction not be forthcoming and amended schedule of conditions will be presented to Council for consideration.

**Department of Land and Water Conservation:-** The matter was referred to DLWC under the integrated development provisions. DLWC required a minor amendment of the layout of the lots to provide an appropriate buffer to Tucki Tucki Creek. They have imposed a number of conditions as required by Rivers and Foreshores improvements Act 1948. A copy of the conditions is provided in the attachments.

**Public Transport Committee:-** The creation of the link via Just Street and eventually Dudley Drive was supported by this committee.

Given the physical features of the site it is considered that the site is suitable for the development as proposed.

**79C(1)(d) Any Submissions made in Accordance with this Act or the Regulations**

There were a significant number of submissions received as a result of the notification and exhibition of this application. There were 29 letters objecting to the DA. A précis of the points of objection is as follows:

- Decrease in property values;
- Loss of amenity to residents of City Acres;
- Increase in traffic through City Acres;
- Increase in crime in City Acres;
- Impact on the Koala population in City Acres;
- Requesting traffic control on City Acres roads (speed bumps, slow points);
- Danger to children in City Acres;
- Lack of footpaths in City Acres;
- No justification of the road link;
- The proposed subdivision density is not compatible with the densities in City Acres;
- Lack of adequate water infrastructure;
- Lack of parks and open space in the development;
- Lack of social amenities;
- Residents were not adequately notified.
- No valid reason to create the link through City Acres;
- Pollution of Tucki Tucki Creek;
- Loss of privacy;
- Noise and dust impacts.

The decrease in property values is not a valid planning consideration, however the impact that may cause the decrease in value needs to be considered. The loss of amenity, particularly due to traffic noise is a valid concern and has been extensively discussed above. The issue of crime has also been considered above. Some of the issues raised are not relevant or are erroneous, ie no open space provided.

The density of the development is considered to be appropriate given the zoning and the provisions of the REP that require densities to be maximised. Proposed densities (10.5 per ha) are actually below the levels desired by Planning NSW (12 –15 dwellings per ha).

The main thrust of the objection revolves around the creation of the road link and additional traffic. Conditions to minimise the adverse amenity impact of traffic noise have been discussed above. It is contended by Council's planners and engineers that the road link is a necessary and desirable addition to the network.

None of the objections raises issues of such weight or significance as to warrant the refusal of the DA.

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

Despite the number of objections the development is not considered to be contrary to the public interest.

**CONCLUSION**

Having considered all of the relevant planning issues the Development Assessment Planner and the Development Assessment Panel conclude that the application is of substantial merit and subject to impositions of conditions warrants approval.

**RECOMMENDATION** (PLA4)

- A That Council grant delegated authority to the General Manager - subject to the concurrence of the Development Assessment Panel, to approve variations of a minor nature and/or arithmetic nature to conditions of consent applied to this application except where a particular condition has been specifically identified as requiring Council consent if it is to be varied.
- B That Council, as the consent authority, approve Development Application 02/771 for a 105 Lot residential subdivision, dedication of a public reserve, stormwater drainage works and a sewer pump station:

Subject to the conditions listed below:

**STANDARD**

1 In granting this development consent, Council requires:

- the development,
- all roads/civil works,
- lot boundaries, and
- areas subject to any amendment or modification called for in the following conditions

be substantially in accordance with the stamped approved plan(s) and/or supporting documents submitted with the application. A copy/copies of the approved plan is/are attached to this consent.

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

**DRAINAGE**

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

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

All disturbed areas shall be stabilised and revegetated. Turfing or another approved seeding method shall be undertaken in each part of the development within 14 days of completion of earthworks. Topsoil shall be preserved for site revegetation. Details of sediment control measures and revegetation works shall be submitted to Council for approval prior to commencement of any works upon the site.

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

3 The proponent shall make satisfactory provision for existing and proposed lots to dispose of stormwater without causing a nuisance to other properties. All works are to be constructed according to Council's Development, Design and Construction Manual (as amended). All roof water from any existing or proposed buildings and/or surface water from paved areas shall be directed to a discharge point to prevent intensification of discharge runoff onto adjoining land. All drainage lines are to be located within drainage easements.

Any stormwater line with an area of influence from the stormwater line measured by projecting a 45° angle from the invert of the line to the surface level extending outside of the easement shall be covered by a restriction on use requiring any structure within this area to be pierced to the stormwater invert level. All costs shall be the responsibility of the proponent.

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

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

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

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

5 The discharge of stormwater from the site shall be limited to the pre-development flow (rural flow) for an ARI of 10 years and a time of concentration of 6 minutes. On-site retention of stormwater shall be encouraged to achieve this requirement. Full design details shall be submitted with the Engineering Design Plans.

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

6 A Stormwater Management Plan must be submitted to and approved by Council prior to detailed engineering design plans being approved by Council. The Plan must detail measures to be implemented to reduce peak flow rates from the site and improve stormwater quality prior to flows entering Tucki Tucki Creek. The plan must give consideration to the receiving waters of Tucki Tucki Ck and develop stormwater quality objectives for flows entering the creek. The Plan must also detail how the measures proposed to be put in place to improve stormwater quality will achieve those objectives. The detailed engineering plans shall reflect the approved Stormwater Management Plan.

**Reason:** *To protect Tucki Tucki Creek from urban stormwater runoff.*

#### **EARTHWORKS**

7 Prior to commencement of works, certification from a practising qualified engineer experienced in soil mechanics is required verifying:

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

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

8 A qualified practising structural engineer shall provide Council with a certificate of structural adequacy for any proposed retaining walls in the development, prior to commencement.

Any proposed retaining wall associated with roadworks shall be constructed wholly within the lots. No retaining wall shall be constructed upon the road reserve.

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

- 9 Prior to the release of the Subdivision Certificate, a NATA registered geotechnical testing authority shall submit documentary evidence, certifying that the fill material has been placed in accordance with Australian Standard 3798 "Guidelines on earthworks for commercial and residential developments".

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

## **ROADS**

- 10 The proponent shall provide the following roadworks with associated stormwater drainage structures that have been designed and constructed in accordance with Council's Development, Design and Construction Manual (as amended). In relation to the following works, the proponent shall pay Council's GST cost prior to the release of the Subdivision Certificate. The proponent shall be responsible for any costs, including maintenance, for a period of six months from the date of approval of completion of the work. Required roadworks include:

Construction of an intersection layout at the junction of McIntosh Road and Rous Road in accordance with AUSTRROADS Pt 5 "Intersections at Grade" giving particular attention to sight distance, as required by Condition No. 11.

### **Stage 1**

Construction of Dudley Drive to an urban road shape with a bitumen sealed width of 11m between kerbs from the end of the existing road pavement in McIntosh Road to the western boundary of proposed lot 19.

Construction of Betty Court to an urban road shape with a bitumen sealed width of 6 m between kerbs from Dudley Drive to the northern boundary of proposed lot 11.

### **Stage 2**

Construction of Just Street to an urban road shape with a bitumen sealed width of 11m between kerbs from Dudley Drive to the Northern boundary of lot 22.

### **Stage 3**

Construction of Just Street to an urban road shape with a bitumen sealed width of 11m between kerbs from the end of the existing pavement to the northern boundary of proposed lot 67.

Construction of Pauline Court to an urban road shape with a bitumen sealed width of 9m between kerbs from Just Street to the eastern boundary of proposed Lot 50.

Construction of Tamai Place to an urban road shape with a bitumen sealed width of 6m between kerbs from Pauline Court to the southern boundary of proposed lot 57.

### **Stage 4**

Construction of Just Street to an urban road shape with a bitumen sealed width of 11m between kerbs from the end of the existing pavement to the northern boundary of lot 80.

Construction of Sandie Place to an urban road shape with a bitumen sealed width of 6m between kerbs from Just Street to the eastern boundary of proposed lot 74.

**Stage 5**

Construction of Just Street to an urban road shape with a bitumen sealed width of 11m between kerbs from the end of the existing pavement to the north to the end of the existing pavement of stage 4.

Construction of Apo Street to an urban road shape with a bitumen sealed width of 11m between kerbs from the end of the existing pavement to the intersection with Just Street.

Construction of Maurine Court to an urban road shape with a bitumen sealed width of 6m between kerbs from Apo Street to southern boundary of lot 103.

A practising qualified surveyor or engineer shall submit to Council for approval prior to the release of the Subdivision Certificate, a "works-as-executed" set of plans and construction certification. The certification shall detail satisfactory completion of all roads, drainage and civil works required by this development consent and approved design plans.

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

- 11 Prior to the approval of Engineering Design Plans for each stage of development, the applicant shall undertake traffic counts at the intersection of Rous Road and McIntosh Road. Should the traffic counts indicate the intersection warrants upgrading to a Type B Intersection, in accordance with AUSTRROADS Pt 5 "Intersections at Grade", then either the intersection shall be upgraded to a Type B Intersection or the link to Dudley Drive or Just Street constructed. These works shall be constructed prior to release of the next Subdivision Certificate.
- 11A Full design plans of the proposed engineering works to satisfy condition(s) 2, 3, 5, 10, 12 & 14 shall be submitted to and approved by Council prior to commencement of these works. Such plans shall be accompanied the fee, as adopted at the time of the relevant payment as indicated in Council's Fees and Charges.

**NOTE:** Where a development is proposed to be staged then appropriate plans to satisfy this condition for that stage shall be submitted and approved by Council prior to commencement of works.

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

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

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

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

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

- 14 The access shaft of the following lots shall be constructed to the widths shown in accordance with Council's Development, Design and Construction Manuals (as amended). A asphaltic concrete (25mm depth) sealed or equivalent surface shall be applied to the full length of the shaft commencing from the road pavement.

Provision of the following services:

- water supply
- sewer
- stormwater
- telephone

shall be installed/conduits laid for the full length of the shaft, prior to construction.

**Stage 1**

Lot 8 driveway 3.0m wide  
Lot 17 driveway 3.0m wide

**Stage 3**

Lots 38 & 39 a combined driveway 4.0m wide with kerb and gutter on one side of the driveway.  
Lot 67 driveway 3.0m wide.

**Stage 4**

Lot 75 driveway 3.0m wide

**Stage 5**

Lots 96 & 97 a combined driveway 4.0m wide with kerb and gutter on one side of the driveway.

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

- 15 The access shafts to proposed lots 8 and 75 shall be a minimum width of 5m

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

**SUBDIVISION**

- 16 The proponent shall place allotment number identification on the frontage kerb and gutter to indicate the side boundaries and/or access shafts prior to release of the Subdivision Certificate.

**Reason:** *To provide visual identification of lot boundaries (EPA Act Sec 79C(e)).*

- 17 The proponent shall submit an application for a Subdivision Certificate for Council certification. Such application shall be accompanied by a Subdivision Certificate fee, as adopted at the time of the relevant payment as indicated in Council's Fees and Charges.

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

**PUBLIC UTILITIES**

- 18 Prior to approval of the Subdivision Certificate, the proponent shall ensure the provision of telephone services is provided to all lots and including the full length of battle-axe handles. A Certificate of compliance from the relevant utility provider shall be required confirming that the respective utilities requirements have been met.

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

- 19 Prior to approval of the Subdivision Certificate, a certificate of compliance from Country Energy shall be required confirming that Country Energy has provided underground electrical power to each lot, including the full length of battle-axe handles and adequate street lighting for the development as required by the relevant Australian Standard, and that charges for the extension of electricity supply have been paid.

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



**PUBLIC RESERVE**

- 20 Prior to release of the Subdivision Certificate for Stage 3 the applicant shall, at no cost to Council, construct a 3m wide, 150mm thick, gravel fire access track from the end of Tamai Place to the southern boundary of lot 48 in DP849862. Full design details to be submitted to and approved by Council prior to approval of engineering design plans.

**Reason:** *Bushfire access and to provide adequate pedestrian / cycle access through the reserve*

- 21 Prior to release of the Subdivision Certificate for Stage 3, the applicant shall provide a 2m wide asphaltic concrete seal to the proposed gravel bushfire access track from the end of Tamai Place to the southern boundary of lot 48 in DP849862. Full design details to be submitted to and approved by Council prior to approval of engineering design plans. The full cost of these work estimated at \$7250 has been credited against the S94 contributions set out in condition 29.

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

- 22 Land shown as Public Reserve and zoned 6(a) Open Space shall be dedicated as public reserves for recreation and open space/urban bushland/habitat enhancement. Any dedication costs shall be the responsibility of the proponent. Note: Credit against the dedication of this land shall be given in accordance with the Lismore Contributions Plan 1999 refer Condition 31

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

- 23 Land shown as Public Reserve and zoned 2(a) residential shall be accepted by the Council as public reserve. Note: No credit against Section 94 Contributions will be given for this land as this land is surplus to the requirements for the open space needs of the subdivision.

**Reason:** *To allow access to the remaining open space (EPA Act Sec 79C)*

- 24 All land to the west of Tucki Creek that is to be created as public reserve shall be cleared of all surface rocks and slashed to Council's satisfaction prior to the release of the subdivision certificate.

**Reason:** *To ensure that the land is in a satisfactory condition to be utilised and maintained as open space.*

- 25 All open space/public reserves to be dedicated to Council upon release of the subdivision certificate for Stage 1. A right-of-way is to be registered to give Council access to the dedicated open space.

**Reason:** *To allow for equitable dedication of land to offset against the payment of contributions and to ensure that adequate road access is available to the open space.*

- 26 The developer shall enter into a contract with Council to maintain the public reserves until the release of the subdivision certificate for Stage 4.

The developer shall annually submit to Council evidence of public liability insurance to the value of \$10,000,000 while ever the developer is maintaining Council owned reserves.

**Reason:** *To negate any maintenance burden on Council.*

- 27 A riparian remediation plan must be submitted to Council for approval prior to approval of the Engineering Design Plans.

The remediation plan must detail a riparian revegetation strategy and bank stabilisation works for the section of Tucki Tucki Ck adjoining the proposed subdivision and must be consistent with guidelines and recommendations made by the Department of Land and Water Conservation for such works.

**Reason:** *To provide an effective and functional updated riparian zone.*

- 28 The approved riparian strategy is to be implemented to the satisfaction of Council prior to the release of the Subdivision Certificate for the dedication of the reserve.

**Reason:** *To provide an effective and functional updated riparian zone.*

#### **SECTION 94 CONTRIBUTIONS**

- 29 Payment of contributions levied under Section 94 of the Environmental Planning and Assessment Act and Lismore City Council S94 Contributions Plan 1994 (as amended) are required. Such levies shall contribute towards the provision of public services and/or amenities identified in the attached schedule. Such levies shall be calculated at the rate(s) in effect on the date the Subdivision Certificate is released. The rates and amounts applying at the date of this notice, totaling **\$ 566,384** represent the total liability under the provisions of the contribution plan. The value of the lands to be dedicated has been deducted from the total liability and the remaining contribution totaling **\$ 306,441** and the reduced rates of contribution are set out in the schedule for your information. Should the proponent wish to pay the Section 94 and Section 64 levies in one installment, and the total contribution payable exceeds \$20, 000 payment to Council must be by bank cheque or cash. Personal cheques are not acceptable. All contributions, bonds etc. shall be paid prior to the release of the Subdivision Certificate. **!**

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

The contributions set out in the schedule are exclusive of any GST (if any) and where the provision of any services or the construction of any infrastructure or any other thing with those contributions occurs, then in addition to the amount specified above the Applicant will pay to the Council the GST (as defined below) which is payable by the Council in respect of the provision of such services or construction of any infrastructure or any other thing.

If the contributions set out in the schedule, or part thereof, are to be met by the dedication of land or other approved Material Public Benefit, then the Applicant will pay to Council the GST (defined below) applicable to the value of land dedicated or (Material Public Benefit) which is payable by the Council in respect of the provision of such services or construction of any infrastructure or any other thing.

GST means any tax levy charge or impost under the authority of any GST Law (as defined by the GST Act) and includes GST within the meaning of the GST Act.

The GST Act means A New Tax System (Goods and Services Tax) Act 1999 or any amending or succeeding legislation.

Where a development is to be staged then the relevant levies as required by the number of lots to be released under an individual subdivision certificate shall be paid prior to the release of the subdivision certificate for that stage.

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

**AMENITY**

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

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

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

Monday to Friday - 7.00am to 6.00pm  
Saturday - 8.00am to 1.00pm

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

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

33 Any noise generated during the construction of the development shall not exceed the limits specified in the Noise Control Manual.

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

34 A water truck designed to suppress dust from exposed surfaces and access roads shall be available at the site or in the immediate vicinity. Exposed surfaces and access pads shall be regularly wetted to suppress dust generation.

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

35 A noise assessment report must be submitted to and approved by Council prior to detailed engineering design plans being approved by Council. The report must assess the impact of road traffic noise on residents in McIntosh road in accordance with the EPA guideline "Environmental Criteria for Road Traffic Noise." In the event that road traffic noise exceeds the criteria level outlined in Part 8 Table 1 of the EPA guideline, the loop road connecting the subdivision to the existing Just street must be completed.

*Reason: To protect the amenity of the residents of McIntosh Road.*

36 After occupation of stage 3 of the subdivision. A report demonstrating that the noise levels predicted in the report required by condition 37 are being achieved shall be submitted to Council. Should the actual noise levels exceed the criteria level outlined in Part 8 Table 1 of the EPA guideline, the loop road connecting the subdivision to the existing Just street must be completed.

*Reason: To protect the amenity of the residents of McIntosh Road.*

**LAND CONTAMINATION**

37 A contaminated land report must be submitted to Council for approval prior to release of the final plan of survey in accordance with Council's Contaminated Lands Policy adopted by Council on 12/11/2002. The report must include a statutory declaration verifying that ownership of the land has been held by the Pearce family since the early 1930's and verifying that their landuse did not include activities likely to result in land contamination. The statement must also provide evidence that landuse on the site prior to ownership by the Pearce family was not likely to cause land contamination.

*Reason: To comply with Council's contaminated lands policy.*

**BUILDING**

38 Prior to the release of the Subdivision Certificate, a qualified practising Engineer, experienced in soil mechanics, shall submit documentary evidence in the form of a Geotechnical Investigation Report to the Principal Certifying Authority for approval, certifying that each allotment is suitable for building purposes and classifying each allotment in accordance with Australian Standard 2870 "Residential Slabs and Footings". Any allotment subject to further earthworks during the construction phase will require an amended Geotechnical Report.

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

39 Benching (ie cutting, filling or levelling) of the land to create building platforms does not form part of this approval and will only be considered in conjunction with a Development Application to build on the land.

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

40 A building envelope is to be identified on proposed Lot 102 and registered in the title. The building envelope is to be in accordance with the approved plan no. 02/332 dated 10/9/2002.

**WATER & SEWER**

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

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

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

42 The proponent shall provide sewerage reticulation to service the development. The works shall include:

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

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

43 Prior to issue of a Subdivision Certificate by the Principal Certifying Authority, the proponent must apply to Lismore City Council under Section 305 of the Water Management Act 2000, and obtain from Lismore City Council a Certificate of Compliance under Section 307 of the Water Management Act 2000.

