



NOTICE OF COUNCIL MEETING

An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on TUESDAY, AUGUST 12, 2003, at 6.00pm and members of Council are requested to attend.

Prior to commencement of the meeting a presentation of Certificates of Appreciation will be made to Councillor Crowther, Roger Sheaffe and Bruce Towner for their many years of voluntary services to Life Education.

Paul G. O'Sullivan
General Manager

August 5, 2003

COUNCIL BUSINESS AGENDA

August 12, 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 July 8, 2003

CONDOLENCES

DISCLOSURE OF INTEREST

MAYORAL MINUTES

NOTICES OF RESCISSION

NOTICES OF MOTION

SUSPENSION OF STANDING ORDERS

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

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LISMORE CITY COUNCIL - Meeting held August 12, 2003

Subject/File No: STRUCTURAL REFORM OF LOCAL GOVERNMENT
(S34)

Prepared By: General Manager

Reason: To provide a response to the Minister for Local Government.

Objective: To improve service delivery to the local community.

Management Plan Activity: General Manager

Background:

Since April the State Government has been talking up the need for individual Councils to assess their situation, make a judgement about their ability to ensure "effective and efficient delivery of local government services and facilities to local communities" and depending on the evaluation, consider ways to improvement. In a broadbrush claim the Minister for Local Government (3/7/03) states:-

"There is nothing to suggest that existing arrangement for the structure areas and number of local councils are ideal" and;

"...expenditure on asset maintenance is not keeping pace with the rate of deterioration. The gap (Statewide) between the estimated cost of essential maintenance of infrastructure and current expenditure is \$205 million. This trend has been evolving for some years – and is accelerating."

The Minister says structural reform is one option to address these issues and has called on local government to consider how they can better serve their ratepayers. Mr Kelly has indicated that he expects to receive a report from each Council in response to his concerns by the end of August.

The Minister's letter is couched in terms which infer that structural reform means boundary changes and/or amalgamation of Council areas. However, the Government continues to reject criticism that forced amalgamations are in the offing but the Minister has clearly said that he is prepared to facilitate amalgamations and major changes which are initiated by community groups and/or Councils.

Whilst it is apparent that some local government areas across the State do recognise the need to embark on a change process for the long term benefit of their community, the key driver for that reform, being financial sustainability, is less obvious in our local area.

Since the Minister made his intentions clear, the Mayor and I have met twice with our counterparts from Ballina, Byron, Kyogle, Richmond Valley and Tweed plus the County Councils of Rous, Richmond River and Far North Coast Weeds.

The Mayor has expressed the view that the concept of structural reform involving boundary changes is not something he supports for the following reasons:-

- There are no adjoining Councils which have expressed a wish to tread this path;
- There is no community call for such a change;
- There is scepticism that a boundary alteration/amalgamation in this area will produce meaningful benefit; and
- There are other options with potential to enhance the efficiency and effectiveness of service delivery.

No Amalgamations:

Indeed the consensus position of the general purpose Councils is that there is no support for broadsweep amalgamations even though there may be isolated cases which warrant minor boundary adjustments. The real issue is to address resource sharing in a **more meaningful** manner.

A common objection to amalgamation between any of these Councils was the undesirable dilution of the community of interest factor arising from the creation of a larger local government area, and thus population, represented by perhaps 9 to 12 Councillors – the “local” part would undeniably be diminished. That is not to say that an amalgamation of Councils in this area would necessarily be ineffective. There would be some economies of scale benefits, there should be some cost savings but in the scheme of things, these benefits are outweighed by the unwanted and unnecessary interference in community cultural values, representation and local aspirations.

Even though this line of reasoning appears to conflict with the State Government’s position, there is a more progressive solution with potential to satisfy both agendas. This would leave Council boundaries intact, retain the elected Councillor makeup in each local area but place the focus on **change at the operational level.**

It is at the operational level – that place where services are actually delivered by Council staff and contractors that the real financial savings – if there are any to be had – will come from. This is the province where the General Managers of every Council in this region can make a difference if they choose to do so. It is beyond argument that the principles of effective contemporary local government rely on a clear divide between the elected Council determining the vision and strategic direction for its community and thereafter, instructing the General Manager to turn Council’s decisions into actions and results. Broadly speaking, how that is done is the decision of the General Manager.

Accordingly, there is considerable scope for each and every General Manager to entertain methods which may be different to the status quo.

Resource Sharing – Mk I:

The term resource sharing is one that is much used and in some instances, misused. It is true that there are many success stories which could be defined as resource sharing but did not initially attract that popular tag. The most obvious examples in the local area are the County Councils of Rous, Richmond River and Far North Coast. These organisations were created under the Local Government Act for the express reason that they were designed to efficiently deliver specific operational level outputs across more than one Council area. Certainly, they include a representative body of elected Councillors to deal with the strategic and policy decisions but their history demonstrates that there is merit in this collaboration for those special purposes of water supply, flood mitigation and noxious vegetation control. A case can be made that the arrangements are more cost effective and environmentally efficient than each Council carrying out the equivalent roles independently.

Considering the principles at work in these models and adding contemporary tools in technology, communication and management practice surely invites a more deliberate evaluation of both the cost savings and potential improvement in service delivery standards, if arrangements can be negotiated to provide selected local government services in this region, without regard for Council boundaries. There is certainly no legal impediment to proceeding in this way.

It is not unreasonable to work on the assumption that ratepayers are more interested in the standard and cost of tangible services such as roads, parks, water, sewerage and garbage than which Council actually does the work.

Structural Reform of Local Government

After all, in many of these examples, contractors are used alongside Council employees but we generally stop at the signposted Council boundary, just because.

Another working example is the Richmond-Tweed Regional Library Service which has proven the cost benefits of formal co-operation between Lismore, Ballina, Byron and Tweed. The existence of a formal structure and agreement is an essential ingredient to success. Relying on goodwill and neighbourly tolerance is not an effective way to do business of this kind. It is, after all, the application of a classic purchaser/provider model but dispensing with the artificiality of Council area boundary lines on a map.

There are some Council activities which may be less suited to this sharing approach and these relate perhaps to issues of local custom and practice. The areas of planning, community services and economic development suggest a more parochial agenda but information systems, human resource management plus billing and financial systems – those essential back office activities which result in costly overheads, must be targets for greater collaboration and resource sharing.

Resource Sharing – Mk II

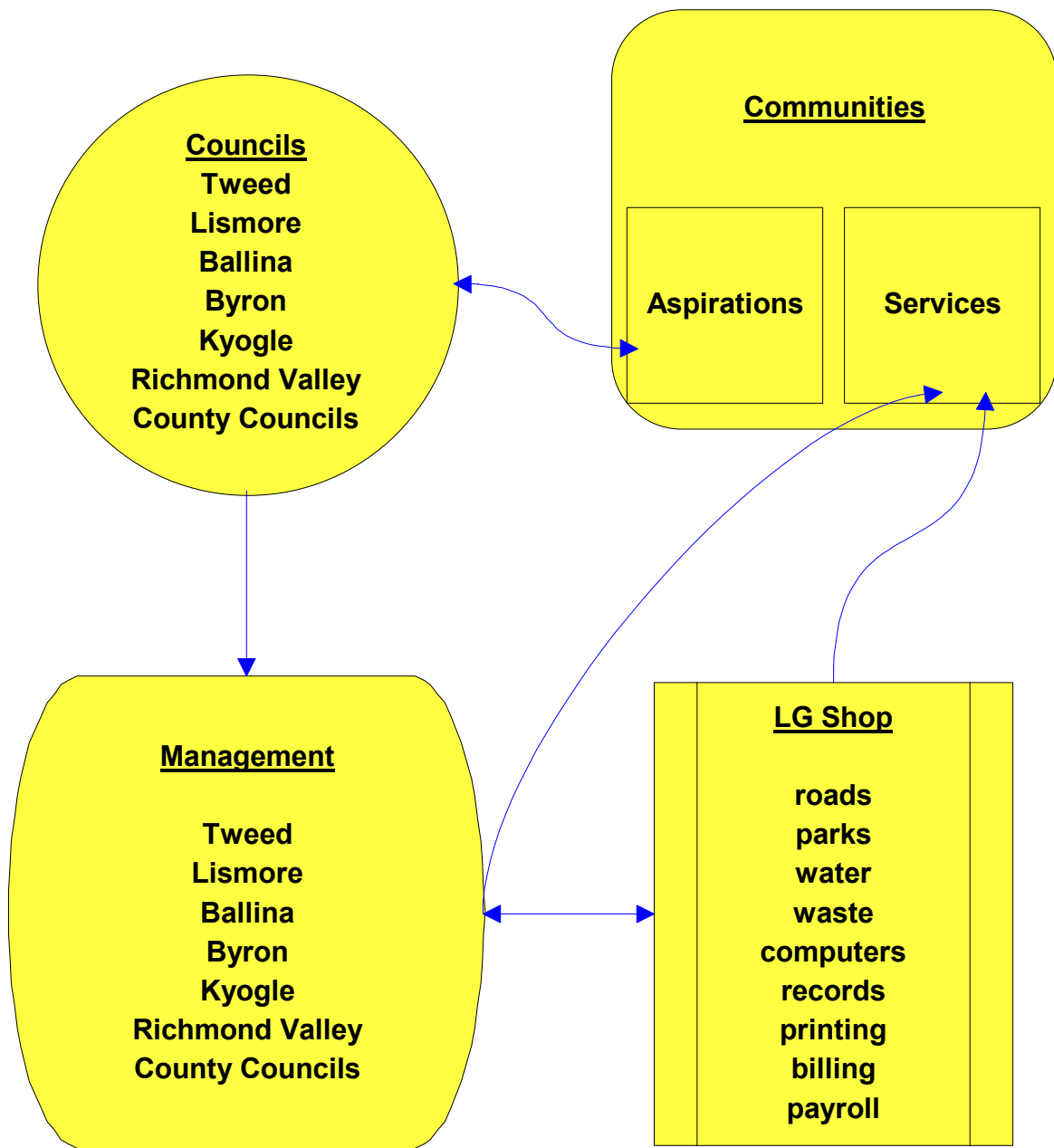
A robust resource sharing model would rely on agreeable Councils pooling selected labour, plant and equipment, intellectual property, systems and management expertise to create the resources necessary to perform required tasks on behalf of more than one participating Council. The attached schematic diagram is an attempt to illustrate the links.