Following the making of an application under Section 305 of the Water Management Act 2000, Lismore City Council under Section 306 of the Water Management Act 2000, may require the proponent to do either or both of the following:

## LISMORE CITY COUNCIL - Meeting held March 11, 2003

### Development Application No. 2002/771

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

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

- 44 Full design plans of the proposed engineering works to satisfy condition(s) 41 and 42 shall be submitted to Lismore City Council. Such plans must be approved by the Manager-Water and Sewerage before the issue of the Construction Certificate. Construction of these works will need to be completed before a Certificate of Compliance is issued by Lismore City Council under Section 307 of the Water Management Act 2000.

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

- 45 The proponent, at no cost to Council, is to dedicate an easement 3m wide over the proposed/existing sewer main as directed by Council.

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

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

**Reason:** *To provide funds for the provision of services and facilities identified in Lismore City Council's Section 64 Contributions Plan dated February 1996 as required by the increased population or activity. (Water Management Act 2000, Sec 306)*

- 47 Pump Station

- a) Full details and plans of the proposed sewer pumping station and rising main are to be included with the sewer reticulation proposed, including any staging, together with the existing sewer reticulation currently discharging into Just Street Pump Station.

The proposed sewer pumping station is to be designed so as to have eight hours detention storage capacity in dry weather flows. All civil, mechanical and electrical works to comply with Council's adopted Standards. The pump station is to be designed to incorporate the entire Just Street catchment. Four copies of pump operations manuals and other relevant documents to be provided. Full design plans of these works are to be prepared by a qualified consultant and submitted to Council's Water and Sewerage Department for approval before any construction commences.

- b) The proposed sewer rising main to be covered by a 5m wide easement in favour of Council on Private property. The new sewer rising main is to discharge into a new sewer manhole to be constructed at the end of the sewer main in Apo Street.

After satisfactory completion of this work, a practising qualified surveyor shall submit a "works-as-executed" set of 1:1000 transparency plans and plans in digital format (Autocad or similar) showing these works.

- c) The sewer pumping station is to be supplied with a 25mm water service with back-flow prevention fitted in accordance with Australian Standard 3500.1
  - d) The sewer pumping station to be provided with a suitable sealed, all weather access in accordance with Councils adopted standards .
-

Such access and Pump station to be enclosed within a Lot to be created to the requirements of Manager-Water and Sewerage. The lot is to be operational land when handed over to Council. Any costs shall be the responsibility of the applicant or developer.

- e) A man proof fence is to be erected around the Sewer Pump Station
- f) All easements are to be professionally prepared and submitted for the approval of Council
- g) All agreed cost sharing associated with the construction of the Pump Station will need to be determined and approved by Council before any construction commences.
- h) Provide and install Telemetry system to link into Council's Water and Sewerage telemetry system.

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

- 48 An analysis of the water reticulation is required to assess the impact of the subdivision including any staging and future developments on water pressure within the adjoining water reticulation. Additional lead-in water mains and or a pressure reducing valve/s may be required to be constructed by the developer as a part of this condition. This is dependent upon the findings of the water analysis.

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

- 49 Council will require an extension of the sewer main from the proposed lot 101 to service properties number 10 and 12 Apo Street .Council will meet all costs associated with the design and construction of these works.

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

**CRIME PREVENTION**

- 50 Lots 57, 67, 82 & 89 shall be created with a 1.5m splay on the rear corner fronting the reserve.

**Reason:** *Crime Prevention - to improve vision into the reserve.*

- 51 The proposed pedestrian pathway from Pauline Court to Dudley Drive is to be deleted.

**Reason:** *Crime Prevention.*

**INTEGRATED DEVELOPMENT - DEPARTMENT OF LAND AND WATER CONSERVATION**

**Rivers and Foreshores Improvement Act 1948 – General Terms of Approval Conditional to Issue of Part 3A Permit**

- 52 Irrespective of the granting of this consent or approval by any other Authority, work is not to commence in, or within a horizontal distance of 40m from the top of the bank of the watercourse/foreshore, without the prior issue of a Part 3A permit by DLWC.

- 53 Prior to the issue of the Part 3A permit the applicant must provide DLWC with the following:
- A copy of Council's development consent including all conditions of approval;
  - Plans and/or other documentation (3 copies) that satisfy the DLWC's General Terms of Approval and recommendations which are included in the consent conditions; and,
  - The appropriate permit fee paid to DLWC.

## LISMORE CITY COUNCIL - Meeting held March 11, 2003

### Development Application No. 2002/771

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- 54 Work is to be carried out in accordance with drawings and any management plans required by these conditions and approved by DLWC that will accompany the 3A permit.
- 55 Any Part 3A permit issued is to be renewed on an annual basis until all works and all rehabilitation, including maintenance provisions, have been satisfactorily completed in accordance with the permit conditions. Any application for renewal will be lodged at least 1 month prior to the permit expiry date.
- 56 Work shall not cause damage to, or increase erosion of, the stream bed or banks. The permit holder shall carry out any instructions given by DLWC with a view to preventing degradation of the stream bed or banks.
- 57 Any vegetation or other material removed from the area of works shall be disposed of so that the material cannot be swept back into the stream during a flood.
- 58 All works proposed must be designed, constructed and operated so they do not cause erosion or sedimentation and do minimise adverse impacts on aquatic and riparian environments.
- 59 No plastic netting is to be used for any purpose, in the stream or within the riparian zone unless such netting is of a rapidly biodegradable variety.
- 60 Erosion and sediment control measures are required to be implemented prior to any works commencing, and must be maintained for as long as necessary after the completion of works, to prevent sediment and dirty water entering the river system. These measures are to be in accordance with Council's requirements and follow best management practices as outlined in the NSW Department of Housing's "Managing Urban Stormwater: Soils and Construction" (1998) manual (the "Blue Book").
- 61 The excavation of soil/spoil and its removal is the responsibility of the permit holder and the owner or occupier of the land.
- 62 The approval of NSW Fisheries is required for all proposed designs of in-stream works prior to the issue of the Part 3A permit.
- 63 These conditions are issued with the proviso that operations shall be carried-out on freehold land. Should operations be on Crown Land, these conditions are rendered null and void and the occupier of Crown Land should contact DLWC's Crown Lands section.
- 64 Work is to be carried out in accordance with any conditions imposed by other government agencies, provided such conditions do not conflict with these conditions or the conditions on the Part 3A permit.
- 65 The permit holder and the owner or occupier of the land are responsible for any works undertaken by any other person or company on this site.
- 66 The rehabilitation of the area in accordance with the Part 3A permit conditions is the responsibility of the permit holder and the owner or occupier of the land.
- 67 Any Part 3A permit granted is not transferable to any other person or company without the written approval of DLWC and does not authorise works at any other site.

## LISMORE CITY COUNCIL - Meeting held March 11, 2003

### Development Application No. 2002/771

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- 68 Any Part 3A permit granted does not give the holder the right to occupy any land without the owner(s) consent nor does it relieve the holder of any obligation which may exist to also obtain permission from local government and other authorities who may have some form of control over the site and/or the activities proposed.
- 69 Work as executed survey plans of a professional standard shall be provided to DLWC upon request.
- 70 If, in the opinion of a DLWC officer, any activity is being carried out in such a manner that it may degrade the riparian zone, stream, lake or foreshore environment, all work shall cease immediately upon oral or written direction of such an officer.
- 71 If the permit conditions have been breached, the permit holder shall restore the site in accordance with the permit conditions and/or as directed by DLWC. If any breach of the permit conditions requires a special site inspection by DLWC, then the permit holder shall pay a fee prescribed by DLWC for this inspection and all subsequent breach inspections.
- 72 If works are to cease prior to completion DLWC must be notified in writing one month in advance of the cessation of the operation.
- 73 All drainage and service infrastructure shall be located as far from the banks of the creek as possible, preferably within the boundaries of the lots.
- 74 Any stormwater infiltration or sedimentation structures are to be located out of the 1:100 flood level area adjacent to the creek
- 75 No works are to occur within the riparian zone, for a width of 10 m, measured horizontally and at right angles to the flow from the top of the bank.
- 76 A *Soil and Water Management Plan* (S&WMP) for all site works is to be prepared by a suitably qualified person(s) with knowledge and experience in the preparation of such plans, in consultation with, and with the approval of DLWC **prior to the issue of the Part 3A Permit**. The S&WMP is to cover all aspects of soil and water management requirements for the site that could impact on the stream and must include details of staging, monitoring, management responsibilities, maintenance and decommissioning requirements. The S&WMP must meet the requirements outlined in the NSW Department of Housing's "Managing Urban Stormwater: Soils and Construction" (1998) manual (the "Blue Book").
- 77 All disturbed soil surfaces are to be stabilised and rehabilitated immediately it is possible to do so to with sterile exotic cover crops or couch turf. Kikuyu is not permitted.
- 78 Disturbance to native vegetation is to be kept to an absolute minimum. Any disturbed vegetation is to be rehabilitated using local native groundcovers, shrubs and trees.
- 79 If disturbance is deemed to be excessive, the Department may require the preparation and implementation of a Vegetation Management Plan and remedial works.
- 80 Any stormwater outlet to the watercourse is to be designed and constructed to minimise any erosion or scour of the banks or bed of the watercourse.



**INFORMATION TO APPLICANTS**

**ADVISORY NOTES**

**NOTE 1:** Water and/or Sewerage Headworks levies payable under the Water Management Act 2000 totalling **\$703,188** will need to be paid to Council prior to the release of the Linen Plan under Sec 306 of the Water Management Act 2000.

**NOTE 2:** A connection fee is payable on the connection of a dwelling to the water supply. The current connection fee can be obtained by contacting Council.

**NOTE 3:** On completion of works and prior to issue of a compliance certificate under Section 307 of the Water Management Act 2000, Council will require a maintenance bond to be paid to Council.

**NOTE 4:** Prior to design commencement of sewer pump station contact Council's Water and Sewerage Section to ascertain all Council requirements.

**NOTE 5:** This development approval does not guarantee compliance with the Disability Discrimination Act and the developer should therefore investigate their liability under the Act. Council can assist developers by directing them to Parts 2, 3 and 4 of Australian Standard 1428 - Design for Access and Mobility (Part 1 is mandatory in the BCA).

# LISMORE CITY COUNCIL - Meeting held March 11, 2003

Development Application No. 2002/771

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## LISMORE CITY COUNCIL

**DEVELOPMENT CONSENT NO:** 2002/771

**ADDRESS:** 35 Just Street, Goonellabah

### IMPORTANT TO NOTE

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

To be read in conjunction with advice of development consent.

The levies imposed by Condition No. 29, as contributions towards the cost of meeting increased demand for public services and amenities that will result from the development, are identified in this Schedule.

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

Levy Area	Account No.	No. of ET'	Cost Per ET's/m2	Amount Payable	Reduced Cost per ET after dedication	Amount Payable after land dedication
<b>Open Space</b>						
Urban Catchment (East) - Local	1643-3	104	655	\$ 68,120.00	\$ -	\$ -
- Citywide	1643-1	104	340	\$ 35,360.00	\$ -	\$ -
<b>Urban Bushland</b>						
Rest of Goonellabah/East Lismore/Lis Heights	1644-2	104	349	\$ 36,296.00	\$ -	\$ -
<b>Street Trees</b>						
Urban Catchment (East)	1643-22	104	85	\$ 8,840.00	\$ 85.00	\$ 8,840.00
<b>Community Facilities</b>						
Urban Catchment (East) - Local	1650-3	104	1157	\$ 120,328.00	\$ 1.55	\$ 161.02
- Citywide	1650-1	104	581	\$ 60,424.00	\$ 581.00	\$ 60,424.00
<b>Urban Roads</b>						
<b>Arterial Roads</b>						
Urban Catchment (East) res	1655-3	104	1839	\$ 191,256.00	\$ 1,839.00	\$ 191,256.00
<b>SES</b>						
All areas	1695-1	104	20	\$ 2,080.00	\$ 20.00	\$ 2,080.00
<b>Bushfire</b>						
Equipment	1690-1	104	78	\$ 8,112.00	\$ 78.00	\$ 8,112.00
Facilities (Control Room)	1690-6	104	20	\$ 2,080.00	\$ 20.00	\$ 2,080.00

**LISMORE CITY COUNCIL - Meeting held March 11, 2003**

**Development Application No. 2002/771**

**Footpaths**

Goonellabah Trunk	1680-4	104	57	\$ 5,928.00	\$ 57.00	\$ 5,928.00
Connector	1680-5	104	53	\$ 5,512.00	\$ 53.00	\$ 5,512.00
Internal	1680-9	104	194	\$ 20,176.00	\$ 194.00	\$ 20,176.00

**Cycleways**

Urban East Catchment	1680- 8	104	16	\$ 1,664.00	\$ 16.00	\$ 1,664.00
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**Bus Shelters**

Urban catchment East	1683- 3	104	2	\$ 208.00	\$ 2.00	\$ 208.00
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**Total** **5446** **\$ 566,384** **\$ 2,946.55** **\$ 306,441.02**

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

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

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

A COPY OF THIS ADVICE MUST BE PRESENTED WHEN MAKING PAYMENT DATE: RECEIPT NO: CASHIER:

**COUNCIL USE ONLY**

**Cashier to Note:**

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

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

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

.....  
**FINANCIAL SERVICES OFFICER**

...../...../.....  
**DATE**

**LISMORE CITY COUNCIL - Meeting held March 11, 2003**

**Development Application No. 2002/771**

**LISMORE CITY COUNCIL**

**DEVELOPMENT CONSENT NO:** 2002/771

**ADDRESS:** 35 Just Street, Goonellabah

**IMPORTANT TO NOTE**

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

To be read in conjunction with advice of development consent.

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

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

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

<b>Levy Area</b>	<b>Account No.</b>	<b>No. of ET's</b>	<b>Cost Per ET</b>	<b>Amount Payable</b>
Water and Sewerage Headworks Levies are charged under Section 306 of the Water Management Act 2000 and amounts payable are set out below.				
<b>Water Headworks</b>				
<b>Urban Reservoir Zone</b>				
- Holland Street	8175-1	102	1469	\$149,838
<b>Rous County Council</b> (Except Nimbin)	9200-2	102	1380	\$140,760
<b>Sewerage Headworks</b>				
Goonellabah	7175-1	102	4045	\$412,590
<b>Total</b>				<b>\$703,188</b>

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

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

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

A COPY OF THIS ADVICE MUST BE  
PRESENTED WHEN MAKING PAYMENT DATE:

RECEIPT NO:  
CASHIER:

**(SEE MAPS AT END OF BUSINESS PAPER)**

## LISMORE CITY COUNCIL - Meeting held 11 March 2003

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**Subject/File No:** LISMORE NEIGHBOURHOOD CENTRE  
(P6621)

**Prepared By:** Manager Client Services – Lindsay Walker

**Reason:** To advise Council

**Objective:** Council consideration of further report

**Management Plan Activity:** Community Services

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### **Background:**

At the Council meeting of August 13, 2002, Council resolved the following in relation to Lismore Neighbourhood Centre:

1. Council, subject to consent being issued for a land use Development Application, resolve to relocate the Neighbourhood Centre to the existing Library site.
2. Council retain ownership of the existing Library site and enter into a long term lease with the Neighbourhood Centre. Such lease to commence with the same rental payment as is currently being paid for the McKenzie Street property, but to include clauses which ensure that any increase in sub-leasing revenue which derives from the improved premises afforded by the work being undertaken on the existing Library site be shared between Council and the Neighbourhood Centre.
3. Council increase its budget allocation for the proposed refurbishment of the existing Library to a maximum of \$105,000.00.  
(Councillors Irwin/King)

A good deal of work has been carried out to progress the above resolution, however, some issues have now arisen which need to be addressed by the Council. Final details are incomplete as of the date of this report and a comprehensive report addressing these issues will be provided to Councillors by the end of this week.

### **Manager - Finance & Administration Comments**

Not required.

### **Public Consultations**

Not required.

### **Other Group Comments**

Not required.

### **Author's Response to Comments from Other Staff**

N/a

### **Recommendation (GM69)**

That Council consider a further report on this matter at the meeting.

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## LISMORE CITY COUNCIL - Meeting held 11 March 2003

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Further report

**Subject/File No:** Lismore Neighbourhood Centre  
(P6621)  
**Prepared By:** Manager Client Services – Lindsay Walker  
**Reason:** To advise Council  
**Objective:** To obtain variation of previous resolution  
**Management Plan Activity:** Community Services

---

### **Background:**

At the Council meeting of August 13, 2002, Council resolved the following in relation to Lismore Neighbourhood Centre:

1. Council, subject to consent being issued for a land use Development Application, resolve to relocate the Neighbourhood Centre to the existing Library site.
2. Council retain ownership of the existing Library site and enter into a long term lease with the Neighbourhood Centre. Such lease to commence with the same rental payment as is currently being paid for the McKenzie Street property, but to include clauses which ensure that any increase in sub-leasing revenue which derives from the improved premises afforded by the work being undertaken on the existing Library site be shared between Council and the Neighbourhood Centre.
3. Council increase its budget allocation for the proposed refurbishment of the existing Library to a maximum of \$105,000.00.  
(Councillors Irwin/King) (P6621)

Since that date Council has worked with the Lismore Neighbourhood Centre (LNC) to progress all of the above points and has both lodged and gained approval for a land use Development Application together with finalising a floor plan for the conversion of the Library that is acceptable to LNC. The quotations for building work are \$130,000, which exceeds the approved budget.

Throughout this period of negotiation with the LNC, Council has been asked to assist in many ways. Council has endeavoured to accommodate the requirements of the LNC, but their limited financial resources has led to Council being asked to pay for the ongoing electrical costs associated with the running of the air conditioning at the Library, together with other maintenance costs as set out in the following financial summary. These costs are not trifling amounts.

In a normal leasing scenario the tenant would meet these costs either direct or through the annual rental. The direction we have been going is seriously flawed when there is an alternative solution.

Accordingly, alternatives sites have been investigated which would:

- a) Suit the LNC; and
- b) Lead to an improved financial outcome for Council.

A site and building, which was found to be acceptable to LNC is the building on the corner of Woodlark Street and Molesworth Street, previously operated by Parry's Office Supplies. This building can be fitted out for the LNC. The building is also available for rent on a 5 + 5 year basis. The building could be refitted within the time period available to relocate the LNC.

By proceeding in this way, Council then has the opportunity to lease its \$400,000 asset in Bounty Street on commercial terms and thus retain the right to develop or sell that asset for Council's broad financial benefit. The rental income stream will also offset the deficit funding of relocating the LNC.

**Manager - Finance & Administration Comments**

From a financial perspective, this proposal is supported as it is a more effective use of limited resources, which results in a small annual return to General Fund, and it enhances future development opportunities for the old library site.

In regards to funding, it is proposed to use the renovations allocation (\$105,000) previously budgeted and savings from the loan borrowing program (\$23,000) not likely to be fully taken up this financial year. Any residual will be funded from operational savings or property reserves.

**Public Consultations**

Council has recently consulted with representatives of the Lismore Neighbourhood Centre, being Gai Longmuir, Jan Pearson and Terry Overton. These discussions were held at both the Parry's Building and at Council's offices.

In summary it can be stated that LNC would prefer to relocate to the Library site but clearly recognise that the Parry's building will satisfy their requirements. Out of a desire for a conclusion to the current considerations LNC are willing to accept a move to the Parry's Building.