Whilst the foregoing remarks are conceptual only, it would seem that the time is right for all Councils to take a long hard look in the mirror before concluding that there is no room for improvement. If there is support for addressing the future of Council service delivery in this or other ways, the ball is squarely at the feet of this region's General Managers who have the opportunity, as well as the responsibility, to critically examine feasible options for establishing more extensive formal resource sharing arrangements designed to enhance service delivery to their communities as a minimum, but with a view to optimising the cost structure of a range of traditional Council services.

Recommendation (GM02)

1. That Council inform the Minister for Local Government that it does not intend to submit a proposal for amalgamation on the grounds that:-
 - a. There is no evidence of strong community support for such a change;
 - b. No adjoining Councils have indicated their interest in boundary changes of any significance;
 - c. There is widespread scepticism that an amalgamation of Lismore Council with any neighbouring Council would produce meaningful benefits.
 - d. There are alternative resource sharing options which have potential to enhance the efficiency and effectiveness of service delivery for the Lismore community.
2. That Council record in principle support for the concept of formally establishing progressive new resource sharing agreements with other Councils in this region on the understanding that such arrangements are targeted towards enhancing the efficiency, effectiveness and standard of operational activities for the Lismore community.

Regional Local Government Resource Sharing Model



Subject/File No: DRAFT LEP AMENDMENT NO.13 (FLOOD PRONE LANDS)
(BB:S850)

Prepared By: Strategic Planner – Bruce Blackford

Reason: Close of exhibition period for draft LEP Amendment

Objective: Council's adoption of LEP Amendment No.13.

Management Plan Activity: Planning Services

Background:

At its meeting of November 12, 2002, Council resolved to prepare a draft amending local environmental plan to replace clause 22 of the Lismore Local Environmental Plan 2000. Clause 22 applies to new development on flood-affected land. Draft Amendment No.13 will amend the LEP by replacing the existing clause 22 with a new clause that is consistent with recommendations in the Lismore Floodplain Management Plan (2002).

Manager - Finance & Administration Comments

Not required

Public Consultations

Draft Amendment No.13 was placed on public exhibition for a period of twenty-eight (28) days. The amendment was also forwarded to the Department of Infrastructure, Planning and Natural Resources (formerly DLWC) for comment. Seven (7) submissions were received in response to the exhibition including one from DIPNR and six (6) from the public. The submissions are included as Attachment 1. The submission from DIPNR has suggested some wording changes which do not affect the intent of the clause and these have been incorporated into the amendment which is included as Attachment 2.

The public submissions raised similar issues, which are summarised as follows:

1. The requirement for industrial floor levels south of Hollingsworth Creek to be at the equivalent of the 1 in 100 yr flood level plus 300mm freeboard in existing industrial areas is too onerous. In one instance this would result in the floor height being 2.59m above road level. In the existing industrial areas from Snow Street south, only 23% of developments have floor levels above the 1 in 100 yr level and only one would meet the proposed freeboard requirement. The new requirements should apply only to new subdivision approvals and not to existing sites.
2. The 'pug' type material won from the nominated preferred excavation area may be unsuitable for building foundations.

Comment:

Each of the issues raised in the public submissions refers to matters that are not directly related to draft Amendment No.13. Amendment No.13 deals with three issues only:

- a) The need for Council to take into account general matters relating to flooding when considering an application for development on flood affected land (these matters are usually specified in more detail in a DCP);
- b) Restrictions on land uses within the designated Floodway; and
- c) Restrictions on residential development within the High Risk Flood Area.

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Draft LEP Amendment No. 13 (Flood Prone Lands)

There is no provision in draft Amendment No.13 that relates to minimum height requirements for fill or floor levels. As the amendment refers to the flood hazard map in the Lismore Floodplain Management Plan, it appears likely that the objectors to the amendment have looked at the recommended controls in the Floodplain Management Plan and this has formed the basis of their objections. The Floodplain Management Plan was adopted by Council in October, 2002 and contains broad principles for development control. The intention has always been that the more detailed controls relating to development on the floodplain would be contained in a Development Control Plan that would replace DCP No. 7. At its meeting of November 12, 2002, Council resolved to prepare a draft DCP for flood prone lands consistent with the Floodplain Management Plan and this has now been prepared and is the subject of a separate report in this business paper. The issues raised in the five submissions to LEP No.13 are addressed in the report on the draft DCP.

Other Group Comments

Group Manager City Works:

Councillors, staff, consultants and members of the community have spent some years formulating the principles embodied in the Lismore Floodplain Management Plan. The LEP is the first step in implementing these principles into planning documents. The second step is a Development Control Plan, which will contain considerably more detail. I endorse the recommendation.

Author's Response to Comments from Other Staff

Not required

Conclusion

The purpose of Amendment No.13 is to replace existing clause 22 in the Lismore Local Environmental Plan 2000 with a new clause that is consistent with the flood mapping and recommendations in the Lismore Floodplain Management Plan. The Amendment deals primarily with three issues – the need for Council to take into account general matters relating to flooding when considering an application for development on flood affected land, restrictions on various land uses within the designated Floodway and restrictions on residential development within the High Risk Flood Area. Details concerning minimum floor heights etc are more appropriately dealt with in a DCP and this is addressed in a separate report in this business paper.

The amendment also relates, in part, to Council owned land at the Lismore Airport. Where a draft plan affects Council owned land, Council is able to exercise its delegations to exhibit the plan under section 65 of the EP&A Act providing it is exhibited in accordance with the Best Practice Guideline issued by the Department of Infrastructure, Planning and Natural Resources. The Best Practice Guideline requires that the plan be exhibited with a statement outlining Council's interest in the land, the purpose of the draft LEP, the type of development that is anticipated and financial implications of the draft LEP. A copy of the statement that accompanied the exhibited plan is included as Attachment 3.

Recommendation (PLA 27)

That Council:

1. Adopt draft LEP Amendment No.13 as per Attachment 2, and
2. Use its delegations under section 69 of the EP&A Act to furnish a report on LEP Amendment No.13 to the Minister, together with the request that the Minister make the Plan.

Subject/File No: REVIEW OF DEVELOPMENT CONTROL PLAN NO.7 (FLOOD PRONE LANDS) (BB:S365)

Prepared By: Strategic Planner – Bruce Blackford

Reason: Council resolution to prepare a new draft DCP for flood prone lands.

Objective: Council's agreement to exhibit the draft DCP

Management Plan Activity: Planning Services

Background:

Current planning controls for development on flood-affected lands are contained in Development Control Plan No.7. DCP No.7 came into effect in 1985 and is based on flood mapping and other flood data dating back to 1983. In 2002, Patterson Britton & Partners, undertook two dimensional flood modelling of the urban area which formed the basis for the preparation of the Lismore Floodplain Management Plan (LFMP) 2002. The modelling identified three levels of flooding hazard on flood prone lands based upon predicted depth and velocity ratios in the 1 in 100 year flood and the consequent risks to human life and property. The three levels of flooding hazard were described Floodway, High Flood Risk Flood Area and Flood Fringe. They are defined as:

1. Floodway - the area of the floodplain where a significant discharge of water occurs during floods and hence velocities and depths are high. Floodways are usually aligned with naturally defined channels, and include areas that even if partially blocked, would cause a significant redistribution of flood flow or a significant increase in flood levels.
2. High Flood Risk Area - the area in which there is a potential for flooding to cause danger to personal safety and/or loss or damage to light structures. The criteria has been defined in terms of two types of risk category for the 1 in 100 year ARI flood: Human risk categories where there is potential for flood waters to create danger to personal safety and property risk categories where there is potential for flood waters to create danger to light structures such as residential buildings.
3. Flood Fringe Area - the remaining area of flood liable land after Floodway and High Flood Risk Areas have been defined. It is defined by the limit of the PMF water level contours but excludes areas within the Floodway or High Flood Risk Area.