**Other Group Comments**

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**Author's Response to Comments from Other Staff**

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**Financial Considerations**

	<b>Option 1</b>	<b>Option 2</b>	
	<b>Library</b>	<b>Parry's</b>	<b>Library</b>
	<b>(LNC Tenant)</b>	<b>(LNC Tenant)</b>	<b>(Commercial Tenants)</b>
Renovate/refurbish	130,000	80,000	50,000
<b>Annual outgoings</b>			
Electricity	12,000		
Rates	4,000		
Maintenance	8,000		
LEASE PAYMENT		45,000	
RENT RECEIVED	(4,000)	(4,000)	(50,000)
NET RECURRENT	20,000	41,000	(38,000)

### **Conclusion**

It can be seen that the most compelling reason for Council to consider leasing the Parry's building for LNC is the cost associated with proceeding with the proposal for the LNC to occupy the old Library building, being:

Capital value of building, say	\$400,000
Cost to fit out	\$130,000
Together with net annual running cost	\$20,000

This can be summarised as paying a tenant \$20,000 p.a. to occupy a building, which represents a capital investment of \$530,000. Such an outcome is an unnecessary extra cost to Council and could not be recommended.

A viable alternative is to underwrite a lease of the Parry's building for the LNC where the rental can be offset by a commercial tenant in the old Library. Said tenant would pay market rental and not require a Council subsidy. This is encapsulated in Option 2 above.

### **Recommendation**

1. Council, subject to consent being issued to a land use Development Application, underwrite a lease to enable the LNC to occupy the Parry's building on the corner of Woodlark Street.
2. Council ensure that internal fit out of Parry's building is suitable for Lismore Neighbourhood Centre and utilise all or part of the budget allocation from the resolution of 13 August 2002 for said work.



**Subject/File No:** APPLICATION FOR CLOSURE OF CROWN PUBLIC ROAD – PART OF LAKE STREET, NORTH LISMORE

**Prepared By:** Lindsay Walker, Manager Client Services

**Reason:** Request by applicant, Mr Keith McLeay, seeking Council's endorsement to close and purchase an unformed portion of a Crown road.

**Objective:** To seek Council's endorsement of the recommendation.

**Management Plan Activity:** N/A

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**Background:**

Council is in receipt of an application from Newton Denny Chapelle, Surveyors on behalf of Mr Keith McLeay for the closure of a portion of Lake Street, North Lismore (shown as hatched on the attached plan). This application must have Council's consent and endorsement before being lodged by the applicant, with the NSW Department of Land and Water Conservation.

The area referred to in the application comprises a part of a Crown road under the control of the NSW Department of Land and Water Conservation. This section of road has never been constructed.

**Manager - Finance & Administration Comments**

Not applicable.

**Public Consultations**

Not applicable.

**Other Group Comments**

The Acting Group Manager City Works has no objection to the closure and sale of the identified section of the Crown road. The land is remote from the formed section of Lake Street and separated by very steep slopes.

Council's Environmental Planner has indicated that the area is cleared land and there are no issues to be considered concerning habitat, flora/fauna or koala corridors.

**Conclusion**

The recommendation below completes the process which allows the applicant to approach the NSW Department of Land and Water Conservation for the closure and purchase of part of Lake Street, North Lismore.

**Recommendation (GM68)**

That Council resolves:

1. That the application to close the identified part of Lake Street, North Lismore (shown as hatched on the attached plan) be endorsed and lodged with the Department of Land and Water Conservation for adoption and gazettal if approved.
  2. All costs associated with the road closure be borne by the applicant.
  3. That the General Manager or his delegate be authorised to sign any documents necessary to bring about the recommendation.
-

**Subject/File No:** REPLACEMENT OF COUNCIL PLANT – Vehicles No. 196, 197 & 198  
(UD CWA12 6x4 Tipping Trucks)  
(CS:T23006)

**Prepared By:** Fleet Manager - Col Starr

**Reason:** To inform Council of replacement / purchases of major plant items.

**Objective:** To seek Council's approval for the purchase of three (3) new 6x4 Tipping Trucks.

**Management Plan Activity:** 1.12 - Plant Operations

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### **Background:**

Tenders closed on November 28, 2002 for the supply of three (3) new 6x4, Tipping Trucks and the sale of -

- Fleet No. 196 – 1990 UD CWA12 6x4 Tipping Truck.
- Fleet No. 197 – 1990 UD CWA12 6x4 Tipping Truck.
- Fleet No. 198 – 1990 UD CWA12 6x4 Tipping Truck.

Lismore City Council is currently operating three of these trucks within the Roadwork's section of City Works, these trucks do not attach the dog trailers as do the other 6x4 tippers, The anticipated replacement interval for these vehicles is usually eight (8) years depending on the condition of the vehicles and revenue generated for replacement. Other considerations, before replacement, is the operational needs of the replacements for the next 8-10 years, this is imperative as the work-place practices are changing continuously and the new trucks need to cover all of those changes whenever possible.

The existing Tipping Trucks within Roadwork's comprise of –

- **V115, 116, 117** – 1994 Isuzu FVR900 Medium 4x2 fitted with Hercules tipping bodies. The 4x2 configuration was purchased primarily for urban roadworks to minimise the need for road repairs after use in tight turning areas. These particular units were the lowest priced at time of tender and have served LCC well for many years, however during later years, there have been many complaints about the general ride acceptability, especially when used on non urban roads.
- **V196, 197, 198** – 1990 UD Nissan CWA12 6x4 fitted with (2) Shephard tipping bodies and (1) Soward tipping body. **\*\*Being replaced in this tender** These 6x4 tippers were purchased as economical tippers which were mostly be used for short haul operations, and for drainage maintenance in rural areas, however the need has changed and now these trucks are hauling materials on longer hauls also. The ride for the operator in the UD has been reasonable but the roads where they are operating are quite rugged at times and OH&S conditions need to be considered, therefore a suspended cabin request by the operators has been reflected into this tender evaluation.
- **V136, 137** – 1996 UD Nissan CWB452 6x4 fitted with Hercules tipping bodies. These tippers are mostly attached to 2 of Council's 3 axle tipping Dog Trailers. They are also fitted with 'air bag' rear suspension for operator comfort road friendly compatibility. These units have served LCC well however the 'air bag' suspension is not now favoured by the Roadwork's staff due to the lack of wheel travel on the rear suspension. The Hercules bodies have not served LCC well and currently the bodies are being evaluated for replacement by Shephard bodies.
- **V123, 143** – UD Nissan CWA350 6x4 fitted with Peak tipping bodies. These trucks are identical to V136 & V137 with the exception of being fitted with Peak Engineering tipping bodies. The Peak bodies are also being evaluated for replacement by Shephard bodies in the near future.

# LISMORE CITY COUNCIL - Meeting held 11 March, 2003

## Replacement Of Council Plant – V196, V197, V198 (6x4 Tipping Trucks)

There were a total of eleven (11) truck and tipping bodies tendered; and five (5) 'Private Offers to Purchase the Trade-In's for V196, 197 & 198.

NOTE:- V196 was removed from trade-in within this tender due to a request from LCC's quarry section as they are willing to equal the highest acceptable 'trade-in' or 'private offer to purchase' offer lodged in this tender.

Extensive consultation with the users of these trucks (Roadworks – City Works Group) resulted in the units required to be similar in size and capacity to the current tippers but with additional engine power and increased cabin ergonomics.

Back-up support is another important factor to be considered within this tender, prolonged downtime due to lack of manufacturer or dealer support causes delays and expenditure overruns in road construction and maintenance jobs.

### Truck & Tipper Units Tendered

Listed below are the units offered for supply to LCC in this tender. Several of those tenders did not meet the minimum specifications as set out by LCC staff.

Full technical and tender evaluation details are also listed in the attachments marked as 'Attachment A & B – Tender T23006'

<b>Truck &amp; Tipper Unit</b>	<b>Supplier</b>
1. Isuzu FVZ1400/Shephard body	**Northern Rivers Isuzu of Lismore NSW
2. Isuzu Giga 385/Shephard body	**Northern Rivers Isuzu of Lismore NSW
3. Hino Ranger 14/Universal Truck body	Gold Coast Truck Centre of Nerang Qld.
4. Isuzu FVZ1400/Peak Eng. body	Brisbane Isuzu of Archerfield Qld.
5. Scania P94Gb6X4NZ/Shepard body	K & J Trucks of Coffs Harbour NSW
6. Mitsubishi FV517KD1RFAA/Peak Eng body	Murwillumbah Truck Centre of Murwillumbah NSW
7. Mitsubishi FN62FK2RFAE/Peak Eng. Body	Murwillumbah Truck Centre of Murwillumbah NSW
8. Mack Qantum/Shephard body	Mack Trucks of Richlands Qld.
9. Volvo FM9-300/Peak Eng. body	Volvo Truck & Bus of Richlands Qld.
10. Sterling LT7500/Shephard body	Southside Agencies of Lismore NSW
11. Iveco ACCO 2350G-315/Shephard body	Black Truck Sales of Rocklea QLD

### Purchase of Trade-In Units Only

1. NEVEN Commercial Sales of Jacobs Well QLD
2. W & P Truck & Machinery Sales of Campbellfield VIC
3. Grove Truck Sales of Rocklea QLD
4. Coast to Coast Sales & Hire of Carrington NSW
5. Valley Motor Auctions of Kotara NSW

\*\*Please note that the original tender submitted by 'John Chant Isuzu' is now named as 'Northern Rivers Isuzu' due to change of ownership of that company and the new name will be used throughout the tender.

Many tenders offered an optional body these are listed in the attachments. The preferred body, where quoted, is listed as the main tender item.

Several tenders did not meet the minimum specifications with either one or more items and are shown in the attachment and shall not be considered for final assessment or recommendations.

# LISMORE CITY COUNCIL - Meeting held 11 March, 2003

## Replacement Of Council Plant – V196, V197, V198 (6x4 Tipping Trucks)

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An evaluation panel comprising of Messrs Col Starr (Fleet Manager), Chris Allison (Contracts Officer), Darren Patch (Roadworks Engineer) Peter Brewer-Charles (Roadworks Supervisor) and Peter Giles, Peter Grey, Peter Morris (Roadworks truck drivers) assessed the tenders in part or in full, as per the criteria set out in the tender documents.

The evaluation criteria determines the suitability of all of the units offered in this tender for *capability, quality, safety, operational functionality and conformity to the minimum specifications given*. The results of these evaluations are shown in 'Attachment A'

Full truck and Tipping body evaluations are listed in 'Attachment B'

### **Key Points to Consider:**

- Purchase best possible combination of truck and tipping unit to carry out the tasks as required, when required.
- Proven back-up support from supplier and manufacturer of both units.
- Operator comfort with 'Ergonomic Design' and operating considerations (OH&S).
- Ability to keep truck working with minimal maintenance and repair time.

### **Manager-Finance & Administration Comments**

There is sufficient funding available in the roads section of the plant fund to provide for the vehicle' replacement. The total net cost to replace these vehicles is approximately \$375,000.

It is pleasing to note that in total, over the life of these vehicles, they have generated a surplus of \$380,000 on top of their operating costs. In this case the hire rates charged have been close to perfect in generating the funds required for replacement.

### **Other Group Comments**

#### **Acting Group Manager - City Works (Garry Hemsworth)**

Trucks are essential items of plan for Council's roadwork activities. The recommended trucks are a good balance between cost, performance and driver comfort. I support the recommendation.

### **Conclusion**

Tipping trucks are an important link within the Roadworks functions. It is felt that it is important to not only have economical trucks, but to also ensure that those operating the trucks are well catered for with regards to OH&S practices.

To date the LCC operation has been competitive, and by continuing to purchase effective and efficient units within reasonable price ranges, our day labour will continue to offer Lismore City customers better value for the dollar spent.

The suspended cabin style of trucks should offer easier operation throughout the working day for the drivers and in turn, higher productivity should result.

### **Staff Involvement:**

Acceptance of any proposed machine purchase by operating staff is important as it enhances a long operating life for both man and machine. Keeping this fact in mind, City Works / Roadworks and LCC Fleet & Workshop staff have inspected the available trucks. All of those staff and users who inspected the trucks and collection units available were convinced that the Scania fitted with the Shephard Tipping body unit is the better purchase for the LCC application as required.

# LISMORE CITY COUNCIL - Meeting held 11 March, 2003

## Replacement Of Council Plant – V196, V197, V198 (6x4 Tipping Trucks)

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### Author's response to comments by other staff:

Noted

### Recommendation (GM02)

- 1 That Council purchase three (3) only **Scania P94GB6X4NZ** trucks with the **Shephard's** Tipping bodies as tendered (T23006) from **K & J Trucks of Coffs Harbour** for the cost of **\$511,500.00 (\$170,500.00 each)** (includes GST)
- 2 Not accept any 'Private Offer to Purchase' vehicle 196 and it be transferred to **Northern Rivers Quarry & Asphalt (LCC)**, for the amount of **\$35,280.00** (includes GST – matches the highest offer to purchase).
- 3 Accept the 'Private Offer to Purchase':-
  - a) V197 from **Valley Motor Auctions Pty Limited of Kotara NSW**, for the amount of **\$36,780.00** (includes GST – Non ITC).
  - and
  - b) V198 from **Valley Motor Auctions Pty Limited of Kotara NSW** for the amount of **\$38,380.00** (includes GST – Non ITC).



**Subject/File No:** REPLACEMENT OF COUNCIL PLANT – Vehicle No. 207  
(Kawasaki 85Z-IV Quarry Loader)  
(CS:T23007)

**Prepared By:** Fleet Manager - Col Starr

**Reason:** To inform Council of replacement / purchases of major plant items.

**Objective:** To seek Council's approval for the purchase of one (1) new Quarry Stockpile / Sales Loader.

**Management Plan Activity:** 1.12 - Plant Operations

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**Background:**

Tenders closed on January 8th, 2003 for the supply of one (1) new 4x4 23 Tonne (Approx.) Rubber tyre quarry stockpile / sales loader.

Lismore City Council is currently operating two loaders of similar size and capacity within the Blakebrook quarry site. Both loaders currently are in an 8-year (Approx.) change-over cycle and are four years apart in purchase dates, this is to accommodate a change-over system where the newest loader is based on the quarry 'Face' and the older loader is then moved to lighter duties of stockpile / sales duties.

Quarry management is upgrading systems throughout this quarry and the current need is for a dedicated sales and stockpile loader fitted with specific bucket, and a dedicated 'Face' loader, also with specific design bucket. Contingencies have also been put into place for downtime of either of these loaders.

The existing Loaders comprise of –

- **V210 – 1999 Caterpillar 966F-II Face Loader.**  
This particular unit is the newest loader within the Blakebrook quarry location. This loader is identical in specifications to the loader being replaced but has variations to the loader specifications in this tender, namely the bucket and weighing systems. This unit is fitted with a 3m<sup>3</sup> 'Spade Rock' type bucket built purpose for 'Face Loading'. These units are based within the 'Northern Rivers Quarry & Asphalt' section, which is part of the 'Business & Enterprise' Group of Lismore City Council.
- **V207 – 1995 Kawasaki 85Z-IV Face Loader. (Machine being replaced in this tender)**  
This loader is identical to the Caterpillar loader (V210) but is now working loading trucks from stockpiles (Sales) and movement of material from the conveyors dump areas to new stockpile areas. This unit is fitted with a 3m<sup>3</sup> 'Spade Rock' type bucket built primarily for 'Face Loading', whereas the replacement machine will be fitted with a 4m<sup>3</sup> 'Square Front, Materials Handling' type bucket. This machine will be relocated within the "Business & Enterprise" unit of LCC to the Northern Rivers Waste location at Wyrallah Road Waste Facility after journal adjustments between departments 'Plant Fund' reserves.
- **V211 – 1993 (Approx) TCM 830-2 Loader.**  
This loader is much smaller than the other two (1.5m<sup>3</sup> bucket size) and is used only for transferring aggregate from stockpiles to the Asphalt plant bins, the bucket is designed only for that application. This machine was purchased second hand from Pioneer Asphalt along with the Asphalt Plant in December 1997.

# LISMORE CITY COUNCIL - Meeting held 11 March, 2003

## Replacement Of Council Plant – V207 (Quarry Sales / Stockpile Loader)

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There were a total of eight (8) loader units tendered.

Consultation with the users of this loader (Northern Rivers Quarry & Asphalt – B&E Group) is reflected throughout the entire evaluation and recommendation of this tender process.

Reliability is critical for all of the operations within this quarry due to the time schedules and small numbers of machinery available for back-up.

Back-up support is another important factor to be considered, especially given that there will be only one machine available for each task, prolonged downtime due to lack of manufacturer or dealer support overloads the available time frame for production and sales.

### **Loader Units Tendered**

Listed below are the units offered for supply to LCC in this tender.

Full technical and tender evaluation details are also listed in the attachments marked as 'Attachment A & B – Tender T23007'

<b>Loader Unit</b>	<b>Supplier</b>
1. Volvo L150E	CJD Equipment of Brisbane Qld.
2. Daewoo Mega 400V	CEA P/L of Brisbane Qld.
3. Case 921C	McDonald Murphy Machinery of Brisbane Qld.
4. Komatsu WA470-5	Komatsu Aust. Of Brisbane Qld.
5. Kawasaki 90Z-IV-4	BT Equipment of Brisbane Qld.
6. Hitachi LX230-3	Hitachi Construction Machinery of Brisbane Qld.
7. Hitachi LX230MH-3	Hitachi Construction Machinery of Brisbane Qld.
8. Caterpillar 966G	Gough & Gilmour of Grafton NSW.

Most of the machines offered within these tenders meet specifications as laid down by LCC staff.

An evaluation panel comprising of Messrs Col Starr (Fleet Manager), Chris Allison (Contracts Officer), Phil Klepzig (Northern Rivers Quarry & Asphalt Manager), Charlie Crether (Operator) and Graham Bryant (Relief operator) assessed the tenders in part or in full, as per the criteria set out in the tender documents.

The evaluation criteria determines the suitability of all of the units offered in this tender for *capability, quality, safety, operational functionality and conformity to the minimum specifications given*. The results of these evaluations are shown in 'Attachment A'

Full Loader technical evaluations are listed in 'Attachment B'

### **Key Points to Consider:**

- Purchase best possible loader unit to carry out the tasks as required, when required.
- Proven back-up support from supplier and manufacturer of unit.
- Operator comfort with 'Ergonomic Design' and operating considerations (OH&S).
- Ability to keep loader working with minimal maintenance and repair time.



# **LISMORE CITY COUNCIL - Meeting held 11 March, 2003**

## **Replacement Of Council Plant – V207 (Quarry Sales / Stockpile Loader)**

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### **Principal Accountant's Comments**

There are sufficient funds available in the Quarry's section of the plant fund to replace this vehicle. This plant item has generated approximately \$240,000 on top of operating costs over its life. The cost of replacement is approximately \$306,000. On an individual basis this piece of machinery has not generated adequate funding and for the new vehicle hire rates may need to be reviewed.

### **Other Group Comments**

#### **Group Manager – Business & Enterprise**

I have discussed the selection process with the Quarry Manager. All options were thoroughly considered and evaluated on a consistent basis. The Komatsu loader is the preferred choice based on the selection criteria and on these grounds I support the decision of the panel.

#### **Acting Group Manager - City Works (Garry Hemsworth)**

The selection process has been extensive and thorough. The recommended item best meets the selection criteria. I support the recommendation.

#### **Quarry Manager – Northern Rivers Quarry & Asphalt**

Of the seven loaders evaluated only three were considered to be of suitable quality and have adequate support levels to meet the requirements of the quarry. The Komatsu and Cat loaders performed better than the Volvo overall in site trials and are locally supported. The Komatsu edged out the Cat on stockpiling and loading heights, bucket capacity, stability and noise suppression. The Komatsu is the best loader for the job.

I have had considerable past experience with Komatsu and have always found their support and spare parts capabilities equal to that of Caterpillar. I therefore support the recommendation as submitted.

### **Conclusion**

With changes in operational needs within the quarry, extensive research was needed to ensure that the better machine to carry out the 'tasks required in the most efficient manner' was recommended for purchase.

To date this LCC operation has been very competitive, and by continuing to purchase the most effective and efficient units within reasonable price ranges, our day labour will continue to offer Lismore City customers better value for the dollar spent.

As all of the loaders tendered have been either tested on site at Blakebrook or tested on site at other locations, the evaluation by LCC staff was extensive and complete.

### **Staff Involvement:**

Acceptance of any proposed machine purchase by operating staff is important as it enhances a long operating life. Keeping this fact in mind, Northern Rivers Quarry & Asphalt and LCC Fleet & Workshop staff has inspected the available Loaders. All of those staff and users who inspected the loaders available were convinced that the Komatsu unit is the better purchase for the LCC application as required.

### **Author's response to comments from other staff:**

Noted

# LISMORE CITY COUNCIL - Meeting held 11 March, 2003

## Replacement Of Council Plant – V207 (Quarry Sales / Stockpile Loader)

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### Recommendation (GM01)

That Council purchase one (1) only **Komatsu WA470-5 Loader** unit as tendered (T23007) from **Komatsu Australia Pty Ltd** for the cost of **\$413,985.00** (*includes GST*)

**Subject/File No:** **NEW SPORTING FIELD HIRE POLICY**  
(NM:VLC:S157)

**Prepared By:** Manager - Parks & Recreation

**Reason:** Systematic review of Council Policy.

**Objective:** To update Council's sports ground hire policy to reflect contemporary requirements.

**Management Plan Activity:** Parks & Recreation

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**Background:**

Lismore is fortunate to be the premier location for sporting facilities in the Northern Rivers area and has developed a sound reputation throughout the State for being **a City that possesses quality sports facilities**. Council has in the past maintained and provided such facilities given the historical usage patterns of the facility hirers. However, as with most industries, things never stay the same for very long and in relation to sport it has been no exception.

In recent times there have been changing patterns emerging with regard to sports ground usage as new sports develop which in turn brings about new trends in sports participation. Consequently, there have been new demands placed on Council's active recreational facilities demonstrating the need to review Council's ground hire policy. This coupled with the completion of Crozier Oval and the Court approved hiring conditions for this ground, have necessitated the review of the existing policy.

**The Matter:**

The attached policy has been drafted to reflect the current user patterns and the demands placed on our facilities, and provides for a greater number of hire options/categories than is currently the case. The drafted document was referred to the Lismore District Sports Association and copies were distributed to all current seasonal hirers for comment and feedback. Feedback was received from one hire group, the Lismore Richmond Rovers Soccer Club. Its Committee was asked to attend a recent meeting of the LDSA and to address the meeting.

Their concerns were associated with the fact that the new policy nominated the hirer to be responsible for the cost of rubbish removal from their ground of the litter created by their canteen and sporting activities. After listening to the feedback from the Soccer Club, the LDSA Committee endorsed the draft policy in its original format and subsequently the document now comes before Council for formal adoption as Policy.

**What are the main changes to the existing Policy?**

The new policy document provides a list of definitions. These allow for easier interpretation and reduce the likelihood of misinterpretation and confusion. In addition, the policy offers a greater range of hire categories which reflect the trend towards longer seasons and the establishment of new sports that overlap seasons, etc. Furthermore, the policy provides the mechanism and flexibility to allow the Manager – Parks & Recreation to negotiate fees and charges with hirers depending on their individual needs.

## **LISMORE CITY COUNCIL - Meeting held March 11, 2003**

### **New Sporting Fields Hire Policy**

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The new policy makes allowance for the new facility at Crozier Oval and includes it alongside Oakes Oval as a premier venue governed by specific hiring conditions. This is important given the Court approved DA conditions placed on this facility.

Finally, the new policy clearly specifies Council's commitments in relation to the use of its sports grounds and this in itself will avoid a lot of misunderstanding which has been experienced in the past. In simple terms, it spells out who is responsible for what.

#### **Manager - Finance & Administration Comments**

I support the proposed policy changes as it will result in the better management of sports ground usage and resolution of associated issues.

The policy recognises the need to be more flexible in regards to the fees applicable to hirers based on their individual circumstances. This will need to be repeated in the annual Fees and Charges, if approved.

Also, the initiative to defray litter collection and disposal costs to the hirer that creates the litter is commended. In theory, it will allow staff more time to maintain grounds. A good outcome.

#### **Public Consultations**

The draft policy was distributed to all seasonal hirers for feedback and presented to the Lismore District Sports Association. After considering the lone piece of feedback, the LDSA resolved to endorse the draft policy at its meeting of May 6, 2002.

**Other Group Comments** Not provided at the time of formulating the business paper.

**Author's Response to Comments from Other Staff** Not required.

#### **Conclusion**

This proposed new policy brings Council up to date with the changes to sports ground usages that have developed recently. It has been distributed to the main local hirers as part of the consultation process and has been endorsed by the LDSA Committee. Council can now formally adopt this draft document as policy.

**Recommendation** (WOR1)

That the amended Policy 8.8.1 - Hire of Council Sports Grounds (Urban and Rural) - as presented be adopted.

## LISMORE CITY COUNCIL - Meeting held March 11, 2003

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**Subject/File No:** ASPECT NORTH DEVELOPMENT AT LISMORE REGIONAL AIRPORT  
(P25804)

**Prepared By:** Craig Kelly – Group Manager Business & Enterprise

**Reason:** To advise Council of progress on this development

**Objective:** To Seek resolution of Council

**Management Plan Activity:** Airport

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### **Background:**

Last May Council attended a presentation from the principals of Aspect North regarding the proposed development of an aerial mapping service utilising the Lismore Regional Airport. At that time the development proposed to be wholly within the confines of the Wyrain Industrial Estate with light aircraft commuting to the airport. Council would also be aware that the development has also received Federal Government funding of approximately \$1M.

The principals of Aspect North have approached Council again with a revised proposal that may see the aircraft now resident on the airport which will vary the proposal from that presented to the Councillors last year. The potential changes to the layout of the aerial mapping operations, where planes could be located on the airport rather than commuting through Three Chain Road, are substantially more practical from an airport management perspective.

To facilitate this change Aspect North are proposing to build a substantial facility in the area adjacent to the former terminal site. Since these possible changes were floated some weeks ago, Council staff and our airport managers Ambidji Frontec have been working through the logistics of the former terminal site. We consider at this time that the former terminal site has significant potential for the development and following our most recent meeting with the principals on February 13, Council has received a draft site plan of required area (see attachment).

Aspect North have sought Council's view on the potential for freehold of the site. Regarding this, Council currently has the site zoned and classified suitably for this purpose. Council has already issued freehold title for a range of hangars on the airport and the Council has adopted a pragmatic approach to the issue of freehold as a means of fostering development of the airport in the past. Historically these transactions occur on the basis of independent valuation.

Council has advised Aspect North that subdivision of the site is not an immediate process and suitable timeframes for subdivision would need to be considered in any planning undertaken. In the interim Council could provide an interest in the site through licence which would also be based upon independent valuation.

To continue with this development it is proposed that the existing valuation for hangar land be reviewed and updated and that Council seek to agree an appropriate sum for a both the freehold and licence of the site with the principals of Aspect North. While this is in train Council should seek advice from Ambidji Frontec as to the suitability of the site for this development in particular and its impact on the long term planning of the general aviation area of the airport. Part of the old terminal is currently used for freight operations and a continued hosting of these activities on the airport is seen as critical for both Lismore and the airport.

Aspect North has previously made a submission to Council for funding under the Incentives for Investment policy. The changes to the proposed plan have necessitated that the existing application be withdrawn and recast. A new submission is expected shortly specifically addressing the changes referred to above.

**Manager - Finance & Administration Comments**

As the proposed development is on a commercial footing I support the steps to be undertaken as outlined in the report.

**Public Consultations**

Not required.

**Other Group Comments**

Not required

**Author's Response to Comments from Other Staff**

Not Required

**Conclusion**

The Aspect North development is a positive step for Lismore and the Lismore Regional Airport. Evaluation of the site and independent valuation is required to commence the process of negotiation which may ultimately lead to the sale of the site.

**Recommendation (ENT01)**

That:

- 1 Council record its support for this development and commit that it will work with the principals to achieve mutually beneficial outcomes;
- 2 Council seek advice from Ambidji Frontec, the airport managers regarding the suitability of the site for this purpose and the long term development of the Lismore Regional Airport;
- 3 The existing valuations for the airport hangar land be updated;
- 4 The General Manager be delegated authority to negotiate an agreement with Aspect North consistent with independent valuation advice and the plan as attached to this report for the sale of the freehold title and if required an interim licence for the site.

**Subject/File No:** BAD DEBT WRITE OFF  
(Q1, Z 99/011)

**Prepared By:** Rating Services Co-Ordinator - John Beacroft

**Reason:** Council's approval is required in this situation to write off an unrecoverable debt.

**Objective:** To comply with the Local Government Act 1993 when writing off unrecoverable debts.

**Management Plan Activity:** Financial Services

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**Background:**

This report formalises the process required to write off losses incurred that are considered not recoverable following trading activities at Northern Rivers Quarry and Asphalt (NRQA)

The Local Government (Financial Management) Regulations (Clause 17) determines how debts can be written off. The Regulations requires Council to fix an amount above which debts can only be written off by a resolution of Council. In this regard, Council has determined amounts of \$5,000 and over be reported.

A debt can only be written off if: -

- The debt is not lawfully recoverable, or
- As a decision of a Court, or
- The Council or the General Manager believes on reasonable grounds that an attempt to recover the debt would be not cost effective

This report endeavours to show that in compliance with the above provisions, the debts are not recoverable and should be written off.

A brief summary of the details of how the losses were incurred is reported below: -

**\* McMaster Pty Ltd (In Liquidation) – Sundry Debtor 91643 - \$ 90,772.87**

As Council is aware, McMaster Pty Ltd were awarded the contact for the building of the new Lismore Airport Terminal and certain ancillary works.

The debt referred to in this report is for materials purchased from NRQA over a period from April to August 2000 to be used on the construction of the access road and surrounds.

Provisional liquidators were appointed to the Company on September 13, 2000.

At the time of the collapse of McMaster, the firm had 24 State and Local Government projects in progress stretching from Cape York to Grafton and had a long history in the construction industry.

Council was in a good position when it sold the materials to McMaster. It would have had protection from the debt being unpaid as Council was the principal of the contact and as such could have retained funds or sought a set off against any claim for payment made by McMaster.

However, once McMaster sought the provisions of bankruptcy, Council had no rights to moneys payable to McMaster and legally had to stand in line with all other unsecured creditors and pay any funds that were owed to McMaster to the Liquidators.

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## LISMORE CITY COUNCIL - Meeting held March 11, 2003

### Bad Debt Write Off

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Hall and Chadwicks, the Liquidators of McMaster Pty Ltd in a letter to Council indicate as follows

***“ We have now reached a final conclusion that no dividend will be paid to the unsecured creditors of the company. “***

As such, the conclusion is that Council is not legally able to recover the outstanding funds and the amount should be written off in accordance with the provisions of the Regulations.

**\* Civicworks Pty Ltd (Receivers and Managers appointed) Subject to a Deed of Arrangement. Sundry Debtor 91738 Amount \$163,343.29**

This organisation traded with NRQA over a brief period in the middle of 2001.

The company's initial purchase of materials was for \$11,091 in May of 2001 and payment was received in June 2001.

The next purchase of materials was in July 2001 for \$66,932 with payment being made on August 17, 2001.

Another purchase was made in August 2001 of \$68,571 and in view of the delay in paying the July account, pressure was brought to bear on the Company seeking payment and a withdrawal of further credit was threatened which resulted in the account being paid in full.

When a subsequent approach was made to purchase a substantial amount of materials a commercial decision then had to be made as to the risks involved in allowing further credit.

The materials sought were to be used on works for the RTA. As such, payment was almost guaranteed under the provisions of the RTA contact that provided for payment to Civicworks only if they could guarantee and provide evidence that the various suppliers and sub-contactors had been paid.

In all but one circumstance, bankruptcy, Council had a degree of protection, as the work was Government funded and protected under the Building and Construction Industry Security of Payment Act 1999.

Council has made numerous representations to the RTA seeking their help in recovering the outstanding debt by the payment of withheld contract money to Council rather than the liquidators but to no avail and as recently as September 20, 2002 received advice from the Minister for Transport and Roads indicating that *“...under these circumstances, the RTA is unable to negotiate directly with Lismore City Council...”*

The Company is now being wound up under a Deed of Company Arrangement, managed by Ernst & Young.

Under the Deed of Company Arrangement, one of the Directors agreed to pay \$1,000,000 with an additional \$245,000 to be paid in February 2004. This was agreed to by creditors in an attempt to recover some funds from the Company.

In addition, the Receivers and Managers were also able to salvage some assets from the wreckage and Council has received two dividend payments: -

- Payment one made on June 24, 2002 was at 5 cents in the dollar or \$9,168.01
- Payment two made on December 20, 2002 was at 3.1898 cents in the dollar or \$5,848.82



## **LISMORE CITY COUNCIL - Meeting held March 11, 2003**

### **Bad Debt Write Off**

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The third and final dividend will be around 3.3 cents in the dollar to be paid around February, 2004 with the total dividend from the Administrators being approximately 11.4898 cents in the dollar.

The amount to be written off includes the possible third dividend and unless unforeseen circumstances arise, the amount written off will finalise this account.

As in the case with McMasters, the view has been formed that the outstanding amount is not legally recoverable and in accordance with the Regulations the amount should be written off.

### **Manager - Finance & Administration Comments**

The fact that we have businesses operating in a commercial environment will expose us to 'credit risk'. The risk being that credit sales will not be collectible. This is inevitable regardless of the credit control procedures.

As a result of McMaster & Civicworks, management requested a review of credit control procedures to ensure that the risk was being appropriately managed. A number of improvements to the procedure were adopted with a greater focus on credit control at the point of sale, rather than at recovery, especially at Northern Rivers Quarry and Asphalt (NRQA), because of the significant value of potential sales. This requires increased coordination between sales and recovery staff, but appears to have been effective in managing credit risk since then.

From a financial perspective, the write off amounts have previously been recognised (or funded) in 2000/01 & 2001/02 against NRQA. This means that there is no impact on the current budget.

### **Public Consultations**

Not sought

### **Other Group Comments**

Not required

### **Group Manager Business & Enterprise**

Both the circumstances of the collapse of McMaster and Civicworks have been reported to Council over the past three years. As described above steps were taken both before the debts were incurred and following payment delays to mitigate and manage these risks. These steps however, were not sufficient to ensure that Council received appropriate payment for product supplied.

Both of the debts were fully provided for in the year that they were incurred and this was correctly treated in the accounts of Council at those times. The formal writing off of these bad debts does not further impact on the funds of Council.

Council is not alone, and a number of other State Government Agencies, Churches and local contractors have suffered equally at the hands of these two organisations. Unless Council is prepared to trade with customers on a cash only basis this is a risk that Council bears as a commercial trader and credit provider.

### **Author's Response to Comments from Other Staff**

No comments required.

**Bad Debt Write Off**

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**Conclusion**

The information contained in this report is meant to give a brief overview of the circumstances surrounding the losses and to set out why Council will not recover the debts.

In the case of McMaster Pty Ltd, the Liquidators have quite clearly advised that no dividend will be available.

Civicworks Pty Ltd on the other hand have provided a small return in the dollar but upon the completion of the Deed of Agreement, Council will have no further claim to the debt.

In both circumstances, it is contended that the provisions of the Local Government (Financial Management) Regulations have been met and that Council has no further avenues available to recover the debts.

The financial effects on Council have been canvassed in the Group Manager – Business and Enterprise and the Manager - Finance and Administration's comments.

This report is intended to complete the write off of the debts.

**Recommendation**

That in accordance with the Local Government (Financial Management) Regulations Council write off the following amounts as unrecoverable against the 'Provision for Doubtful Debts' account:

- McMaster Pty Ltd - Sundry Debtor 91643 \$90,772.87.
- Civicworks Pty Ltd - Sundry Debtor 91738 \$163,343.29.

**Subject/File No:** NAMING OF SPORTSGROUNDS  
(P17883, P7349 and P1729)

**Prepared By:** Recreation Officer - Paul Parry

**Reason:** Report on public submissions from previous resolution.

**Objective:** Determination of proposals

**Management Plan Activity:** Parks and Recreation:

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**Background:**

Council at its meeting of December 10, 2002, considered a report on the naming of three (3) sportsgrounds after local sporting identities in honour of their contributions to sport.

At that time Council endorsed the proposal to name the following sportsgrounds:

- Neilson Park E2 be renamed 'Bill Harris Field'
- Caniaba Street Reserve (large cricket oval) be renamed 'Lyn Larsen Oval'
- Caniaba Street Reserve (small cricket oval) be renamed 'Marie Lee Oval'.

In accordance with Council's policy for 'Naming of Public Places' an advertisement was placed in the local newspaper advising of its intention to rename these sportsgrounds. Members of the public were invited to submit written comments addressing such to the General Manager by close of office on January 28, 2003.

No written submissions were received by the closing date.

**Manager - Finance & Administration Comments**

Not required.

**Public Consultations**

Public consultation was undertaken in accordance with Council's policy. The naming proposal was initiated by the receipt of letters from two local sporting organisations.

**Other Group Comments**

The Manager-Parks & Recreation was involved in this process from the beginning.

**Author's Response to Comments from Other Staff**

N/A

**Conclusion:**

Mr. Bill Harris, Miss Lyn Larsen and Mrs Marie Lee all have made significant contributions to their respective sports at both club and association levels and the proposed naming of sportsgrounds in their honour would be a fitting means for the City to acknowledge their work and achievements over the years.

**Recommendation (COR05)**

- 1 That Council rename the following sportsgrounds:
    - Neilson Park E2 be renamed 'Bill Harris Field'
    - Caniaba Street Reserve (large cricket oval) be renamed 'Lyn Larsen Oval'
    - Caniaba Street Reserve (small cricket oval) be renamed 'Marie Lee Oval'.
  - 2 That appropriate signage be erected on the three grounds.
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**Subject/File No:** REVIEW OF COMMITTEE PLANS OF MANAGEMENT  
(S36)

**Prepared By:** Administrative Services Manager – Graeme Wilson

**Reason:** Variation within Plans of Management

**Objective:** To enable Plans of Management are relevant and consistent

**Management Plan Activity:** -

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### **Background:**

With the term of this council to expire in September it is timely for members to consider its committee structure and the individual elements of this structure. This report is aimed at reviewing the generic corporate structure of the committee Plans of Management.