The LFMP contains broad planning principles relating to development control on the floodplain that apply to each of the three flood hazard categories described above. It was acknowledged in the LFMP that more detailed provisions would need to be included in a future Development Control Plan. At its meeting of November 12, 2002, Council resolved to prepare a draft Development Control Plan consistent with the recommendations of the Lismore Floodplain Management Plan 2002. A new draft DCP has now been prepared and is included as an Attachment to this report.

Issues:

The draft DCP deals with detailed controls for new development on the floodplain that relate to matters such as minimum floor levels, fill requirements, structural requirements and consideration of impacts on adjoining lands. The proposed controls are based upon the broader principles contained in the Floodplain Management Plan but introduce some flexibility for certain site-specific issues.

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Review of DCP No. 7 (Flood Prone Lands)

Six (6) public submissions were received in response to the public exhibition of draft LEP Amendment No. 13 (see separate report in business paper) that did not relate to the LEP but are relevant to the more detailed controls that would be included in a DCP. The submissions raised similar issues such as:

1. The requirement for industrial floor levels south of Hollingsworth Creek to be at the equivalent of the 1 in 100 yr flood level plus 300mm freeboard in existing developed industrial areas is too onerous, and
2. The pug type material won from the 'preferred excavation area' may be unsuitable for building foundations.
3. Questioning the need for provision of a flood refuge above the 1 in 500 yr level.

One submission also questioned the reason for different controls applying to areas south of Hollingsworth Creek.

The predicted 1 in 100 year flood level has increased as a result of better flood modelling. This means that in many of the existing industrial areas, lots have been filled to the level prescribed in the old DCP No. 7, which is now below the current predicted 1 in 100 year ARI flood level. Thus issues raised in relation to fill levels in existing subdivisions are considered to be valid and the draft DCP has been drafted to provide flexibility in instances where these issues are relevant. For infill development in existing industrial areas, the DCP states that Council will consider on its merits an application to fill equivalent to the level of surrounding lots, or to a level in accordance with any previous Council consent for filling. Where new buildings are to be constructed on land that is not filled to the 1 in 100 yr ARI flood level, there is a requirement that an equivalent of at least 10% of gross floor area is to be at or above Flood Planning Level (1 in 100 yr plus 300mm freeboard) and those parts of the building below the 1 in 100 yr ARI flood level are to be constructed of flood compatible materials. The draft DCP has also waived the requirement for 300mm freeboard for floor levels for industrial buildings given that industrial development is considered to be the form of development that is least affected by the adverse effects of flooding.

In relation to the use of bulk fill on flood prone sites, the draft DCP generally requires that fill be sourced from the floodplain (either on-site, from the preferred excavation area or another area on the floodplain) but permits the use of imported fill for use in the top 300mm. Some flexibility is provided in the draft DCP where minor increases in the depth of imported fill may be considered, providing it can be demonstrated that this is necessary to complement the design of the footings of a future building.

The reason that different development controls apply to South Lismore (south of Hollingsworth Creek), is because this area is quickly isolated in the event of the South Lismore levee overtopping and has a lengthy evacuation route via Union Street, the Ballina St Bridge and Ballina Street or Conway Street to Wyrallah Road. Hollingsworth Creek Bridge represents a low point on the evacuation route that would cut immediately when floodwaters top the levee. Planning controls in the DCP have sought to reduce the need for owners of industrial buildings in this area to access their premises during a flood by generally requiring minimum floor levels of new industrial development to be at the 1 in 100 year ARI flood level (subject to exemptions as discussed previously).

The requirement for a flood refuge above the 1 in 500 year flood level is not considered to be onerous as it simply means that sufficient floor space must be provided for employees to take refuge if they become isolated in a bigger than 1 in 100 year flood. This is considered to be an essential safety requirement. It is acknowledged that provision should be provided to enable people to be evacuated from the flood refuge and this is addressed in the DCP.

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Review of DCP No. 7 (Flood Prone Lands)

Manager - Finance & Administration Comments

Not required

Public Consultations

There is a statutory requirement that draft DCPs be publicly exhibited for a minimum period of twenty-eight (28) days. It is also recommended that a copy of the draft Plan be forwarded to those who made submissions to Amendment No.13.

Other Group Comments

See comments from City Works re draft LEP Amendment No.13.

Author's Response to Comments from Other Staff

Not required.

Conclusion

There is a need for the existing DCP No.7 to be replaced given the fact that it is based on outdated information dating back to 1983. The new draft DCP has been prepared based upon more up to date flood modelling undertaken by Patterson, Britton & Partners as well as other information contained in the Lismore Floodplain Management Plan. The draft DCP provides some flexibility where issues warrant merit consideration and has taken into account the issues raised in the submissions to draft Amendment No.13.

Recommendation (PLA 28)

That Council:

1. Exhibit the draft Development Control Plan for flood prone lands for a period of twenty-eight (28) days; and
2. Forward a copy of the draft DCP to those who made submissions to LEP Amendment No. 13, inviting them to comment.

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Subject/File No: FEASIBILITY/PLANNING STUDY FOR THE AIRPORT INDUSTRIAL ESTATE (BB:LW:P9733)

Prepared By: Bruce Blackford and Lindsay Walker

Reason: Completion of Feasibility/Planning Study by consultants

Objective: Resolution to proceed with the Airport Industrial Estate proposal

Management Plan Activity: Strategic Planning/Floodplain Management

Background:

Part of the Lismore Airport site, located between the airport terminal and the existing industrial estate at Habib Drive, was identified in the Lismore Floodplain Management Plan (2002) and the draft Lismore Urban Strategy (2003) as having potential for future industrial or retail warehousing development.

A concept plan for the estate was developed by Council staff and refined using Patterson Britton's two dimensional flood model. The plan comprises eight (8) allotments, each with an area of two hectares, and each with a building pad raised to the equivalent 1 in 100 year flood level with a maximum area of around 4000m². The lots would be accessed by a new service road linking the airport terminal access to Krauss Ave. The flood modelling determined that the proposal would have negligible effect on flood flows and flood levels upstream of the site.

The site is located within a Floodway as identified on the flood hazard category map in the Floodplain Management Plan. Buildings and development of this nature would normally be prohibited within floodway areas. Draft LEP Amendment No.13 addresses this issue by enabling development to occur on this site providing it is in accordance with the concept plan described above. Amendment No.13 has been exhibited and is the subject of a separate report in this Business Paper. As the land is currently zoned 1(r) Riverlands under the Lismore LEP, a rezoning to 4(a) Industrial or 3(f) Services Business (Flood Liable) would also be necessary to enable the proposal to proceed.

At its meeting of November 12, 2002, Council resolved to progress the process for developing an industrial estate on Lismore Airport land, and upon completion of a feasibility study, that a further report be presented to Council. Newton, Denny, Chapelle was engaged to carry out the feasibility study and this has now been completed. A copy of the study is attached. The study identifies the statutory planning requirements that must be addressed if Council wishes to proceed with the proposal and includes a financial analysis of the proposal.

It is estimated that 40,000m³ of fill per lot (total 320,000m³) will be required to fill the site in accordance with the concept design with additional material required for the construction of the service road. A lesser amount of fill would be required if pads of less than 4000m² were to be constructed. The Lismore Floodplain Management Plan recommends that any bulk fill to be placed on the floodplain should be sourced from the floodplain. The Plan identifies a 'preferred excavation area' located on Council owned land near the South Lismore Sewage Treatment Plant. This is in an area of the floodway where high flood velocities and gradients are predicted and where excavation of material would result in the greatest benefit in terms of floodplain management. The excavation of the required amount of fill from this site would be an extractive industry that would be designated under Schedule 3 of the EP&A Regulation thus requiring the preparation of an Environmental Impact Statement.

As part of the Feasibility/Planning Study which was prepared for the site, a detailed Financial Analysis was undertaken by Tsikleas and Andrews.

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Feasibility/Planning Study for the Airport Industrial Estate

In summary it was concluded that the proposal had considerable economic return to Lismore and that if development costs and profit margins were assumed to be those adopted by the commercial sector the land should be sold for \$50.00 per m².

In addition to the financial analysis noted above and included in the Study it should be recognised that the proposal has two additional benefits to Council. These are:

- a) That Council will establish a quarry on the floodplain, which will generate income for some time into the future.
- b) That the abovementioned quarry will be located in a section of the "Airport Floodway" which modelling shows will greatly increase the volume of water bypassing the CBD from Leycester Creek in a major flood event.

Both of these benefits are in addition to the establishment of additional industry in South Lismore.