In summary, the structure of the Plans of Management for its committees, panels and working parties is largely generic in nature. There are minor differences which reflect the idiosyncrasies of the various committees and of course, major content difference with respect to “aims and objectives”.

The Plans of Management give guidance to the committee members on their purpose and how they should conduct their activities. By and large the committees have worked well and the proposed changes reflect a fine tuning of the process and ensure consistency between committees.

### **Casual Vacancies**

The majority of Plans of Management have the following clauses:

- *Extraordinary vacancies on the committee shall be appointed by Council on the advice of the committee, or through public advertisement as resolved by Council.*
- *If decided by Council to fill extraordinary vacancies by newspaper advertisement, any application so received shall be first referred to the committee for subsequent recommendation for appointment by Council.*

These clauses have created confusion over the replacement process and it is suggested that they be replaced with the following clause:

- *Council will call for nominations to fill extraordinary vacancies by newspaper advertisement, any application so received shall be first referred to the committee for subsequent recommendation for appointment by Council.*

### **Application of Code of Conduct**

Councillors are required to comply with the subject Code which sets out how they should respond to various situations. However, the Code does not apply to citizen committee members, nor is the Code mentioned in the Plans of Management. The inclusion of citizen members within the Code and its inclusion in the Plans of Management will give greater certainty to the citizen members on how they should carry out their duties.

### **Pecuniary Interest**

There are a number of different clauses which refer to the need to declare an interest. Some require members to declare the interest, to refrain from discussion and voting and to withdraw from the meeting. Others allow discussion but not voting and others do not mention discussion/voting etc.

# LISMORE CITY COUNCIL - Meeting held March 11, 2003

## Review of Committee Plans of Management

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It is considered that a consistent approach will assist members with this complex issue and in this regard the following clauses are suggested:

- *It shall be a condition of membership that Primary Pecuniary Interest Returns are completed and lodged with Council.*
- *Any committee member having a pecuniary interest in any matters being discussed by the committee shall declare same at the meeting of the committee and shall withdraw from the meeting room during the debate and determination of the matter. Such action to be recorded in the committee minutes.*

### **Extraordinary (Special) Meetings**

Again there is a wide variety of clauses – some provide for the chairperson solely to be able to call a meeting – some refer to the chairperson or three members and some are silent on the issue.

It is recommended that the following clause be adopted as a standard:

- *The chairperson has authority to call special meetings of the committee.*
- *If the chairperson receives a report in writing from two committee members they must call a special meeting of the committee within 14 days.*

### **Annual Reports**

Council's Policy 1.2.3 requires in part the submission of an annual report and strategic plan for the forthcoming year. This requirement is duplicated in some Plans of Management.

The submission of the strategic plan and annual report from committees has been sporadic at best. The intention of such documents was to give focus for the committees' activities, to demonstrate the achievements and ongoing need for the committee.

These reports require considerable effort to produce and unless all committees comply with this requirement its overall benefit to the Council is marginal. Council may wish to consider whether these should be continued.

It is recommended that the requirement for annual reports and strategic plans be incorporated in all Plans of Management.

### **Manager - Finance & Administration Comments**

Not required.

### **Public Consultations**

Not required.

### **Other Group Comments**

Comments from various sections of Council have been sought and where received, incorporated in the report.

### **Author's Response to Comments from Other Staff**

N/A

**Recommendation (COR04)**

That Council adopt the changes to its committee Plans of Management as follows:

**1 Casual Vacancies**

The current clauses, as set out in the report, be replaced with the following clause:

*Council will call for nominations to fill extraordinary vacancies by newspaper advertisement, any application so received shall be first referred to the committee for subsequent recommendation for appointment by Council.*

**2 Extraordinary (Special) Meetings**

The following clauses be adopted as a standard:

- a) *The chairperson has authority to call special meetings of the committee.*
- b) *If the chairperson receives a report in writing from two committee members they must call a special meeting of the committee within 14 days.*

**3 Code of Conduct**

The following clauses be adopted:

- a) *Citizen members be subject to the provisions of the Code of Conduct and it be changed accordingly.*
- b) *The following clause be included in all Plans of Management:  
All committee members are required to comply with the requirements of the Council's Code of Conduct.*

**4 Pecuniary Interest**

The following clauses be adopted:

- a) *It shall be a condition of membership that Primary Pecuniary Interest Returns are completed and lodged with Council.*
- b) *Any committee member having a pecuniary interest in any matters being discussed by the committee shall declare same at the meeting of the committee and shall withdraw from the meeting room during the debate and determination of the matter. Such action to be recorded in the committee minutes.*

**5 Annual Reports/Strategic Plans**

The requirement for annual reports and strategic plans be incorporated in all Plans of Management.

# LISMORE CITY COUNCIL - Meeting held March 11, 2003

MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD FEBRUARY 19, 2003  
AT 10.00 AM. (WMacD:VLC:S352)

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**Present:** Mr Bill Moorhouse (*Chairperson*), Councillor Mervyn King, Messrs Mike Baldwin (*Roads and Traffic Authority*), Thomas George, MP, John Daley (*Lismore Unlimited*), Snr Const Steve Hilder (*Lismore Police*), and Mr Bill MacDonald (*Traffic and Law Enforcement Co-Ordinator*).

In attendance: Mr Trevor Sanders (St Vincent's Hospital) for Item No. 1. and Messrs Neville Patrick and Ken Parr for Item No. 15.

**Apologies:** Apologies for non-attendance on behalf of Councillors Ken Gallen and John Chant and Mrs Wendy Johnson (*Road Safety Officer*) were received and accepted and leave of absence granted.

## **Minutes of Traffic Advisory Committee Meeting – December 18, 2002**

Members were advised that the Minutes of the meeting held on December 18, 2002 were adopted by Council at its meeting of February 11, 2003, excluding Item Nos. 7 and 15.

**Disclosure of Interest:** Nil

## **Business Arising:**

1. **Meeting of 16/10/02 (Item 9) – Stocks Street, East Lismore – Parking Facilities**

Mr Trevor Sanders, Chief Executive Officer of St Vincent's Hospital, was present to discuss this issue and advised that an additional 150 car parking spaces had been provided in the past six years. Staff parking was provided on-site. However, any overflow usually meant that staff not able to find a space, parked on-street.

It was pointed out that current problems with parking, particularly along Dalley Street, were being exacerbated due to the number of Doctors operating from former residences along the southern side of Dalley Street.

Mr Sanders indicated that any future extension/upgrade would include an assessment of the need for additional parking.

**TAC1/03** **RECOMMENDED** that the above information be noted. (R7479,P2759)

2. **Meeting of 18/12/02 (Item 7) – Intersection of Ballina / Richmond Hill Roads**

Richmond Hill Road is not an approved route for the operation of B-Doubles and members were not aware that they were being used on the road.

**TAC2/03** **RECOMMENDED** that the matter of upgrading the intersection of Ballina Road and Richmond Hill Road be referred to Council's Design Services Section for investigation and preparation of a plan and estimate for any proposed works.

(02-14103:R1012)

3. **Meeting of 18/12/02 (Item 15) – Conway Street (Right-Turn and Refuge)**

Council's Manager - Design Services had advised that there was insufficient space to introduce 'nose in' parking on Conway Street due to the proposed right-turn bay and refuge in the vicinity of the Farmer Charlie's complex.

**TAC3/03** **RECOMMENDED** that Council note that there is insufficient space for 'nose in' parking to be introduced on Conway Street. (R7307)

**Correspondence:**

4. **G Coughlin;** drawing attention to the confusion of some motorists over right-of-way at the intersection of DA Olley Drive and Pearce Avenue and requesting that line-marking be installed on the "S" section of DA Olley Drive near this intersection.
- TAC4/03 **RECOMMENDED** that an additional 'Give Way' sign be installed on the western leg of DA Olley Drive at its intersection with Pearce Avenue, giving priority to traffic coming off the Highway.
- TAC5/03 **FURTHER RECOMMENDED** that a double white centre line be installed on DA Olley Drive at its intersections with Pearce Avenue and Myra Avenue and on these two streets as well. (03-617:R6494,R6496)
5. **BJ & Mrs NA Tarlinton;** lodging a complaint regarding the new CBD Bypass and the difficulty experienced in making right-turn movements when exiting Zadoc Street onto Dawson Street.
- Members noted that this was a difficult intersection to negotiate at times. However, the RTA had indicated that it would not agree to a roundabout. The proposed roundabout at the intersection of Dawson and Leicester Streets would allow motorists to turn left from Zadoc Street and use this new roundabout to make U-turns in busy times. It would also provide additional gaps in through traffic due to a more equitable distribution of traffic movements.
- TAC6/03 **RECOMMENDED** that the writer be advised in accordance with the above. (03-886:S352)
6. **J Payne & Ms J Rhodes;** drawing attention to the insufficient sight distance provided for motorists at the intersection of Boatharbour and Cameron Roads, Boatharbour, and requesting this intersection be upgraded.
- TAC7/03 **RECOMMENDED** that a 'Y' intersection warning sign and 'Slow Down' plate be installed on the bottom leg of Boatharbour Road prior to its intersection with Cameron Road.
- TAC8/03 **FURTHER RECOMMENDED** that this matter be referred to Council's Design Services Section for investigation and preparation of a plan and estimate for any proposed upgrading of the intersection. (03-989:R4408,R4503)
7. **NSW Roads & Traffic Authority;** advising in connection with the decision to not permit the installation of non-standard signs on Main Roads (*ie, Slow down, we love our Children signs*).
- TAC9/03 **RECOMMENDED** that a copy of this letter and a request be submitted to the NSW Staysafe Committee for further consideration of investigating some type of 'Standard' signage possibly similar to the above wording, particularly for Village locations on Main roads. (03-715:S342,S346)
8. **Clunes Progress Association;** seeking clarification of the purpose of the brightly coloured red markings placed on Bangalow Road, Clunes, and more recently in parts of Lismore.
- It was noted that the traffic calming facilities at Clunes which included the red paint on the road were an RTA proposed device and it was acknowledged that they had had little impact on slowing through traffic. This matter had been referred to Council's Design Services Section last year in order to produce a plan of more effective devices which would include railings at both ends to prohibit pedestrians crossing.
- TAC10/03 **RECOMMENDED** that any proposed improvements be referred to the RTA with a request for funding at the earliest opportunity. (03-1118:S352,R4101)



## LISMORE CITY COUNCIL - Meeting held March 11, 2003

### MINUTES OF TRAFFIC ADVISORY COMMITTEE MEETING HELD FEBRUARY 19, 2003

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9. **Thomas George, MP;** making representations on behalf of Ms L Kirkby seeking a safety mirror be installed at the entrance to No. 419 Stony Chute Road, Stony Chute, due to the difficulty being experienced with safely exiting her property.  
An on-site inspection revealed that sight distance could be improved by the clearing of roadside growth in front of the property. The area had an open speed limit and a convex mirror was not considered appropriate due to the distorted view they gave of oncoming traffic.
- TAC11/03** **RECOMMENDED** that the writer be advised that a convex mirror was not considered appropriate in an open speed limit area and that some clearing of the vegetation along the front of their property would improve the current situation.  
(03-1168:R2105)
10. **Nimbin Chamber of Commerce;** proposing that a combined Truck and Bus Zone be installed in front of Nos. 46-48 Cullen Street until such time as the Western Carpark is complete to avoid the need for delivery trucks to double park when off-loading goods.  
The Committee was advised that an on-site meeting with the owner of the mechanical business at the above property was of the opinion that the existing signposting in front was working quite well and should stay as is. Currently there was a Bus Zone north of the Western Carpark entrance followed immediately by a Loading Zone. Although not a combined Bus Zone/Loading Zone, this was basically in accordance with the Chamber's request.  
Mr Robinson (NRMA Depot) also suggested that there was a need for additional short-term parking (15-minute) along the eastern side of Cullen Street opposite his business. This proposal was to be submitted to the next meeting of the Chamber.
- TAC12/03** **RECOMMENDED** that the Bus Zone and Loading Zone stay as is.  
**TAC13/03** **FURTHER RECOMMENDED** that three 15-minute parking bays be introduced on the eastern side of Cullen Street, opposite the NRMA Depot, subject to the Chamber confirming its support.  
(03-1172:P26721,R1701,S353)
11. **D Whitley;** requesting that the current Bus Zone in front of No. 80 Cullen Street be extended to the next northern driveway which will enable two smaller buses to be parked at one time, and forwarding a letter of endorsement by the Chamber of Commerce.
- TAC14/03** **RECOMMENDED** that the existing Bus Zone in front of No. 80 Cullen Street be extended an additional 6.0m to the north.  
(03-1394:S353,R1701)
12. **Ms K Dean;** providing details of traffic incidents which have occurred in the Bexhill Village during the past six years.  
It was noted that a number of the accidents related to were not within the Village area. However, it was acknowledged that speeding through the Village was an ongoing problem. Snr Const Hilder confirmed that the area was regularly patrolled and would continue. Mr Baldwin undertook to provide accident data relevant to the Bexhill Village.
- TAC15/03** **RECOMMENDED** that the writer be advised that Police Officers would continue regular patrols within the Village and the need for additional calming devices would be further assessed pending the results of the accident data.  
(03-1304:S352,R4101)

13. **Thomas George, MP;** making representations on behalf of the Caniaba Public School Council requesting a variation of the School Zone on Caniaba Road for afternoon hours only, to apply between 2.00 pm-3.30pm.  
The Chairperson suggested that the School Zones in general were not a particularly successful device in slowing through traffic for a number of reasons. There were several Schools whose finishing times fell outside the current signposted times (ie, 8.00am to 9.30am and 2.30pm to 4.00pm). It was suggested that a letter be written to the RTA outlining concerns relating to the current devices and requesting that other avenues be investigated, such as flashing lights, at locations where speeding was still a significant problem.  
Mr Baldwin (RTA) wished it noted that he did not believe it was the Committee's business to question guidelines or policy matters. However, other Members disagreed.
- TAC16/03** **RECOMMENDED** that the RTA be requested to investigate and propose other devices, such as flashing lights, at locations that either fell outside the existing times or where the current devices were ineffective in achieving their desired outcome of slowing motorists. (03-1341:S352,R4701)
14. **Lismore Court House;** advising that carparking works are now complete and access to the Court Complex carpark is only available via Zadoc Street; also requesting that further consideration be given to providing additional "No Parking" signage adjacent to Harvey Norman to ensure safe access/egress to the Court Complex carpark.
- TAC17/03** **RECOMMENDED** that 'No Stopping' signs be installed on the southern side of Zadoc Street, each side of the driveway leading to the carpark at the rear of the Court House buildings. (03-1354:S352,R7330)
15. **Tullera Rural Fire Service;** noting that signage on the bend of Dunoon Road, north of Bentley Road, will be upgraded and requesting further consideration be given to extending the existing 60 kph speed limit a further 300m north.  
Messrs Neville Patrick and Ken Parr were in attendance for this item and were invited to put their case for an extension of the existing 60 kph zone on Dunoon Road. Although the additional warning signs that were proposed for the corner in question were not yet in place, the number of accidents continued to grow and it was felt that the extension of the speed limit would assist in warning motorists of road conditions.
- TAC18/03** **RECOMMENDED** that the existing 60 kph speed limit which currently ends just north of Bentley Road be extended a further 300m north. (03-1512:R3407)
16. **Centrelink, Lismore;** requesting increased parking and pedestrian facilities for the disabled in the vicinity of its Office at Conway Street, Lismore.
- TAC19/03** **RECOMMENDED** that a disabled parking bay be introduced on the southern side of Conway Street, immediately west of Lockett Street. (03-1514:S353,R7307)

**General Business**

17. **Cullen Street, Nimbin – Disabled Parking Bays**  
Cr Roberts had asked that consideration be given to adjusting the disabled parking zone on Cullen Street to allow two parking bays.  
An on-site inspection revealed that there was sufficient space to extend the existing disabled parking bay to the south. This would take in the southern kerb crossing but retain the kerb crossing immediately to the north to provide access from the road up onto the footpath.
- TAC20/03** **RECOMMENDED** that the existing disabled parking bay on the western side of Cullen Street be extended to the south to allow for two vehicles. (R1701)
18. **Broadwater Road – 60 kph Zone**  
Ms L Baker had requested the introduction of a 60 kph speed limit on Broadwater Road.  
As the roadside development was predominately rural, compliance with any reduced speed limit would be extremely low. Accordingly the RTA would not agree to a reduction.
- TAC21/03** **RECOMMENDED** that the writer be advised that the existing speed limit was considered appropriate given the rural nature of the area in question. (R5802:MR02-3534)
19. **Kellas Street, Lismore Heights – Parking Restrictions**  
Ms M Gallen had requested that consideration be given to introducing restrictions to prohibit parking close to the western end of Kellas Street.
- TAC22/03** **RECOMMENDED** that 'No Stopping' signs be erected along the northern side of Kellas Street from the roundabout up to the first driveway. (R7121)
20. **Barnes Avenue, South Lismore – “No Stopping” Zone**  
Our Lady Help of Christians School had requested that a “No Stopping” zone be introduced on the east side of Barnes Avenue, between Rhodes Street and the School driveway.
- TAC23/03** **RECOMMENDED** that a 'No Stopping' sign be erected immediately north of the existing School driveway on Barnes Avenue to prohibit parking on the eastern side of Barnes Avenue between the School driveway and Rhodes Street. (R6905)
21. **Barrie Street, Lismore – Permanent Closure**  
Richmond River County Council had requested the permanent closure of Barrie Street to through traffic, between Garrard and Shannon Streets.  
The Committee raised no objection to the proposed closure as shown on the plan.
- TAC24/03** **RECOMMENDED** that approval be given for the closure of Barrie Street to through traffic as shown on the plan. (R6003)
22. **Kadina Street, Goonellabah – High School Access Intersection**  
The Committee considered modifying the current layout to prohibit right-turns out of the School access road.  
Mr MacDonald advised that he had met with the Principal, Mrs Toni Hughes, to discuss the proposed modifications and had obtained agreement.
- TAC25/03** **RECOMMENDED** that the concrete wheel stops be installed as shown on the plan to prohibit right-turn movements out of the School access road. (R6469)
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# LISMORE CITY COUNCIL - Meeting held March 11, 2003

## MINUTES OF TRAFFIC ADVISORY COMMITTEE MEETING HELD FEBRUARY 19, 2003

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23. **Period Parking Signage**  
Confirmation has been provided that the standard regulatory signage is not able to be changed, including the colour of same.
- TAC26/03 **RECOMMENDED** that the above information be noted. (S353)
24. **Trinity Interchange**  
Mr George advised that he was still pursuing the issue of responsibilities at the Trinity Interchange. It would appear that Transport NSW has advised that responsibility lies with the NSW Department of Education but this is yet to be confirmed. Mr George undertook to keep the Committee informed on this matter.
- TAC27/03 **RECOMMENDED** that the above be noted. (S673)

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

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CHAIRPERSON

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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:-

**Schedule of Conditions – Financial Assistance – East Lismore Treatment Works**

The Minister for Land & Water Conservation has approved financial assistance from the Country Towns Water Supply and Sewerage Program of up to \$666,000 (37% of the estimated cost of \$1,800,000 or of the actual cost, whichever is the lesser) for the construction of disinfection facilities and associated works at the Treatment Plant.

(03-1479: P21662)

**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, FEBRUARY 11, 2003 AT 6.00PM.**

**Present:** Acting Mayor, Councillor King; Councillors Baxter, Chant, Crowther, Gallen, Irwin, Roberts, Suffolk, Swientek and Tomlinson, together with the General Manager; Group Managers- Corporate & Community Services, City Works, Planning & Development, Business & Enterprise; Manager-Client Services, Manager-Finance & Administration, Manager-Communications & Community Relations, Manager-Planning Services, Strategic Planner, Manager-Environmental Health & Building Services, Road Safety Officer, Administrative Services Manager, Engineer's Secretary and Team Leader-Administrative Support.

3/03 **Apologies/ Leave of Absence:** An apology for non-attendance on behalf of Councillor Hampton was received and accepted and leave of absence granted for the period February 3-14.  
Leave of absence was granted to Councillor Irwin for the period February 17-21.  
(Councillors Baxter/Swientek)

4/03 **Minutes:** The Minutes of the Ordinary Meeting held on December 10, 2002, were confirmed.  
(Councillors Crowther/Irwin)

5/03 The Minutes of the Extraordinary Meeting held on January 14, 2003, were confirmed.  
(Councillors Irwin/Baxter)

**PUBLIC ACCESS SESSION:**

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

**Lisa Beasley, Community Health Manager, Northern Rivers Area Health Service re Notice of Motion – Needle & Syringe Program**

Ms Beasley expressed the view that the Northern Rivers Area Health Service would like the opportunity to submit a Development Application and Social Impact Assessment for the location of a Needle and Syringe Programme at the new Neighbourhood Centre site. She detailed the advantages of this site.

(03-540: S226)

**Sr. Margaret Mazzer re Notice of Motion – Implications of War with Iraq**

Sr. Mazzer spoke in support of the motion conveying her wish for world justice, anti-racism and peace.

(03-794: S424)

**Stan Wilson re Molesworth Street Upgrade**

Mr Wilson gave a historical background of the development of the CBD. He claimed the introduction of traffic lights would solve the traffic congestion within the CBD.

(R7322)

**Barry Robinson (Lismore Unlimited) re Molesworth Street Upgrade**

Mr Robinson briefly outlined the history of the project, its benefits and the broad support that Option C had amongst the business community.  
(R7322)

**CONDOLENCE:**

**Family of the Late Lt.-Col. Lionel G Crandon**

Lionel G Crandon was born in Lismore on March 6, 1917. He had a distinguished military career, rising to the rank of Lieutenant-Colonel and served as a Commanding Officer of the 41<sup>st</sup> Battalion, Royal NSW Regiment.

Mr Crandon was a chartered accountant and the foundation chairman of the Northern Rivers Group of the Australian Society of Accountants. He spent considerable time officiating as auditor and often as honorary auditor for community organisations.

He was involved with Lismore RSL and the Lismore Legacy Club and had a lifelong interest in St. Andrew's Anglican Church, Lismore.

A major achievement was as a member of the Board of Lismore Base Hospital for almost 40 years, serving as Treasurer, Vice-Chairman and as Chairman for a period of 12 years. During that time he spearheaded a move to raise funds for an urgently needed Children's Ward at the Base, a move which eventually raised over \$300,000.

Mr Crandon was a member of and supporter of the Northern Region Life Saver Rescue Helicopter.

With the passing of Lionel Crandon, Lismore has lost a very distinguished and long serving member of our community. He is survived by wife Nancye and children Richard and Elizabeth.

06/03

The Mayor moved that Council's expressions of sympathy be conveyed to the family of the Late Lt.-Col. Lionel G Crandon and the motion was carried with members standing and observing the customary moment's silence.

(S75)

**DISCLOSURE OF INTEREST:**

**S459**

Councillor Suffolk declared an interest in the report entitled Subdivision and Sale of Council Land in Centenary Drive, Goonellabah.

**MAYORAL MINUTE:**

**Drought and Water Management**

A MOTION WAS MOVED that the minute be received and –

- 1 That Lismore City Council acknowledges the extreme conditions of the current drought and how the scarcity of water has had a profound impact on this community.
- 2 That Lismore City Council reiterate its support for the objectives of the 1995 Rous Regional Strategy which seeks to ensure that the local community is provided with an adequate sustainable water supply for household and business purposes.
- 3 That Lismore City Council draw the Premier's attention to the depth of community concern about security of local water supplies and calls on the State Government to support Rous Water in its quest to meet the future needs of this area via the endorsed 1995 strategy.
- 4 That Rous Water be requested to outline to the community action plans for development of new water sources, including the proposed Dunoon Dam on Rocky Creek and its plans for demand management.

5 That Rous Water review its policy on implementing water restrictions.  
(Councillors King/Crowther)

AN AMENDMENT WAS MOVED that the minute be received and that Rous County Council move urgently to develop a new water storage capacity to cater for the current and future needs of this region.

(Councillors Swientek/Chant)

On submission to the meeting the AMENDMENT was DEFEATED.

**Voting Against:** Councillors Irwin, Roberts, Tomlinson, Gallen, King, Baxter, Suffolk and Crowther.

07/03 **RESOLVED** that the minute be received and –

1 That Lismore City Council acknowledges the extreme conditions of the current drought and how the scarcity of water has had a profound impact on this community.

2 That Lismore City Council reiterate its support for the objectives of the 1995 Rous Regional Strategy which seeks to ensure that the local community is provided with an adequate sustainable water supply for household and business purposes.

3 That Lismore City Council draw the Premier's attention to the depth of community concern about security of local water supplies and calls on the State Government to support Rous Water in its quest to meet the future needs of this area via the endorsed 1995 strategy.

4 That Rous Water be requested to outline to the community action plans for development of new water sources, including the proposed Dunoon Dam on Rocky Creek and its plans for demand management.

5 That Rous Water review its policy on implementing water restrictions.

(Councillors King/Crowther)

**Voting Against:** Councillor Chant.

(S306)

**PlanFirst – Local Government Representation on Regional Forum**

08/03 **RESOLVED** that the minute be received and that Council nominate Councillors Hampton and Tomlinson to represent Local Government interests on the proposed Regional Forum.

(Councillors King/Irwin) (S825)

**MOTIONS:**

**Public Input into Budget Planning Process**

09/03 Formal notice having been given by Councillor Swientek it was **RESOLVED** that Council in this year's budget planning process advertise and call for public input into the budget and rate setting prior to the final Lismore City Council Workshop which makes the Draft Budget for public comment for the statutory 28 day exhibition phase.

(Councillors Swientek/Gallen)

(03-169: S854)

**Ballina Street and Hollingsworth Creek Bridges**

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

1 Council contact the Minister for Roads, Mr Scully, Local Members of Parliament and local candidates in the forthcoming elections as a matter of urgency seeking the RTA to immediately address the neglected maintenance to Ballina Street Bridge and Hollingsworth Creek Bridge.



- 2 That the Council carry out appropriate remedial works to the approaches to the Ballina Street Bridge and the RTA be requested to carry out the cleaning of the bridge.

(Councillors Swientek/Crowther)

AN AMENDMENT WAS MOVED that -

- 1 Council contact the Minister for Roads, Mr Scully, Local Members of Parliament and local candidates in the forthcoming elections as a matter of urgency seeking the RTA to immediately address the neglected maintenance to Ballina Street Bridge and Hollingsworth Creek Bridge.
- 2 Council urge the RTA to replace Hollingsworth Creek Bridge with a culvert system and widened to four lanes.

(Councillors Suffolk/Irwin)

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

**Voting Against:** Councillors Swientek and Crowther.

10/03

**RESOLVED** that –

- 1 Council contact the Minister for Roads, Mr Scully, Local Members of Parliament and local candidates in the forthcoming elections as a matter of urgency seeking the RTA to immediately address the neglected maintenance to Ballina Street Bridge and Hollingsworth Creek Bridge.
- 2 Council urge the RTA to replace Hollingsworth Creek Bridge with a culvert system and widened to four lanes.

(Councillors Suffolk/Irwin)

(03-167: S818,S819)

#### **Needle and Syringe Program**

Formal notice having been given by Councillor Irwin it was MOVED that the Program continue to be located with the Neighbourhood Centre, with which it has been located successfully for the past 10 years.

(Councillors Irwin/Roberts)

On submission to the meeting the MOTION was DEFEATED.

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

A FORESHADOWED MOTION WAS MOVED that Lismore City Council press the NSW Public Health to investigate a mobile needle exchange service.

(Councillor Swientek)

The motion lapsed for want of a seconder.

(03-540: S226)

#### **Sprinkler Systems on Roofs**

Formal notice having been given by Councillor Irwin it was MOVED that Council seek the Rural Fire Service comments about the installation of sprinkler systems on roofs of houses and buildings in heavily-treed areas.

(Councillors Irwin/Gallen)

At the request of the mover the motion was withdrawn.

(03-719: S371)

#### **Implications of War with Iraq**

Formal notice having been given by Councillor Irwin it was MOVED that –

- 1 Lismore City Council recognises that Saddam Hussein's government has an appalling record in regard to human rights and to the use of chemical and biological weapons within his own country. It in no way supports his regime.
- 2 However we wish to advise the Prime Minister immediately of our opposition to a war with Iraq and of our deep concern about the implications of such a war, including regional instability which will expose Australia to further acts of terrorism, the cost in lives, whether of our Australian soldiers or the people of Iraq, and the long-term environmental and social consequences. We request him to withdraw our Australian troops from the Middle East immediately and to concentrate on developing positive and friendly relationships with our neighbours in the Asia-Pacific Region.
- 3 Notwithstanding the political issues involved, Council provides absolute support for Australian military and civilian personnel who become involved as a result of the direction of the Australian government.

(Councillors Irwin/Roberts)

AN AMENDMENT WAS MOVED that Lismore City Council advise the Australian Government of its strong opposition to the war with Iraq without United Nations' authorisation and all Federal Members of Parliament be advised of this motion.

(Councillors Swientek/Chant)

On submission to the meeting the AMENDMENT was DEFEATED.

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

On submission to the meeting the MOTION was DEFEATED on the casting vote of the Mayor.

**Voting Against:** Councillors Chant, Baxter, King, Suffolk and Crowther.

(03-794: S424)

#### **Commonwealth Funding for Local Roads**

11/03

Formal notice having been given by Councillor Tomlinson it was **RESOLVED** that this Council authorise the Mayor and the General Manager to contact the Prime Minister, the Deputy Prime Minister and Local Members to:

- 1 Express its concern regarding suggestions in the Auslink Green Paper that Commonwealth funding for local roads through the FAG grants may be reduced.
- 2 Emphasise how crucial it is to the economic and social infrastructure of this region to extend indefinitely the Roads to Recovery Programme.
- 3 Ensure that all grants are maintained in real terms and if possible increased.

(Councillors Tomlinson/Irwin)

(03-953: S182)

#### **SUSPENSION OF STANDING ORDERS:**

12/03

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

- Molesworth Street Upgrade

(Councillors Irwin/Suffolk)

#### **Molesworth Street Upgrade**

A MOTION WAS MOVED that the report be received and –

- 1 That Council proceed to reconstruct Molesworth Street between Woodlark and Magellan Streets to a design retaining the 90° carpark configuration plus 10 tree plantings occupying one carpark space at approximately nine carpark spacings, and parallel parking on shoulders as indicated on the submitted plan.
- 2 That the centre parking remain at a 2-hour limit.
- 3 Road work funding be sourced from the roadworks budget.

(Councillors Suffolk/Baxter)

AN AMENDMENT WAS MOVED that the report be received and –

- 1 That Council proceed to reconstruct Molesworth Street between Woodlark and Magellan Streets in accordance with Option C (ie, 45° centre angle parking, one tree planting per three parking spaces and parallel parking on shoulders).
- 2 That the centre angle parking be signposted as 1-hour for a trial period of three months from the date of completion of the works.
- 3 That roadworks funding for New Ballina Road be allocated to the Molesworth Street upgrade.

(Councillors Roberts/Irwin)

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

**Voting Against:** Councillors Swientek, Chant, Baxter and Suffolk.

13/03 **RESOLVED** that the report be received and –

- 1 That Council proceed to reconstruct Molesworth Street between Woodlark and Magellan Streets in accordance with Option C (ie, 45° centre angle parking, one tree planting per three parking spaces and parallel parking on shoulders).
- 2 That the centre angle parking be signposted as 1-hour for a trial period of three months from the date of completion of the works.
- 3 That roadworks funding for New Ballina Road be allocated to the Molesworth Street upgrade.

(Councillors Roberts/Irwin)

**Voting Against:** Councillors Swientek, Chant, Baxter and Suffolk.

(R7322)

**RESUMPTION OF STANDING ORDERS:**

14/03 **RESOLVED** that standing orders be resumed.

(Councillors Roberts/Irwin)

**ADJOURNMENT:**

The meeting adjourned at 9.05pm and resumed at 9.15pm.

**REPORTS:**

**Position of Mayor**

**Election**

**Nominations**

The Returning Officer (General Manager) advised that nominations had been received from Councillors Irwin, King and Swientek.

A MOTION WAS MOVED that the method of voting be preferential.

(Councillors Gallen/Tomlinson)

AN AMENDMENT WAS MOVED that the method of voting be open voting.

(Councillors Crowther/King)

On submission to the meeting the AMENDMENT was DEFEATED.

**Voting Against:** Councillors Irwin, Roberts, Tomlinson, Gallen, Chant and Suffolk.

15/03 **RESOLVED** that the method of voting be preferential.

(Councillors Gallen/Tomlinson)

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

- 16/03 **RESOLVED** that candidates be listed on the ballot paper in alphabetical order.  
(Councillors Roberts/Irwin)

**Voting**

**First count**

Councillor Irwin:	3
Councillor King:	4
Councillor Swientek:	3

In a draw from the hat Councillor Irwin was excluded and her preferences distributed.

**Second count**

Councillor King	4
Councillor Swientek	6

Councillor Swientek was declared the winner of the ballot.

- 17/03 **RESOLVED** that the report be received and –
- 1 That Council nominate Councillor Swientek to the Governor for appointment to the vacant office of Mayor for the remainder of the term of this Council.
  - 2 That Council extend its best wishes and thanks to the Mayor, Bob Gates, and his wife, Helen, for their service and commitment to the community of Lismore.
- (Councillors Irwin/Roberts)  
**Voting Against:** Councillors Baxter and Crowther.  
(03-987: S44)

**Molesworth Street Upgrade**

(See Minute No. 13/03)

- 18/03 **Sewage Management - North Woodburn**  
**RESOLVED** that the report be received and –
- 1 Council staff write to Richmond Valley Council seeking their comments and time frames regarding the option of connection of North Woodburn to the Evans Head sewerage system.
  - 2 Council write to North Woodburn residents indicating the options available and the need to introduce interim upgrade arrangements for failing systems within the village
  - 3 Council verify the financial implications of connection of North Woodburn to the Evans Head Sewerage scheme.
  - 4 A further report be provided to Council after consulting Richmond Valley Council regarding the cost implication for Council and residents.
- (Councillors Roberts/Irwin) (S292)

**General Amendment No. 14 to Lismore LEP**

- 19/03 **RESOLVED** that the report be received and Council –
- 1 Prepare an amendment to Lismore Local Environmental Plan 2000 to amend the Lismore LEP 2000 consistent with the recommendations of this report, pursuant to section 54 of the EP&A Act 1979.
  - 2 Advise Planning NSW that Council intends to use its s65 and s69 delegations and considers that the preparation of a Local Environmental Study is not necessary.
  - 3 Consult with relevant Government agencies pursuant to s62 of the EP&A Act.
  - 4 Advertise the draft LEP amendment for a period of 28 days following consultations with the relevant Government agencies.

- 5 Amend DCP No.39 (Exempt Development) so that temporary uses/events that do not require consent are listed as exempt development.  
(Councillors Irwin/Roberts) (S858)

**Rezoning Submission - Trinity Drive, Goonellabah**

- 20/03 **RESOLVED** that the report be received and Council –
- 1 Prepare an amendment to Lismore Local Environmental Plan 2000 to rezone Lot 91 DP 1010714 Trinity Drive from 1(d) Investigation zone to 2(a) Residential zone pursuant to section 54 of the EP&A Act 1979.
  - 2 Advise Planning NSW that Council intends to use its s65 and s69 delegations and considers that the preparation of a Local Environmental Study is not necessary.
  - 3 Consult with relevant Government agencies pursuant to s62 of the EP&A Act.
  - 4 Advertise the draft LEP amendment for a period of 28 days following consultations with Government agencies.
  - 5 Prepare a site specific s94 Contributions Plan for adoption by Council prior to gazettal of the LEP amendment.
- (Councillors Roberts/Irwin) (P27369)

**Amendment No. 11 to Lismore LEP – Medical Centre, Ballina Road, Goonellabah**

- 21/03 **RESOLVED** that the report be received and Council adopt draft *Local Environmental Plan* Amendment No.11 and forward it to the Minister for Planning with a request that the plan be made.  
(Councillors Irwin/Roberts) (S826)

**Site Inspections for Development Applications to be Determined by Council**

- 22/03 **RESOLVED** that the report be received and this policy be referred back to the Planning Group –
- 1 To look at the notation under Point 4 to delete the note.
  - 2 To look at deleting the ability of the General Manager or the Group Manager to determine no requirement for an inspection under Point 1.
  - 3 To introduce the ability for objectors to developments to attend site inspections.
  - 4 As part of the review of the policy staff canvass suitable inspection times.
- (Councillors Roberts/Tomlinson) (S371)

**Flood Acquisition – Lismore Levee Scheme - 77 Tweed Street, North Lismore**

- 23/03 **RESOLVED** that the report be received and –
- 1 That Council authorise the General Manager or his delegate to purchase 77 Tweed Street, North Lismore, being lot 1 in DP795770.
  - 2 That Council contribute its one-third funding contribution for the purchase of lot 1 in DP795770 for an agreed price of \$63,000.00, together with all reasonable legal costs.
  - 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) (P9572)

**Subdivision and Sale of Council Land in Centenary Drive, Goonellabah**

**S459**

Councillor Suffolk declared an interest in this matter and left the Chamber during discussion and voting thereon.

- 24/03 **RESOLVED** that the report be received and Council –
- 1 Subdivide lot 73 in DP 876840 as shown in the accompanying sketch.