Manager - Finance & Administration Comments

The feasibility study indicates that it is financially viable to undertake this proposal as it has potential to return to Council an average of \$331,000 per lot or \$2.64 million in total.

Some of the key assumptions used in the study include:-

- a) Number of lots to be developed is eight (8).
- b) Estimated development costs per lot of \$620,000.
- c) Estimated average sale price per lot of \$1,000,000.
- d) A staged development is preferred, one (1) lot at a time, depending on the market.
- e) Cost to prepare an EIS for the quarry is estimated at \$100,000.

From my perspective, if Council agrees to proceed, a 'low risk staged development' of the site is preferred because of cash flow implications. While there are sufficient funds held in land reserves to prepare the rezoning, environmental impact statement and development applications, there are no dedicated funds available for the actual development and any other requirements. As the return to Council appears attractive, a strategy which addresses when to develop and how to fund these costs needs to be prepared by management prior to development occurring.

The study also touches on an alternative being the site sold to a private developer. It states that "in an en-globo state i.e. appropriately zoned undeveloped land with development consent and ET's in place for development as proposed, the subject land has an estimated value of \$1.2 million or \$150,000 per lot". While the return to Council is much less, the development risk is eliminated. Considering the industrial land market is not predictable, it is an option that should be considered prior to or during the staged development.

Public Consultations

There will be an opportunity for public consultation during the statutory exhibition periods for the rezoning submission and the EIS. Council is able to use its delegations to exhibit a rezoning proposal that applies to Council owned land providing it follows the best practice guideline for LEPs on Council owned land issued by DIPNR.

Other Group Comments

City Works has had input into the land developments cost used in the financial analysis section of the Study.

Author's Response to Comments from Other Staff

Not required

Conclusion

Should Council resolve to proceed with the proposal, the following processes will need to be followed:

1. A resolution of Council to prepare a LEP Amendment to rezone the subject land to 4(a) Industrial.
2. Public exhibition of the rezoning proposal.
3. Preparation of an EIS and Development Application for an extractive industry on Council owned land in the area identified in the Floodplain Management Plan as the preferred excavation area.
4. Assessment and determination of the EIS and DA for extractive industry.
5. Preparation of a Development Application for the subdivision and construction of the proposed eight industrial lots.
6. Construction phase involving filling, road construction, installation of services, etc.

Some of the above steps may be undertaken concurrently, in particular steps 2 and 3 both of which can be relatively time consuming (e.g. the rezoning process can take 9 to 12 months while an EIS could take 12 months to prepare and another 6 months assessment). A "best case scenario" therefore would be likely to be 18 months before a developer would be in a position to develop a site.

A number of these steps will also require the commitment of significant financial and staff resources and will involve the engagement of consultants (eg estimated cost for the preparation and assessment of an EIS, including contingencies, is \$100,000).

Recommendation (PLA 26)

That Council:

- 1) Prepare an amendment to Lismore Local Environmental Plan 2000 to rezone the subject site from 1(r) Riverlands and 5 Special Uses to 4(a) Industrial, pursuant to section 54 of the EP&A Act 1979.
- 2) Advise the Department of Infrastructure, Planning and Natural Resources that Council intends to use its s65 and s69 delegations in accordance with the Department's best practice guideline and that it considers the preparation of a Local Environmental Study is not necessary given the information that is provided in the Feasibility/Planning Study that will be exhibited with the LEP Amendment.
- 3) Consult with relevant Government agencies pursuant to s62 of the EP&A Act.
- 4) Advertise the draft LEP amendment with the accompanying Feasibility/Planning Study for a period of twenty-eight (28) days following consultations with the relevant Government agencies.
- 5) Invite selected tenders for the preparation of an EIS for an extractive industry on Council owned land in the area identified as the "preferred excavation area" in the Lismore Floodplain Management Plan.

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Footpaths and Cycleways

The recently proposed draft Section 94 Contributions Plan (2003) provides a list of proposed footpaths/cycleway construction works, as shown below –

Description of Works	Cost (\$)
Ballina Road (High St to Kellas St)	25,200
Uralba Street (Rotary Dr to Dibbs St)	15,300
Dawson Street (Magellan St to Uralba St)	22,500
McKenzie Street (Dibbs St to Hunter St)	22,500
Kadina Street (High School to Oliver Ave)	77,400
Elton Street (Esmonde St to Esyth St)	17,300
High Street (Diadem St to ABC Studio)	265,500
Ballina Road (Hillcrest Ave to Canterbury Ch)	90,200
Hillview Drive (Ballina Rd to Holmesleigh Dr)	60,000
James Road (Ballina Rd to Greenhills Dr)	37,000
Holmesleigh Drive (Hillview Dr to Pindari Cres)	30,800
Pindari Crescent (Holmesleigh Dr to Allambie Dr)	23,100
Allambie Drive (Pindari Cres to Kerrabee Crt)	16,500
Kerrabee Court (Allambie Dr to Kadina High School)	11,000
Pindari Crescent (Warrawee Crt to Allambie Dr)	23,100
Allambie Drive (Pindari Cres to Kerrabee Crt)	33,000
Phyllis Street (Union St to South Lismore Public School)	66,000
Wilson Street (South Lismore Public School to Terania St)	66,000
Casino Street (Wilson St to Caniaba St)	88,000
Caniaba Street (Casino St to Charlton Ave)	45,100
Union Street (Casino St to Frank St)	30,000
Military Road (Walker St to Wade Park)	34,900
College Street (Dalley St to College St)	90,000
Elizabeth Street (College St to Wyrallah Rd)	30,000
First Avenue (Avondale Ave to Esmonde St)	7,750
Esmonde Street (First Ave to Wyrallah Rd)	13,200
Total:	\$1,241,350

The above list is not exhaustive as it only identifies existing inadequacies which will be affected by future development. There may be other locations which currently require a footpath but because they will not be affected by increased demand due to future development, they have not been listed.

The above list, however, is a good starting point for consideration over the next ten years.

The total cost of works listed is \$1,241,350. 15% will be contributed by future development, therefore, the remaining \$1,055,000 is Council's contribution to new footpaths over the next ten years.

It should be noted that additional development contributions are received to construct footpaths in newly developed areas. Therefore, Council has no funding responsibility in newly developed areas (not until maintenance and repairs are required).

b) Replacement of Existing Footpaths

Council has detailed information on only a portion of the current footpath network. It is estimated there is approximately 50Km of existing footpath.

If it is assumed the life of a footpath is 50 years, on average we should budget to replace 1Km per year which would cost approximately \$90,000. This would be an ongoing requirement.

A large backlog of replacement work currently exists which has not been accounted for in the above estimate, minimum of \$500,000 immediately.

c) Repairs and Maintenance

Separate to the replacement programme is the requirement to undertake repairs and maintenance. These normally result from some intervention which precludes the full life of the footpath being reached. For example, heavy loads breaking the footpath, tree roots, unexpected settlement of subgrade, etc.

Repairs and maintenance are required to ensure the public can safely use the footpaths without tripping. They reduce Council's liability to pay damages to those who have been injured and seek compensation through the Courts.

As part of Council's Footpath Risk Management Strategy, footpaths in the CBD and South, North and East Lismore, and the Basin area have been inspected. Trip points have been identified and prioritised in accordance with set criteria.

Over \$1.4 Million is required to repair trip points in the above areas. Additional funds would be required to cover the remaining areas, including Goonellabah and other Villages.

d) Pedestrian Access and Mobility

The existing pedestrian network requires engineering works to provide a satisfactory level of access and mobility to pedestrians. Typical works include; flattening and widening kerb ramps, providing pedestrian refuges, aligning existing crossing facilities with desirable crossing points, providing fencing and bollards for safety, etc.

A draft "Pedestrian Access and Mobility Plan" (PAMP) has recently been completed. The objectives of the study are listed below –

1. To provide key infrastructure improvements in the level of pedestrian access in areas of high pedestrian concentration and pedestrian/vehicular conflict crossing points.
2. Identify and resolve community access and safety concerns.
3. Identify and resolve pedestrian and pedalcycle crash clusters.
4. To enable the Council to co-ordinate its departmental capital works programmes such as footpath maintenance and risk management.
5. To enable the Council to prioritise expenditure on areas that will provide maximum user benefits and facilities appropriate to the user characteristics.
6. To investigate the level of pedestrian mobility and access within the CBD with a view to determining an appropriate works schedule.
7. Develop an understanding of the existing pedestrian network and identify a prioritised system of routes within the network.

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Footpaths and Cycleways

8. To identify and address lack of continuity issues along the network paths.
9. To consider the likely impact of future development on the existing network and its effect for the prioritisation of works.
10. To incorporate information from the study into the Council's GIS Mapping System, making the data useful in a practical way for future planning and assessment of the pedestrian facilities.
11. To provide a framework for the future auditing of identified priority routes and locations.
12. Identify infrastructure needed to address the physical, town planning and traffic constraints or barriers to equal access and mobility concerns for all pedestrians.
13. To meet the obligations under the Commonwealth Disability Discrimination Act.