- 2 Sell each of the lots shown in the accompanying plan.
- 3 Accept offers to purchase the lots to be created by subdivision at the following sales prices (inclusive of GST):

Lot 731	\$59,290.00
Lot 732	\$47,509.00
Lot 733	\$45,238.00
- 4 The General Manager be authorised to execute and apply the Common Seal of the Council to the contracts for sale, Memorandums of Transfer for the lots subdivided out of lot 73, Survey Plan of Subdivision, Section 88(b) instrument and/or any other instrument necessary for the transfer of the property.  
(Councillors Crowther/Baxter) (P26676)

**Provision of Marketing Services – Lismore Economic Development, Lismore Tourism and Lismore Unlimited**

- 25/03 **RESOLVED** that the report be received and –
- 1 The contract for the provision of marketing services be awarded to John Campbell Communications and Marketing for a one year period with an option to extend for a further two years.
  - 2 The Mayor and General Manager are authorised to execute the Contract on Council's behalf and attach the Common Seal of the Council.  
(Councillors Crowther/Roberts) (T23001)

**December 2002 Quarterly Budget Review Statement**

- 26/03 **RESOLVED** that the report be received and –
- 1 Council adopt the December 2002 Budget Review Statement for General, Water and Sewerage Funds.
  - 2 This information be submitted to Council's Auditor.
  - 3 That Council write to Local Members concerning the issue of hardship payments in respect to HIH and requesting them to review their non-negotiable position.  
(Councillors Irwin/Chant)

- 27/03 **FURTHER RESOLVED** that in the forthcoming budget considerations staff consider allocating a budget for special events.  
(Councillors Tomlinson/Crowther)  
(S802)

**Management Plan Quarter ended December 31, 2002**

- 28/03 **RESOLVED** that the report be received and its contents noted.  
(Councillors Irwin/Gallen) (S4)

**COMMITTEE RECOMMENDATIONS:**

**Traffic Advisory Committee 18/12/02**

- 29/03 **RESOLVED** that the minutes be received and the recommendations contained therein be adopted, excluding Items 1, 7, 10, 12 and 15.  
(Councillors Gallen/Baxter)

**Clause 1 – Intersection of Conway/Carrington Streets**

- 30/03 **RESOLVED** that this proposal be further discussed at the next public meeting to be held early in the new year.  
(Councillors Irwin/Chant) (R7307,R7303)

**Clause 7 – Ms J Thompson**

- 31/03 **RESOLVED** that the Traffic Advisory Committee examine further options for the intersection and pursue the issue of B-doubles using Richmond Hill Road.  
(Councillors Irwin/Roberts) (02-14103: R1012)

**Clause 10 – B-Double Application**

A MOTION WAS MOVED that approval not be granted for B-Doubles to use the Wilson Street, Terania Street and Tweed Street sections as indicated.

(Councillors Roberts/Irwin)

On submission to the meeting the MOTION was DEFEATED.

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

- 32/03 **RESOLVED** that approval be granted for B-Doubles to use the Wilson Street, Terania Street and Tweed Street sections as indicated.

(Councillors Gallen/Baxter)

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

**Dissenting Vote:**

Councillors Irwin, Roberts and Tomlinson.

(R6232,R6233,R6942)

**Clause 12 – Nimbin Hospital – Proposed Alterations/Additions**

- 33/03 **RESOLVED** that the recommendation be adopted.

(Councillors Roberts/Irwin) (D020830)

**Clause 15 – Conway Street – Right-Turn and Refuge Proposal**

- 34/03 **RESOLVED** that -

1 The facilities as proposed in Option 1 be installed as soon as funding became available.

2 Nose-in parking be investigated.

(Councillors Crowther/Chant)

**Voting Against:** Councillors Gallen and Suffolk.

(R7307) (S352)

**DOCUMENTS FOR SIGNING AND SEALING:**

- 35/03 **RESOLVED** that the following documents be executed under the Common Seal of Council:-

**1. Sale of lot 25 Bristol Circuit, Goonellabah**

Council has negotiated an offer of \$49,500.00 for the purchase of lot 25 in DP 855155, being vacant land at Bristol Circuit, Goonellabah. This price is consistent with previous sales of \$48,000 for lot 24, and \$46,000 for lot 16.

This resolution to execute the contract for sale and transfer documents follows Council's previous resolution of July 2001 in which it was resolved to sell lot 25.

(03-878: P25535)

**2. Sale of lot 26 Bristol Circuit, Goonellabah**

Council has negotiated an offer of \$49,500.00 for the purchase of lot 26 in DP 855155, being vacant land at Bristol Circuit, Goonellabah. This price is consistent with previous sales of \$48,000 for lot 24, and \$46,000 for lot 16.

This resolution to execute the contract for sale and transfer documents follows Council's previous resolution of July 2001 in which it was resolved to sell lot 26.

(03-233: P25534)

3. **Sale to Oldham – Lot 1 in subdivision of Lot 28 at Lismore Airport**  
Contract for sale and transfer  
(03-136: P27932)
4. **Council and FNC Hockey Inc – Loan Agreement**  
Loan of \$400,000 to upgrade synthetic field and associated facilities.  
(03-742: P25886)
5. **Deed of Release – Estate Late Heather Moore**  
Recovery of legal costs from the Estate for an action brought against Council.  
(03-778:PLCMOO/00)
6. **Sale of lot 46 (as boundary adjusted) Centenary Drive, Goonellabah**  
Council created lots 46 and 47 by registration of DP 790672 in June 1989. These two lots have frontage to Centenary Drive, Goonellabah, in Council's industrial subdivision.  
While several prospective purchasers have considered these two lots in the past, they have always been found to have too much slope or be of an unsuitable area. Council has now been offered \$96,600 (plus GST) for lot 46.  
The contract makes provision for an option to purchase lot 47 in the future and a minor boundary adjustment between the two lots.  
Council's planners have issued consent for the boundary adjustment and the offer requires Council endorsement.
  - a) That Council authorise the General Manager or his delegate to conclude the sale of lot 46 (as boundary adjusted in consent 2002/960) in DP7900672, being land at Centenary Drive, Goonellabah at the negotiated price of \$96,600 plus GST.
  - b) The General Manager and Mayor be authorised to sign and apply the common seal of the Council to the contract for sale and transfer documents as necessary.  
(03-485: P21668,P21669)
7. **Sale of part lot 73 in DP876840**  
Following the recent increase in interest in industrial land, Council has found that it has a shortage of available land stock. In consultation with several local agents, a proposal for the subdivision of the saleable area of lot 73 Lancaster Drive was developed.  
This proposal created three lots being lot 731, 732 and 733 having areas of 1,535m<sup>2</sup>, 1,234m<sup>2</sup> and 1,175m<sup>2</sup> respectively.  
All three of these lots have been sold and contracts issued. Council received a sale price of \$35.00 per square metre (plus GST) for each of these lots.
  - a) That Council authorise the General Manager or his delegate to conclude the sale of lots 731, 732 and 733 in the enclosed subdivision of lot 73 in DP876840, being lots fronting Lancaster Drive, Goonellabah, at a price of \$35.00 per square metre, exclusive of GST.
  - b) The General Manager and Mayor be authorised to sign and apply the common seal of the Council to the contract for sale and transfer documents as necessary.  
(02-14533,14534,14535: P26676)  
(Councillors Irwin/Chant)



**RESCISSION MOTION:**

The Group Manager-Corporate & Community Services advised Council that he had been handed a Notice of Rescission Motion signed by Councillors Baxter, Crowther and Chant with respect to the resolution for the **Position of Mayor** (Min. No. 17/03). The Group Manager-Corporate & Community Services advised Council that this Rescission Motion would be considered at a future meeting of Council. (S44)

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

**CONFIRMED** this 11TH day of MARCH, 2003 at which meeting the signature herein was subscribed.

\_\_\_\_\_  
**MAYOR**

**MINUTES OF THE EXTRAORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON SUNDAY, FEBRUARY 16, 2003 AT 5.03PM.**

**Present:** Acting Mayor, Councillor King, Councillors Baxter, Chant, Crowther, Gallen, Hampton, Irwin, Roberts, Suffolk, Swientek and Tomlinson, together with the General Manager and Group Manager - Corporate & Community Services.

**Apologies** Nil.

36/03 **Leave of Absence:** Leave of absence was granted to Councillors Gallen and Chant for the Traffic Advisory Committee Meeting on February 19, 2003.

**DISCLOSURE OF INTEREST:** Nil

**RESCISSION MOTION:**

**Position of Mayor**

Formal notice having been given by Councillors Baxter, Chant and Crowther, it was MOVED that Council rescind its decision of February 11 (Minute 17/03).  
(Councillors Baxter/Crowther)

37/03 **RESOLVED** that the motion be PUT.  
(Councillor Chant)  
**Voting Against:** Councillors Swientek and Roberts.

38/03 **RESOLVED** that Council rescind its decision of February 11 (Minute 17/03).  
(Councillors Baxter/Crowther)  
**Voting Against:** Councillors Irwin, Roberts, Tomlinson, Swientek and Gallen.

**Nomination for the Position of Mayor**

39/03 **RESOLVED** that Council conduct an election that will determine its nominee for the vacant position of Mayor and authorise the General Manager to submit the name of the Councillor so elected, to the Governor for appointment as Mayor.  
(Councillors Crowther/Baxter)  
**Voting Against:** Councillors Swientek and Gallen.

40/03 **RESOLVED** that the order of candidates for the count be in alphabetical order.  
(Councillors Chant/Hampton)  
**Voting Against:** Councillor Gallen.

The General Manager advised that two nominations were received, being for Councillors King and Swientek.

**Election**

Councillor King (Councillors Crowther, Chant, Hampton, Baxter, King and Suffolk)

Councillor Swientek (Councillors Swientek, Irwin, Tomlinson, Roberts and Gallen)

The General Manager declared that Councillor King would be submitted as Council's nominee for the position of Mayor to the Governor.

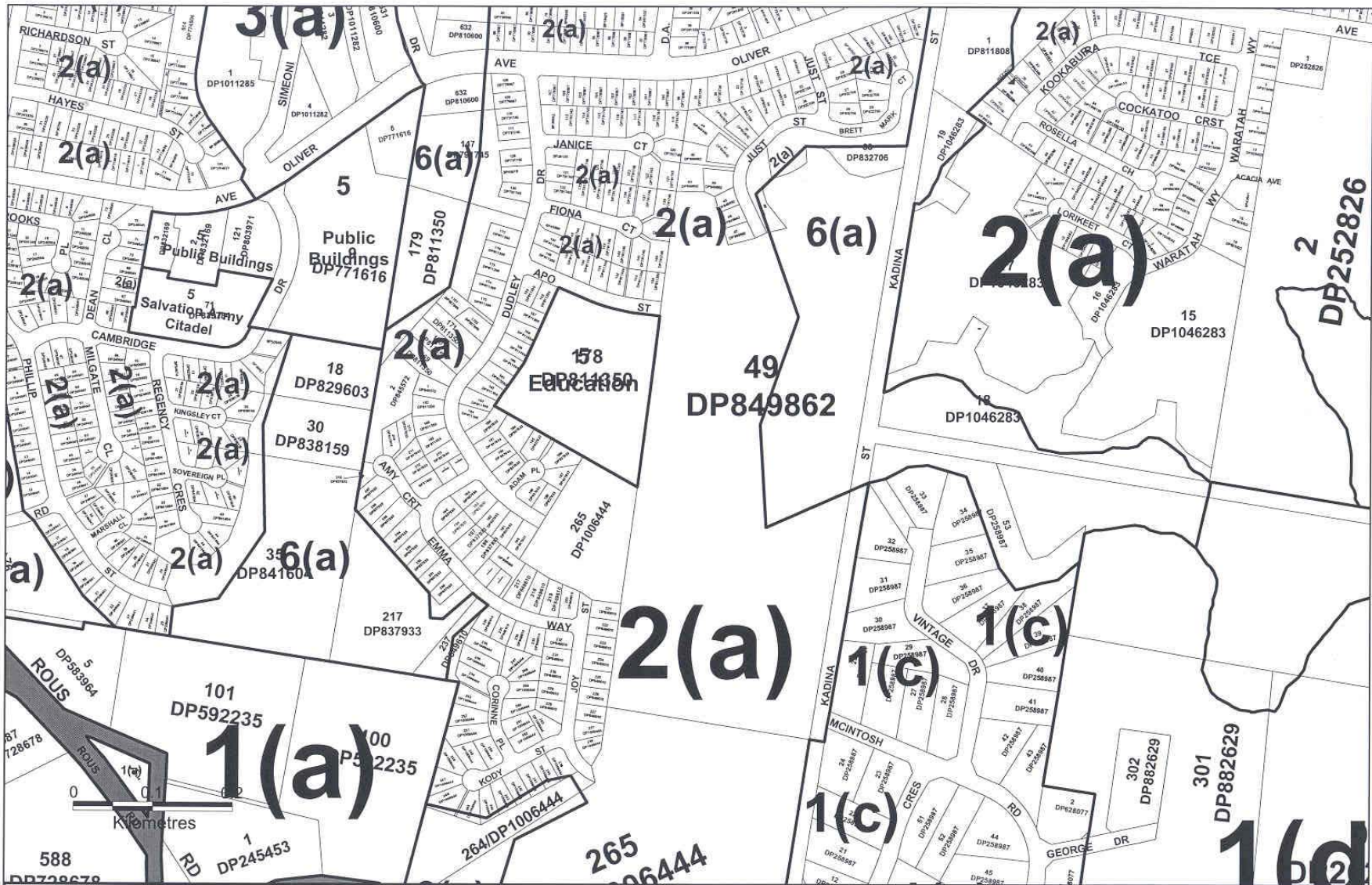
Councillors Gallen and Irwin left the meeting at 5.24pm.

41/03 **RESOLVED** that Council extend its best wishes and thanks to the former Mayor, Bob Gates, and his wife, Helen, for their service and commitment to the community of Lismore.  
(Councillors Crowther/Swientek)

This concluded the business and the meeting terminated at 5.25pm.

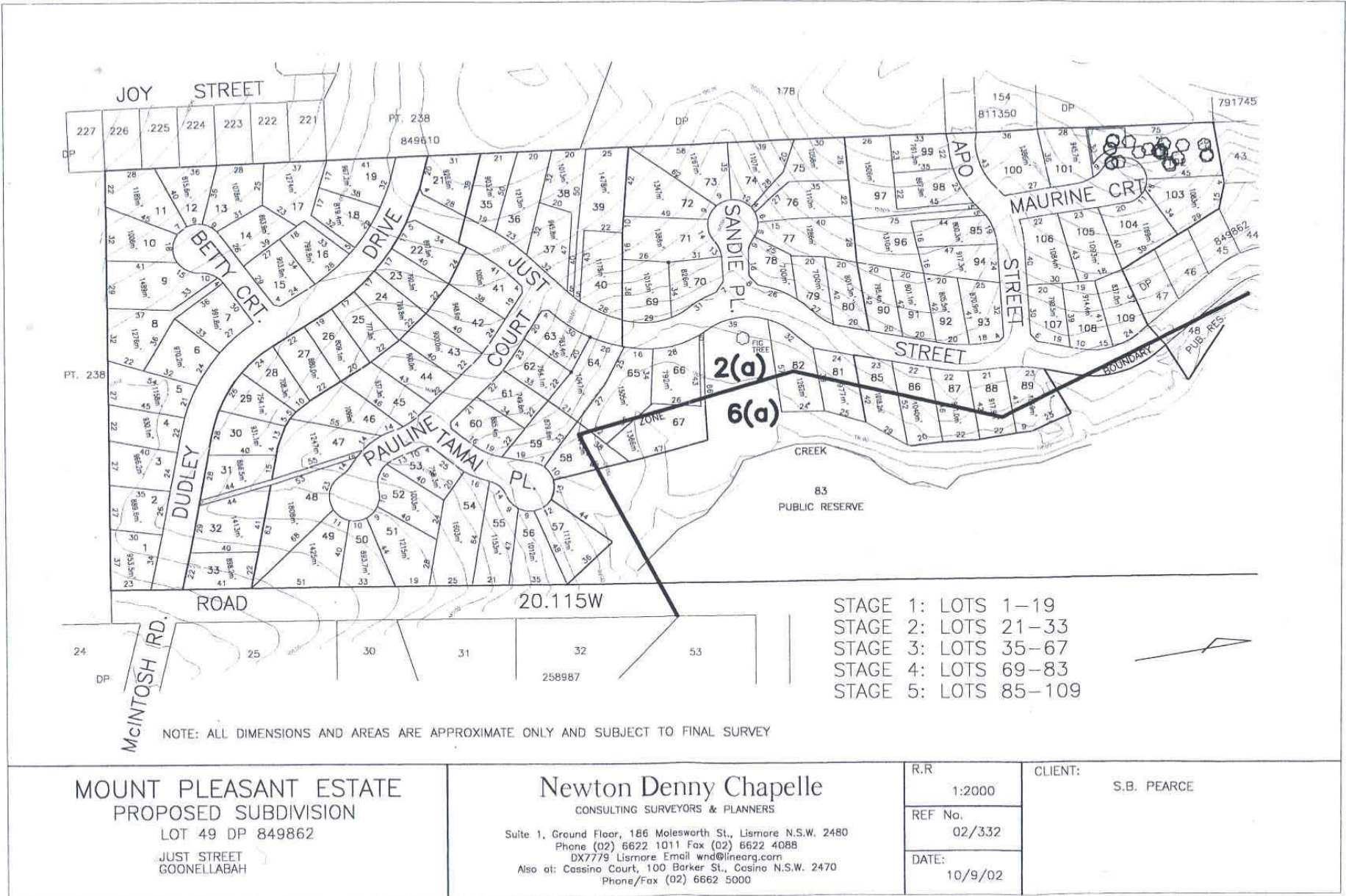
**CONFIRMED** this 11TH day of MARCH, 2003 at which meeting the signature herein was subscribed.

\_\_\_\_\_  
**MAYOR**









NOTE: ALL DIMENSIONS AND AREAS ARE APPROXIMATE ONLY AND SUBJECT TO FINAL SURVEY

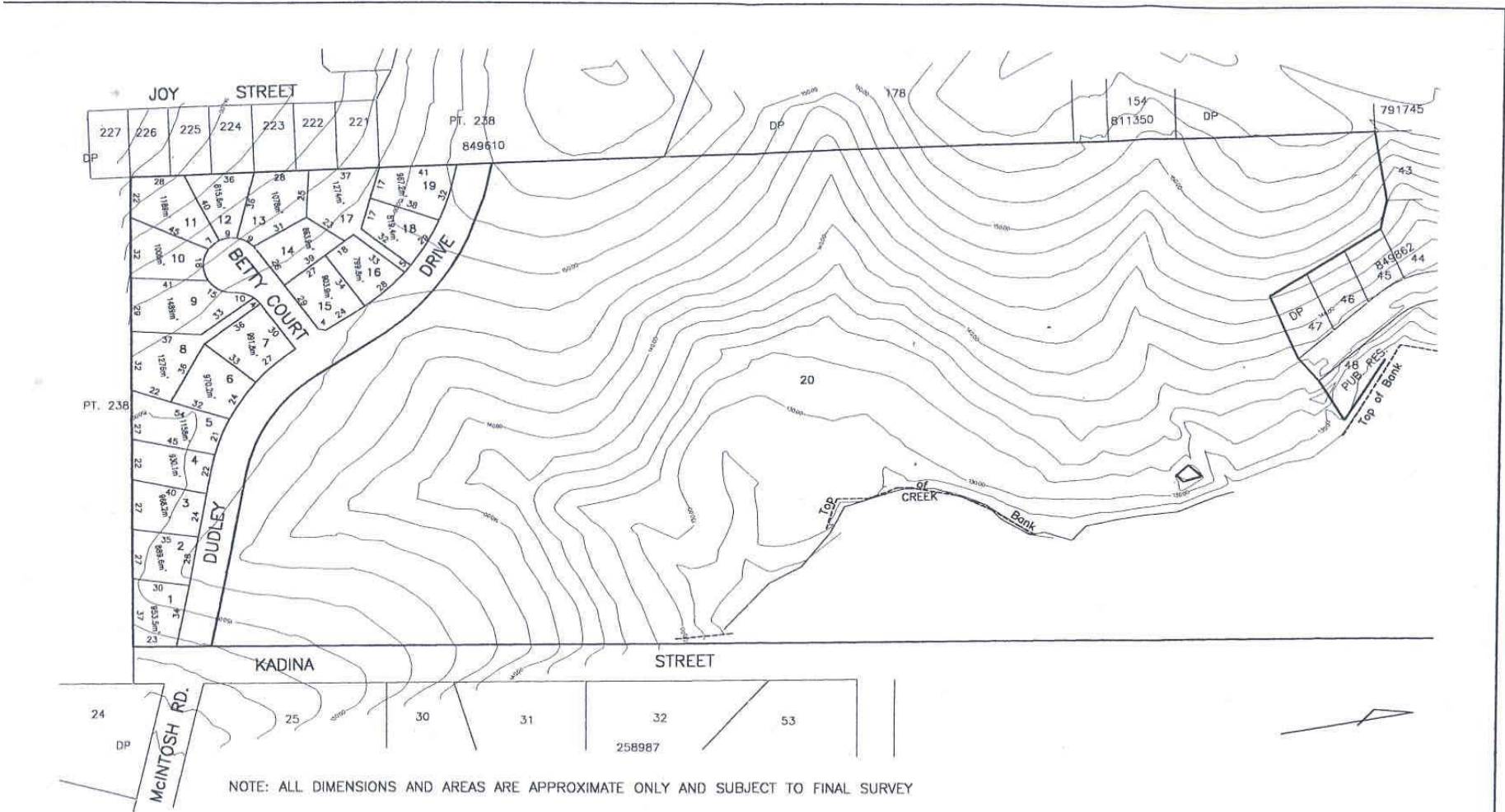
MOUNT PLEASANT ESTATE  
 PROPOSED SUBDIVISION  
 LOT 49 DP 849862  
 JUST STREET  
 GOONELLABAH

Newton Denny Chapelle  
 CONSULTING SURVEYORS & PLANNERS

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 Phone (02) 6622 1011 Fax (02) 6622 4088  
 DX7779 Lismore Email wnd@linedrg.com  
 Also at: Casino Court, 100 Barker St., Casino N.S.W. 2470  
 Phone/Fax (02) 6662 5000

R.R  
 1:2000  
 REF No.  
 02/332  
 DATE:  
 10/9/02

CLIENT:  
 S.B. PEARCE



MOUNT PLEASANT ESTATE  
 STAGE 1  
 PLAN 3

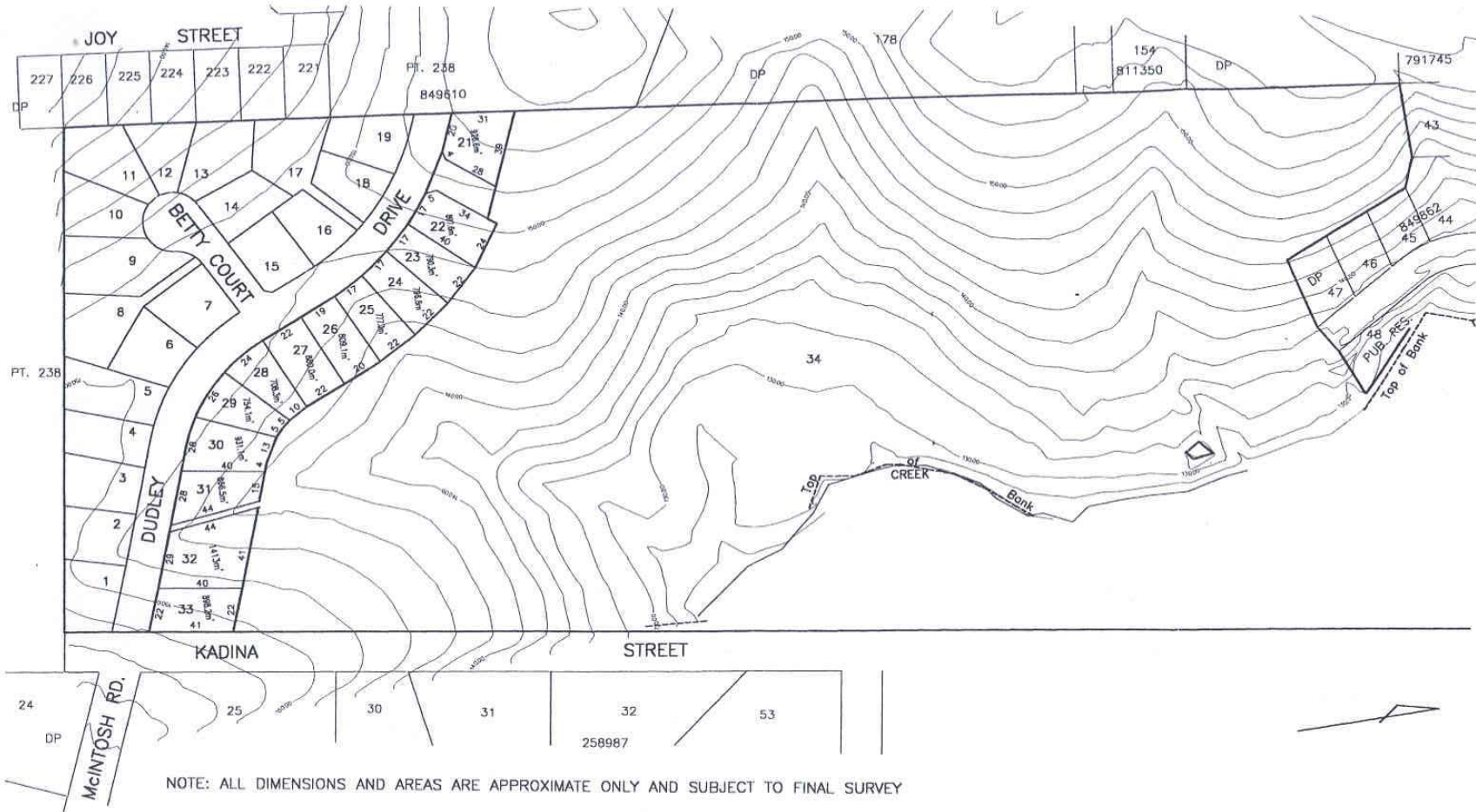
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R.R  
 1:2000  
 REF No.  
 02/332  
 DATE:  
 14/10/02

CLIENT: S.B.PEARCE





MOUNT PLEASANT ESTATE  
 STAGE 2  
 PLAN 4

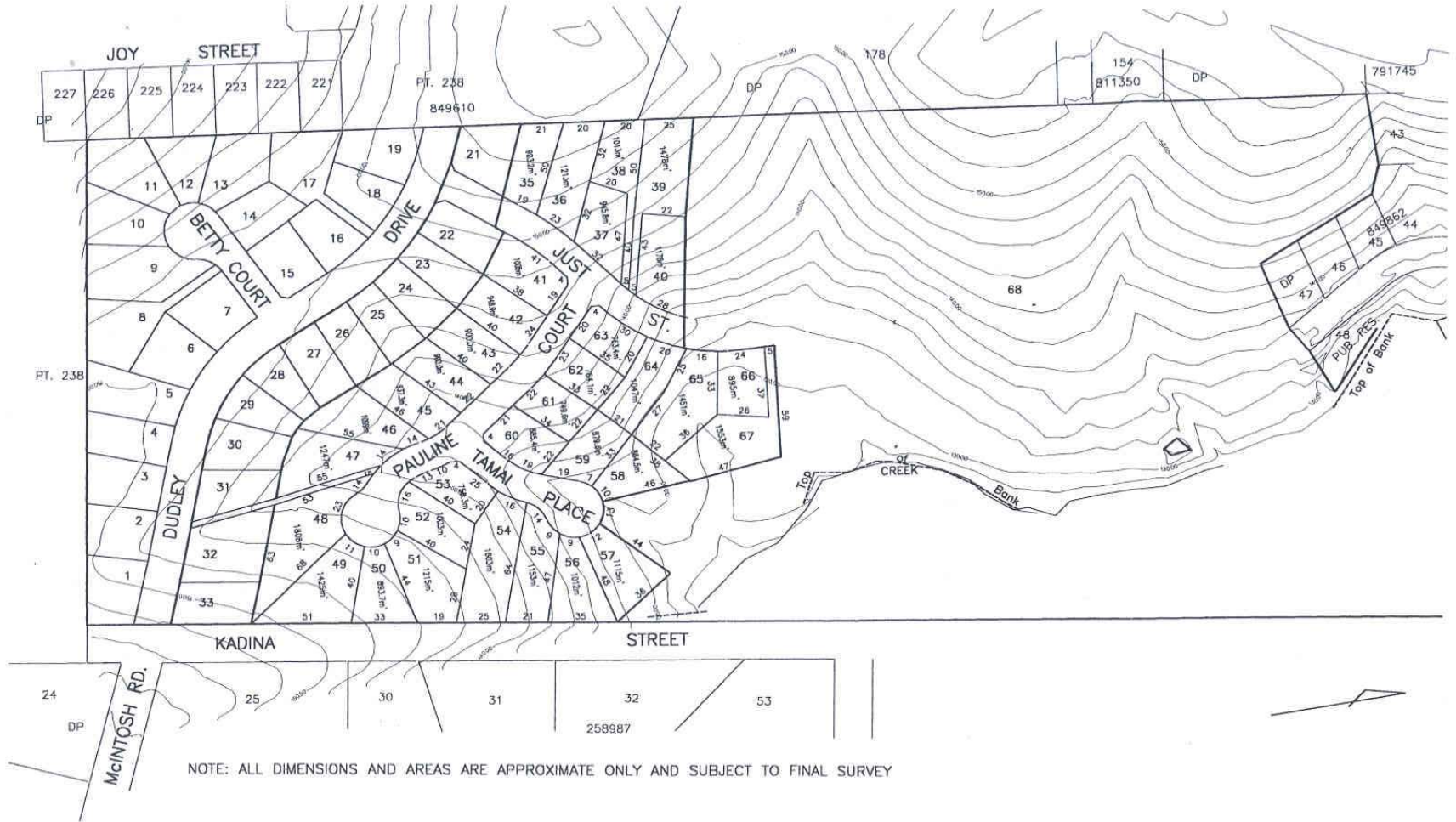
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 Phone/Fax (02) 6662 5000

R.R	1:2000
REF No.	02/332
DATE:	14/10/02

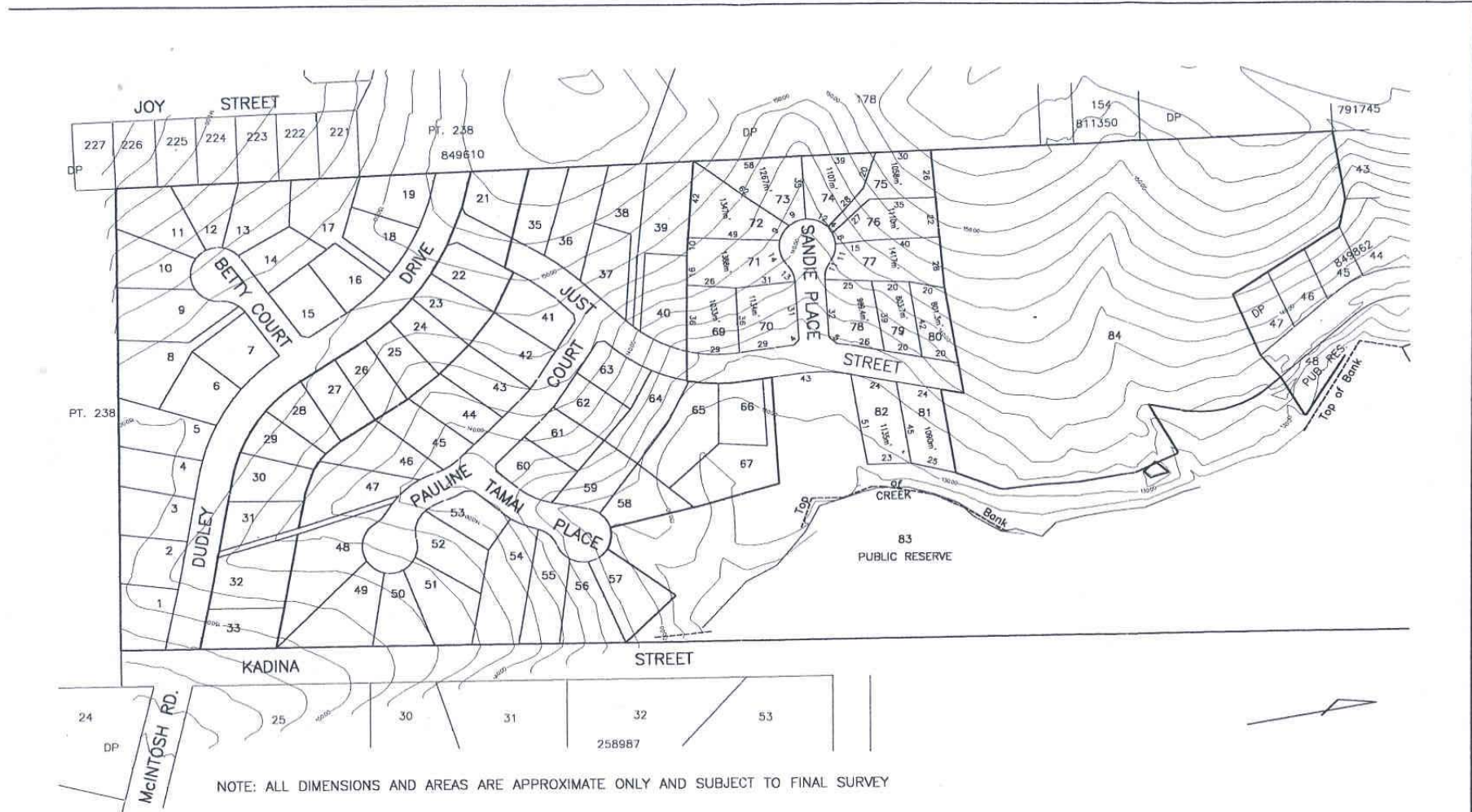
CLIENT:  
 S.B. PEARCE





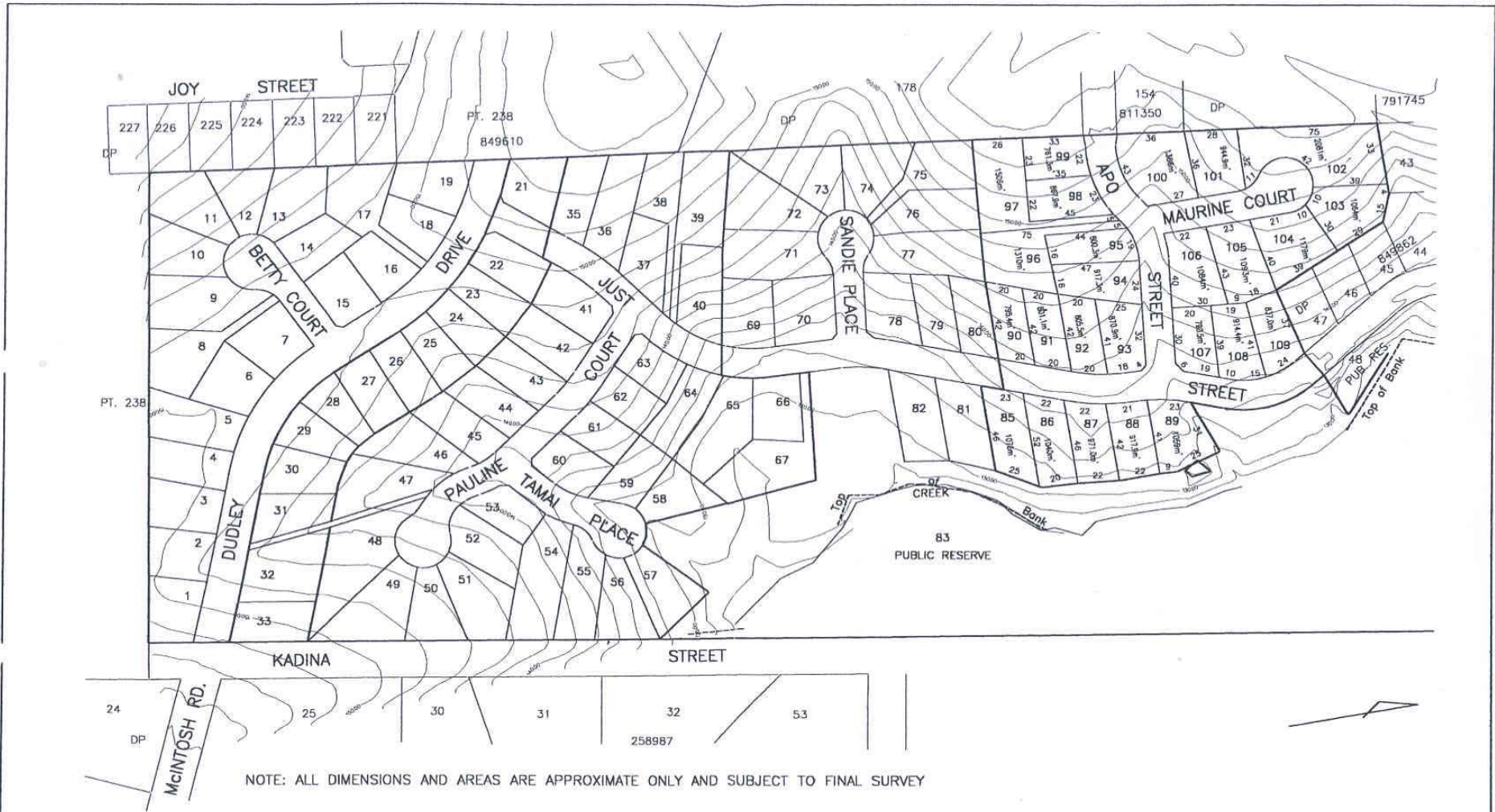
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<p>MOUNT PLEASANT ESTATE STAGE 3 PLAN 5</p>	<p>Newton Denny Chapelle CONSULTING SURVEYORS &amp; PLANNERS Suite 1, Ground Floor, 186 Molesworth St., Lismore N.S.W. 2480 Phone (02) 6622 1011 Fax (02) 6622 4088 DX7779 Lismore Email wnd@lineorg.com Also at: Cassino Court, 100 Barker St., Casino N.S.W. 2470 Phone/Fax (02) 6662 5000</p>	<p>R.R 1:2000 REF No. 02/332 DATE: 14/10/02</p>	<p>CLIENT: S.B. PEARCE</p>
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<p>MOUNT PLEASANT ESTATE STAGE 4 PLAN 6</p>	<p>Newton Denny Chapelle CONSULTING SURVEYORS &amp; PLANNERS</p> <p>Suite 1, Ground Floor, 186 Molesworth St., Lismore N.S.W. 2480 Phone (02) 6622 1011 Fax (02) 6622 4088 DX7779 Lismore Email wnd@lineorg.com Also at: Cassino Court, 100 Barker St., Cosino N.S.W. 2470 Phone/Fax (02) 6662 5000</p>		<p>R.R 1:2000</p>	<p>CLIENT: S.B. PEARCE</p>
			<p>REF No. 02/332</p>	
			<p>DATE: 14/10/02</p>	





MOUNT PLEASANT ESTATE  
 STAGE 5  
 PLAN 7

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