The Plan has identified a prioritised list of required works (refer to Appendix 1). The total cost of these works is \$2.33 Million. The RTA has a programme which funds these works on a 50:50 basis.

The Council and RTA have committed to fund the Kellas Street pedestrian underpass this financial year in the amount of \$750,000. Therefore, Council's one-half share of the remaining works is \$791,500.

The draft PAMP has recently been submitted to the RTA for consideration. The Plan will also be considered by the Traffic Advisory Committee and formally adopted by Council in the near future.

Public Consultation

The PAMP involved consultation with several community groups such as Schools, Health Services, Special Needs and Aged Care. Also, the Lismore Access Committee was consulted and provided useful information, particularly on route prioritisation.

The input received from the above groups has been used in determining the works schedule. Also, the list of new footpaths is currently on public exhibition in the Section 94 Contribution Plan.

Funding Profiles

A summary of the cost of necessary footpath works is shown below. Close to \$5.0 Million is required to provide a satisfactory footpath network, of which Council's share is in excess of \$3.3 Million. Our existing funding levels and three funding scenarios are also shown below.

Footpath Works Required	Total Cost (\$)	Existing Recurrent Council Funding (\$)	Funded over 5 Years		Funded over 10 Years		Recommended Programme	
			Funds Required (\$)	Shortfall (\$)	Funds Required (\$)	Shortfall (\$)	Funds Required (\$)	Shortfall (\$)
New Footpaths	1,055,000	30,000	211,000	-181,000	105,500	-75,500	150,000	-120,000
Replacement Programme	90,000 (per year)	43,700	90,000	-46,300	90,000	-46,300	90,000	-46,300
Repairs & Maintenance	1,400,000	167,000	280,000	-113,000	140,000	+27,000	280,000	-113,000
Improve Pedestrian Access & Mobility	791,500	-	158,300	-158,300	79,150	-79,150	40,000	-40,000
Totals:	3,336,500	\$240,700	-	-\$498,600	-	-\$173,950	-	\$319,300
								(say) \$320,000

Footpaths and Cycleways

If the required works were funded over a five-year period, an extra \$498,600 per year would need to be found. Funding over ten years is possible but is probably a little long for effective results.

The recommended funding programme gives priority to repairs and maintenance which are funded over a five-year period. New footpaths are funded over about a seven-year period which will allow time for development to contribute but also starts to address the backlog. Replacement of footpaths is funded to a satisfactory level and the PAMP Programme is funded at a rate to match likely funding from the RTA. However, an additional \$320,000 per year is required, plus additional funding for Goonellabah and the rural and village areas.

Possible Funding Sources

Approximately \$3.3 Million is required by Council to provide a satisfactory footpath network for the Lismore urban area. This includes new footpaths, replacement, repairs and maintenance plus improvement to access and mobility.

The recommended funding profile requires an additional \$320,000 per year on top of Council's current \$240,700 per year.

Funding sources available to Council include –

(1) Internal Funding Sources

Council could reassess its current priorities and redirect funds from existing services. However, this is best done as part of the overall budget process.

(2) RTA Funding

The RTA currently contributes a total of \$60,000 per year to the footpath/cycleway network.

- cycleways (new footpaths) - \$30,000 per year, and
- Pedestrian Access Mobility Plan (PAMP) implementation - \$30,000.

The PAMP funding is a new programme, this year being the first year of funding. It may be possible to secure additional funds in the future.

There are several large ticket items which are on the State Highway. The RTA may contribute more than 50% funding for these items. Although the proposed Kellas Street pedestrian underpass is only 50% funded by the RTA.

(3) Borrowing

The Council could borrow funds to undertake the required works. It is recommended only new works and large access and mobility projects be funded out of borrowings to ensure the infrastructure asset is substantial and outlives the loan repayment period.

Manager - Finance & Administration Comments

The cost to provide a satisfactory footpath and cycleway network for Lismore is significant. Given the limited funds available to meet a range of works and services generally, a strategy which addresses this situation over a reasonable timeframe, as that suggested by the Manager – Roads & Infrastructure, is both deliverable and supported.

As such, it is agreed that the appropriate time to investigate funding alternatives is during the preparation of the 2004/05 Management Plan.

Other Group Comments

Manager Planning Services:

The Public Transport Study has pointed out that a large proportion of the population have only limited access to a car, or none at all. Footpaths/cycleways are essential to the mobility of the young, the old, and those for whom purchase and maintenance of a car is not possible.

The establishment of footpaths/cycleways in Lismore and villages is supported as a contribution to sustainable living and development in Lismore. Unfortunately the cost involved may mean that some areas not subject to new development may not obtain footpaths/cycleways in the near future, unless during budget considerations Council determines that footpaths/cycleways have higher priority.

Administrative Services Manager:

As detailed above in the report, Council has previously identified that its footpath network represents a significant risk exposure with respect to public liability claims. As a result, it has adopted an appropriate strategy to identify and prioritise works required to minimise this risk.

The need for such an approach has been reinforced by the introduction last year of the Civil Liability Act 2002. As our footpath network expands and ages, the necessary costs associated with the strategy will continue to increase.

From a risk management perspective, it is essential that Council continues to allocate at least the existing level of funding to its Risk Management Strategy. Diversion of such funding either to other projects or even to the expansion of the existing footpath network has the potential to weaken our legal position.

Recommendation (WOR3)

1. That Council note within a five to ten-year time-frame, approximately \$5.0 Million is required to provide a satisfactory footpath network in the Lismore urban area. Council's share of this work is likely to be \$3.3 Million.
2. That at the next budget session, Council examine ways to fund an additional \$320,000 per year for footpath improvements.

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Subject/File No:	COUNCIL SPONSORED CHILD CARE CENTRES – FIVE YEAR STRATEGIC PLAN (S91)
Prepared By:	Wendy Adriaans, Manager Community Services
Reason:	To provide a long term vision for Council's three sponsored child care centres.
Objective:	To gain Council's endorsement of a new five year strategic plan for its child care centres.
Management Plan Activity:	Koala Child Care Centre, Gingerbread House Occasional Care Centre and Lismore Outside School Hours Care Centre

Background:

A previous Five Year Strategic Plan was endorsed by Council in January 1999. The purpose of that plan was to provide a long term vision for Council's three sponsored child care centres. That plan has been reviewed and a further Five Year Strategic Plan is now presented for consideration and adoption by Council.

Over the past five year period all forms of child care have experienced constant, and latterly high demand. This has resulted in the emergence of two new child care centres which opened in October 2002 and August 2003.

Lismore City Council sponsors three child care centres, ensuring a diverse range of child care services within the community: a long day care centre (Koala Child Care Centre), an occasional care centre (Gingerbread House), and the Lismore Outside School Hours Care Centre.

Koala Child Care Centre (Koala CCC) and Lismore Outside School Hours Care Centre (Lismore OSHCC) have experienced a heavy recent demand for their services, and are now operating at capacity and maintaining Waiting Lists. Both centres work on a balanced budget, where revenue from parent fees and government subsidies matches expenditure. Council's financial support of these centres is minimal, comprising a contribution toward the service support (ABC) costs.

Gingerbread House receives an annual operating subsidy from Council to offset the operating expenses incurred. As noted in the 2003/2004 – 2007/2008 Strategic Plan, the full amount of subsidy has never been accessed due to increased attendances and good financial management of the Centre.

The previous 1999 – 2003 Strategic Plan has been reviewed, see attached Strategic Plan. It should be noted that the majority of objectives and actions planned have been achieved as per performance targets. A summary of the financial position and average attendance figures for each centre over the five year period is included.

A new Five Year Strategic Plan is proposed and presented for endorsement, focusing on the continuation of quality service provision. All three centres readily meet periodic licensing requirements, and Koala has twice received perfect scores in the National Childcare Accreditation Council's Quality Improvement and Accreditation system. As per the previous Plan, this Five Year Plan sets out a series of objectives, planned activities and performance targets.

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Council Sponsored Child Care Centres – 5 Year Strategic Plan

It is anticipated that demand for child care will remain at a high level, however some child care centres may experience slight changes in their attendance figures as a result of the increased competition in the local market. The Federal Government should continue to deliver child care support in the form of Child Care Benefit, and at the commencement of the 2003/2004 financial year increased the hourly benefit rates.

Manager - Finance & Administration Comments

The strategic plan provides for ongoing financial support to the provision of child care services by Council and is consistent with the approach adopted from 1999 to 2003.

In regards to Koala CCC and Lismore OSHCC, this support equates to the support services costs or activity based costing (ABC) charge. For Gingerbread House, this amount consists of the support service charge and an operating contribution. The operating contribution for 2003/04 is \$59,600 and this is to be increased annually by the CPI.

The ongoing and regular use of these services is critical to maintaining the limit to financial support from Council in accordance with the plan. Given the historical fluctuations in the childcare market, the adoption of utilisation rates, which are below the licensed capacity of the facilities and current trends, augurs well for not exceeding this limit.

Public Consultations

The Manager of Community Service consulted with the Directors and Coordinator of Council sponsored child care centres, as well as the Department of Community Services, Children's Services Adviser, Nell Pickette.

Other Group Comments

Not required.

Author's Response to Comments from Other Staff

N/A

Conclusion

Council sponsored child care services provide much more than just child care. They provide a critical support role to families, in particular, to the most disadvantaged members of our community. These centres offer primary care, educational and social learning experiences based on carefully planned individual and group developmental programs. Council's sponsorship of its child care centres is part of its community service obligations to provide the community with access to a range of affordable, quality child care options.

Recommendation (COR08)

That Council endorse the attached 2003/2004 – 2007/2008 Five Year Strategic Plan.

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Subject/File No: MISCELLANEOUS S356 COMMUNITY DONATIONS
(S164)

Prepared By: Tricia Shantz

Reason: Miscellaneous Section 356 – Policy Guidelines

Objective: To inform Council of the Section 356 Funding for 2003/2004

Management Plan Activity: 1.5

Background:

Council has allocated \$30,500 in its 2003/2004 budget for Miscellaneous Section 356 Community Donations. In accordance with Council policy, applications were sought from community groups and a total of fifty-nine (59) applications valuing \$112,456.25 were received.

The following projects received the most votes from Councillors:

1.	Crossroads Lismore	\$1,232
2.	Goonellabah Soccer Committee	\$2,200
3.	Lismore Children's Contact Centre	\$2,000
4.	Realising Every Dream (RED)	\$2,000
5.	Richmond River Historical Society	\$1,200
6.	Northern Rivers Wildlife Carers Inc.	\$1,580
7.	Bentley Rural Fire Brigade	\$2,200
8.	Lismore Headquarters Rural Fire Brigade	\$1,700
9.	Goonellabah Senior Citizens	\$1,500
10.	Lismore Rugby Club (Union)	\$2,000
11.	Deaf & Hearing Impaired Student's Annual Camp	\$ 850
12.	Lismore Musical Festival Society	\$2,200
13.	City Lights Tennis Club	\$1,565
14.	Clunes Rural Fire Brigade	\$1,550

SUB TOTAL **\$23,777**

There is an amount of \$6,723 remaining to be allocated. The next ten projects each received four votes.

1.	Richmond Valley Care-Ring Association Inc. Repair wooden path and lay a non-slip surface to improve safety & access for children with mobility problems around the large jacaranda tree/next to sandpit.	\$1,920
2.	Tullera Rural Fire Service Completion of paths around the fire station, completion of retaining wall, installation of concrete steps and 3 pagers for stronger crew strength at incidents. This group received \$1,250 to do a cement slab in the front of the fire station in the 1998/99 round.	\$1,875
3.	Goobah Goobah Koori Theatre Company Aboriginal Corp. Funds will be used for promotion, prizes and production for a Goori Youth Talent Quest in conjunction with the Bundjalung people's gathering. This is an annual event that brings Bundjalung people together to maintain cultural identity.	\$2,200

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Miscellaneous S356 Community Donations

4. Blue Knob Rural Fire Service \$2,200
Concreting driveway to fire station
This group received \$2,174 to install a driveway to the recently built fire station in the 1999/00 round.
5. Women Up North Housing Inc \$2,200
Refurbishment of group room, new chairs, TV/Video/Rug. They run support groups for women affected by domestic violence. The Koori support group is run at Child & Family Health due to the inappropriateness of the current group room. They need to create a better space to run groups.
6. Goolmangar Rural Fire Brigade \$1,950
To lay a concrete driveway into the station to prevent mud being carried into the station in wet weather.
7. Rekindling The Spirit \$2,200
To run a 3 day canoeing course for indigenous adolescent boys at the Nymboida Canoe Centre. These boys have come in contact with the criminal justice system or at risk of it. The course will instil a sense of responsibility and teamwork as well as having positive male role models supporting and encouraging them. It is said that it would go a long way towards reconciliation for the boys to know that they have the support of the council.
8. Larnook Rural Fire Brigade \$2,200
To lay a concrete slab for the existing annex by the fire station. This slab would give the fire station an added bay of 4.5m x 10m. that can eventually be enclosed as more money becomes available. The total cost is \$2,604.43. The group will make up the difference.
9. Bexhill P&C Association \$2,200
Purchase new play equipment for the school.
10. Shared Vision Aboriginal Corporation Northern Rivers Aboriginal Women's Group \$2,000
A yarn up about safety & rights for Aboriginal Women. This will be held in October in conjunction with Reclaim the Night. It is time to motivate Aboriginal women to think differently about the healing path from violence.

It is recommended that Councillors vote for three of these projects for the full amount to a maximum of \$6,723 and hold any remaining funds over to meet unexpected requests for Community Donations, to a maximum of \$200 each, for the remainder of this financial year.

Manager - Finance & Administration Comments

Public Consultations

N/A

Other Group Comments

N/A

Author's Response to Comments from Other Staff

N/A

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Miscellaneous S356 Community Donations

Recommendation (COR06)

1. That the 2003/2004 miscellaneous Section 356 donations be provided to the following fourteen (14) projects:-

1. Crossroads	\$1,232
2. Goonellabah Soccer Committee	\$2,200
3. Lismore Children's Contact Centre	\$2,000
4. Realising Every Dream (RED)	\$2,000
5. Richmond River Historical Society	\$1,200
6. Northern Rivers Wildlife Carers Inc.	\$1,580
7. Bentley Rural Fire Brigade	\$2,200
8. Lismore Headquarters Rural Fire Brigade	\$1,700
9. Goonellabah Senior Citizens	\$1,500
10. Lismore Rugby Club (Union)	\$2,000
11. Deaf & Hearing Impaired Student's Annual Camp	\$ 850
12. Lismore Musical Festival Society	\$2,200
13. City Lights Tennis Club	\$1,565
14. Clunes Rural Fire Brigade	\$1,550

2. That Councillors vote for three of the following ten (10) projects to an amount no more than \$6,723:

1. Richmond Valley Care-Ring Association Inc.	\$1,920
2. Tullera Rural Fire Service	\$1,875
3. Goobah Goobah Koori Theatre Company Aboriginal Corp.	\$2,200
4. Blue Knob Rural Fire Service	\$2,200
5. Women Up North Housing Inc	\$2,200
6. Goolmangar Rural Fire Brigade	\$1,950
7. Rekindling The Spirit	\$2,200
8. Larnook Rural Fire Brigade	\$2,200
9. Bexhill P&C Association	\$2,200
10. Shared Vision Aboriginal Corporation Northern Rivers Aboriginal Women's Group	\$2,000

3. That any remaining funds be held over to meet unexpected requests for Community Donations, to a maximum of \$200 each, for the remainder of this financial year.

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Miscellaneous S356 Community Donations

Voting Sheet

Councillor's Name:.....

Please place a tick beside three (3) projects you choose for funding and return this sheet to Group Manager, Corporate & Community Services, Col Cooper at the Council meeting.

Name of Group	Amount Requested	Tick the box for the 3 you would like funded
1. Richmond Valley Care-Ring Association Inc.	\$1,920	
2. Tullera Rural Fire Service	\$1,875	
3. Goobah Goobah Koori Theatre Company Aboriginal Corp	\$2,200	
4. Blue Knob Rural Fire Service	\$2,200	
5. Women Up North Housing Inc	\$2,200	
6. Goolmangar Rural Fire Brigade	\$1,950	
7. Rekindling The Spirit	\$2,200	
8. Larnook Rural Fire Brigade	\$2,200	
9. Bexhill P&C Association	\$2,200	
10. Shared Vision Aboriginal Corporation Northern Rivers Aboriginal Women's Group	\$2,000	

Subject/File No: PEACE PARK, NIMBIN
(P16044)

Prepared By: Administrative Services Manager, Graeme Wilson

Reason: Request by Nimbin Community Development Association

Objective: To ensure the development of the Nimbin Skate Park

Management Plan Activity: Parks and Recreation

Background:

The Nimbin Community Development Association has sought to provide for the youth of Nimbin a Skate Park on a portion of Peace Park leased to the NCDA by Council.

To this end the NCDA has submitted to Council and had approved the necessary Development Application and Construction Certificate. Work has commenced on the project.

As with many community groups, an issue has now arisen with respect to obtaining public liability insurance. In short the premiums sought were exorbitant and outside the capacity of the NCDA to pay.

Proposal

Discussions were then commenced between the NCDA and Council to see how the NCDA could provide this facility to the community but avoid the public liability impost.

Following lengthy discussion between NCDA and Council staff, it appears the best solution to this problem, subject to Council approval, is as follows:

- 1) The lease pertaining to Peace Park is surrendered and the tenure of the park returns to Council.
- 2) Simultaneously, the Deed of Agreement between Council and the NCDA is also amended to detail the altered lease, ownership arrangements and the various responsibilities of each organisation.
- 3) A Section 355 Committee is formed to have overall management and responsibility of Peace Park. This Committee effectively operates as a management arm of Lismore City Council and as such is bound by Council's normal operating procedures and policies. The Committee can contract out operational and day to day maintenance activities at the park and must satisfy itself that any contractors engaged to undertake any role or work at the park carry appropriate and adequate insurance.

The make up of this Committee may include members of the NCDA as individuals, but cannot compromise the NCDA as an organisation. Membership of such committees is open to all members of the public and approved by Council.

- 4) The Deed of Agreement between Council and the NCDA is formally amended to reflect the new roles of each organisation in the development and operation of Peace Park. The Deed should also detail the continued repayments for the site and the future tenure proposals. It should be noted that the NCDA is due to own this site within five years.

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Peace Park, Nimbin

Considerations

- * It should be noted that the formation of the 355 committee is a mechanism to avoid public liability costs for the NCDA rather than to engage a broad cross section of the community in the management of the Skate Park.
- * The "ownership" of the Skate Park will have no adverse impact upon the premiums paid by Council.
- * Given recent changes to legislation and provided proper inspection and maintenance programs are carried out any future claims should be able to be successfully defended by Council.
- * Skate Parks attract a low rate of claims and no claim mounted through the courts against Council's with skate parks has been successful.
- * Should the recent changes to legislation prove successful it is expected that "all things being equal" premiums should decline in three to four years.
- * The NCDA has identified / proposed an inspection and maintenance program for the facility which is acceptable to Council.
- * This situation, whereby Council owns the land, but is selling it to the NCDA (whilst they occupy it) is relatively unique and should not create a precedent with respect to other community organisations.

Manager - Finance & Administration Comments

From a financial perspective, this proposal has minimal impact on Council as the agreement to be developed will basically require NCDA to continue to maintain and develop Peace Park, but to the satisfaction of the S355 Committee.

It is important to note that this committee will have a 'sunset' provision being when ownership Peace Park is transferred to NCDA. This is expected in 2008.

Public Consultations

None required.

Other Group Comments

Manager Special Projects and Properties

The Nimbin Skate Park clearly has a significant community benefit and the Nimbin Community Development Association are to be commended for the initiative. If this facility is causing them difficulties Council should endeavour to assist.

The proposal outlined in this report has been reviewed by Councils solicitors, from a property perspective, and it is not seen as being detrimental to Council.

The proposal should be supported.

Manager Community Services

The provision of recreation facilities that cater to the needs of youth as well as the larger population is essential for Nimbin. It is very unfortunate that the ongoing issue of public liability has limited so many community groups and their associated activities, and is highlighted in this particular instance. The proposed solution to this problem by way of the formation of a Section 355 committee is fully supported by Community Services.

Manager Parks & Recreation

No doubt the Skate Park is a much needed facility for Nimbin and its youth and it is unfortunate that the public liability crisis has hampered the project. The proposal as outlined would appear to have no adverse effect on Council's insurance situation and given that the NCDA have worked with Parks & Recreation staff in drafting up inspection and maintenance schedules I suggest it is unlikely to compromise Council's insurance situation in the future. I support the proposal to bring the facility under Council ownership with the NCDA managing the facility under the auspices of a 355 committee.

Author's Response to Comments from Other Staff

Not required.

Recommendation (COR05)

- 1 That Council form a Section 355 Committee for the control and management of the Skate Park in Peace Park, Nimbin and call for nominations to that Committee.
- 2 That the Deed of Agreement, lease and Management Plan between Council and the NCDA be altered to reflect the formation of the Section 355 committee.
- 3 That the General Manager be authorised to affix the Common seal of Council to the necessary document to comply with recommendations 1 and 2.
- 4 That Council review the operation and/or requirements for a S355 Committee in 2008 when the NCDA has fully repaid its loan to LCC.

Subject/File No: CARPARKING
(LW/LM: P10379)

Prepared By: Manager-Special Projects & Properties, Lindsay Walker

Reason: To advise Council of opportunity to provide additional carparking off Woodlark Street.

Objective: To obtain Council resolution to proceed with purchase.

Management Plan Activity: Roads – Urban, Rural and Regional Roads

Background:

Council continues to seek opportunities to provide additional carparking on sites in close proximity to or within the CBD. This is in recognition that continued upgrading of beautification of the CBD inevitably leads to small losses of existing carparking sites.

New sites that are suitable for carparking usage in close proximity to the CBD are rare as most lots currently have the benefit of existing buildings.

Council's proposed S94 Contributions Plan has, as a basis for the adoption of its contributions, taken a sample of construction costs and relative carspace yields for four sites in the CBD. These calculations, when averaged over the sample, have determined that 28.6m² is required for each carspace provided and that the cost (including land value) for the space is \$14,067.

Given the above knowledge Council has negotiated with PG Motors for the Nissan car sales yard located on the northern side of Woodlark Street, adjacent to Denny's Upholsterers. This site has an area of 927m² and adjoins the existing John Crowther Carpark. It will, in addition to the carspaces created, provide a valuable access to this carpark from Woodlark Street.

From the S94 calculations the site will provide 32 additional carspaces and would be valued at \$450,144.00 when fully developed.

The site does need sealing and line marking. These costs are also set out in the S94 calculations and on average cost \$2,657 per carspace. For this site this would equate to \$85,040.00.

From the above costs it can be seen that the undeveloped value of the lot to Council, based on previous S94 calculations, would be \$365,104.00. Council has negotiated a purchase price of \$355,000.00 + GST.

Manager - Finance & Administration Comments

Based on the information provided, the cost to purchase and develop this site is estimated to be \$440,000. Initially, it is proposed to fund the purchase from a combination of Section 94 carparking levies and future sale of industrial/residential land. Development of the site should only proceed if sufficient funds are available.

In regards to the Section 94 carparking levies, it was planned to use \$200,000 of these funds to meet part of our contribution towards the Lismore Levee Scheme. These funds will now need to be resourced from loan funds. As for sales of industrial/residential land, it is anticipated that most of the 'conditional' sales on the books at the moment will materialise within the next three to six months.

Carparking

Public Consultations

Not required.

Other Group Comments

Group Manager-City Works

This is an excellent proposal. It is recommended that Council proceed with the land purchase and development as soon as possible.

Author's Response to comments from other staff

Noted.

Conclusion

The site is one of the rare vacant land parcels which are available in the CBD. It adjoins one of Council's existing large carparking areas and provides an opportunity to access this carpark from Woodlark Street and so lessen the traffic burden on the Dawson Street entry/exit.

In addition to the carparking opportunities the site has further potential to be used as first floor commercial space if an elevated building was ever constructed in the future. Such a building would not prejudice the ground floor carparking usage of the site.

Recommendation (COR9)

- 1 Council acquire Lot 32 in DP 622328, being 126 Woodlark Street, Lismore, the lot being purchased for carparking.
- 2 The General Manager and Mayor be authorised to sign and apply the common seal of the Council to the contract for the sale of the property and transfer documents as necessary.
3. Council resolve pursuant to Clause 31(2) and Clause 34 of the Local Government Act 1993, as amended, that the land the subject of this report be classified as 'Operational Land'.

Subject/File No: APPLICATION FOR CLOSURE OF COUNCIL PUBLIC ROAD – INDUSTRIAL SUBDIVISION, GOONELLABAH (LW:TMI:P18116)

Prepared By: Manager Special Projects and Properties, Lindsay Walker

Reason: To allow dedication of a discontinuity in Oliver Avenue, Goonellabah

Objective: To seek Council resolution

Management Plan Activity: Roads – Urban, Rural and Regional

Background:

Council has recently commenced the construction of the only unformed road section within its industrial subdivision at Goonellabah. When this work is completed Oliver Avenue will abut the western boundary of Lot 2 in Deposited Plan 620590.

Further to the north subdivision development has recommenced. This development previously dedicated the land which is to be Oliver Avenue and formed a section of said road.

Following negotiations between the landowner of Lot 2 in Deposited Plan 620590, the Crown and the staff, general agreement has been reached between all parties for;

- a) the closure of the unformed Crown Road which dissects Lot 2 in Deposited Plan 620590 in a north south direction and its transfer to the landowner; and
- b) the dedication of the required link between the two existing sections of Oliver Avenue.

The landowner and Crown have agreed to the above proposal under a proviso that Council cover all the administrative costs involved in the transaction.

Manager - Finance & Administration Comments

As this dedication is required to 'link' Oliver Avenue and the administrative costs, estimated to be approximately \$5,000, will be funded from the existing urban roads budget, the recommendations are supported.

Public Consultations

None required.

Other Group Comments

Group Manager – City Works

This is an excellent result.

Strategic Planner

Lot 2 DP 620590 is identified in the Lismore Urban Strategy as having potential for urban development. The recommendation is supported as the continuation of Oliver Avenue along the proposed alignment will provide better access to the land and closure of the unformed Crown road reserve will facilitate a better future subdivision pattern.

Author's Response to Comments from Other Staff

Noted.

Conclusion

Under normal circumstances an unformed road closure would vest in the Crown. In this case, the Crown has allowed Council to effectively keep the closed road and use same in the negotiation with the landowner.

The landowner has sought no monetary contribution from Council for the dedication of Oliver Road through their property, provided they receive the unformed road closure. In addition Council will be allowed to source fill material from the road corridor at no cost, should this report be adopted.

Recommendation (GM01)

1. That the application to close the unformed crown road through Lot 2 in Deposited Plan 620590 (as shown in the attached plan) be endorsed by Council and lodged with the Department of Lands for adoption and gazettal as Council land if approved.
2. Council transfer the abovementioned closed road to the landowner of the adjoining land, being Lot 2 in Deposited Plan 620590 as compensation for the dedication of the land required for the extension of Oliver Avenue.
3. All costs associated with the road closure and dedication as set out in this report be born by Council.
4. That the General Manager and Mayor be authorised to sign and affix the Council seal to land transfer documents and plans of survey as may be necessary to expedite this resolution.

Subject/File No: ANNUAL POLICY REVIEW
(GW/LM: S9)

Prepared By: Administrative Services Manager, Graeme Wilson

Reason: Council policy

Objective: To ensure all policies are relevant

Management Plan Activity: Administration

Introduction:

In accordance with Council's policy, a review has been conducted of Councils Policies to see if they are still relevant or require modification / deletion.

To save paper, the full policies have not been reproduced in the report. Councillors are requested to use their Policy Register in conjunction with this report.

The comment on the policies have been provided by the sections impacted by the policies.

Please note that only policies which staff are recommending be changed or deleted are included in the report.

Changes

Human Resources

1.6.1 Quality Policy Statement

Comment: *The second paragraph to be amended to read:*

*To ensure Council's customers receive service and advice in a fair, reliable and efficient manner, Council will **adopt best practice methods and operate a quality system.** This will feature:*

- ***Delivering consistently high standards of customer service in accordance with our customer service charter***
- *Adopt a 'right first time' attitude to each and every activity carried out by every staff member in Council.*
- *Building a sense of quality into management practices and systems*
- ***Demonstrating an ongoing commitment to identifying and introducing improvements to the way we work.***
- *Using a team approach to work.*

1.6.2 Staff exchange programme – LCC and Yamato Takada

Comment: *Under the title Assessment, Number 2, an additional bullet is to be included as follows:*

- ***There is no detriment to Council with the employee participating in this program.***

City Works

1.8.2 Access to battle axe type subdivisions

Comment: *Item 1 to be replaced with the following:*

Where land is landlocked by other developments it may be developed providing that the minimum width of the shaft for access to the block is:-

Urban Area

1 Lot **5m**
2 or more lots adjoining **each 3m**

Rural Residential

1 Lot **10m**
2 or more lots adjoining **each 5m**

*Urban – Medium Density
(i.e. 3 or more residential units)* **8m**

Rural Holdings **20m**

Item 2,3,4,5 to remain unchanged.

1.8.5 Undergrounding of power lines – central business district

Comment: *Electricity supplier name in Item 1 to be changed from NorthPower to Country Energy.*

1.8.6 Undergrounding of telephone plan in subdivisions

Comment: *Item 2 to be replaced with the following:*

Joint use of trenches with electricity or water pipes shall be encouraged to reduce excavation costs.

Item 1 to remain unchanged.

1.8.12 Provision of gutter crossings

Comment: *Item 3 to be replaced with the following:*

Where a new vehicular access is required (none having existed previously) the owner shall construct at own cost to Council's standard.

1.8.14 Maintenance of rural roads

Comment: *To be replaced with the following:*

Council shall maintain only the roads named and detailed on Council's road register.

1.8.16 Maintenance of Council-owned sealed roads

Comment: *This policy should be deleted. It has been superseded by the points system developed by the "Roads Advisory Committee".*

1.8.17 Local roads maintenance

Comment: *To be replaced with the following:*

1. **Gravel Roads**

(a) *Grade Class (a) roads **twice** per year.*

(b) *Grade Class (b) and (c) roads **once per** year.*

(c) *In the event of flooding -*

Work to achieve minimum access be carried out immediately after the flood.

No further work to be carried out until –

- i) formal notification of flood grants are available and likely amounts of funds indicated; or*
- ii) Council approves additional funding.*

In the event of prolonged wet weather -

- i) Council endeavour to supply minimum access within budgetary constraints; and*
- ii) No additional work be carried out*

1.8.19 Cul-de-sacs – Requirement for public pathway

Comment: *To be replaced with the following:*

Requirement for pathways within public reserves

Where a public reserve fronts a roadway a 2m wide footpath shall be constructed from the roadway, through the public reserve, to an adjoining roadway or pathway.

1.8.21 Maintenance to vehicular accesses on council-owned land

Comment: *This policy should be deleted.*

10.9.1 Broadwater Ferry

Comment: *This policy should be deleted. The Ferry was replaced by Broadwater Bridge.*

Business and Enterprise

3.1.10 War Graves Commission Plaques

Comment: *Function –should read **Business and Enterprise, Activity – should read Lismore Memorial Gardens, Section Responsible – should read Lismore Memorial Gardens.***

6.1.3 Water and Sewerage Supply Availability (Sunset Clause)

Comment: *This policy should be deleted.*

Planning Services

5.2.2 Development Assessment Panel – Function and Modus Operandi

Comment: *Under Constitution (1) reduce membership from 7 to 6, deleting professional from General Manager's Group (due to disbandment of Client Services Section).*

5.2.3 Condition of consent for exhibition homes

Comment: *As exhibition homes are no longer developed, this policy should be deleted.*

5.2.9 Car parking with long standing unapproved developments

Comment: *Describes past situations only, this policy should be deleted.*

5.2.11 Compliance of Development Consents with North Coast REP

Comment: *This policy was to have been deleted previously, as it states the obvious. This policy should be deleted.*

5.2.12 Carrington Mall – Construction over the Lanes

Comment: *This policy should be deleted as it describes common sense common practice.*

5.2.13 Environmental Assessment of Council activities under Part 5 EPA Act

Comment: *This should be a Procedure rather than a Policy; it provides useful 'plain english' procedure of convoluted Part 5 process. Accordingly it is recommended that this Policy be deleted and incorporated in the Procedures Manual.*

5.2.14 Filling of land in South Lismore

Comment: *This policy should be deleted as it is superseded by the Floodplain Risk Management Plan.*

5.2.17 Scale models of buildings

Comment: *This policy should be deleted.*

5.2.19 Plans of Management – Post development consent

Comment: *This policy should be deleted.*

5.2.22 Covenants

Comment: *This policy should be deleted.*

5.2.25 Levy on properties to fill land

Comment: *This policy should be deleted. The policy has been superseded, and is now illegal.*

5.3.2 Ets for B & Bs

Comment: *This information is contained in the S94 Plan and should therefore be deleted from Policies.*

Corporate and Community Services

8.6.1 Swimming Pools – Future Siting

Comment: *This policy should be deleted.*

11.3.1 Council Operational Land

Comment: *This policy should be deleted.*

Health and Building

9.1.1 Fences and screen walls

Comment: *Insertion of new point, point three, under the heading PLEASE NOTE. Point 3 to read:*

3. *Be consistent with the streetscape themes in conservation areas.*

Manager - Finance & Administration Comments

Not required.

Public Consultations

Not required.

Other Group Comments

Not required.

Author's Response to Comments from Other Staff

None.

Recommendation (CCS01)

1. That the following policies be deleted.
1.8.16, 1.8.21, 5.2.3, 5.2.9, 5.2.11, 5.2.12, 5.2.13, 5.2.14, 5.2.17, 5.2.19, 5.2.22, 5.2.25, 5.3.2, 6.1.3, 8.6.1, 10.9.1 and 11.3.1.
2. That the following policies be changed as detailed within the report.
1.6.1, 1.6.2, 1.8.2, 1.8.5, 1.8.6, 1.8.12, 1.8.14, 1.8.17, 1.8.19, 3.1.10, 5.2.2 and 9.1.1.

Subject/File No: WYRALLAH ROAD WASTE FACILITY
(P/25041)

Prepared By: Kieran Wade – Manager Northern Rivers Waste

Reason: To inform Council on current level of reduction of waste to Wyrallah Road landfill, advise of new State waste reduction targets and recommend strategies to meet those targets.

Objective: To reduce waste to landfill in compliance with Resource NSW 'Waste Avoidance & Resource Recovery Strategy' targets.

Management Plan Activity: Northern Rivers Waste

Background:

The Waste Minimisation and Management Act 1995, required Councils to reduce waste to landfill by 60% per capita by the year 2000, based upon 1990 waste tonnages.

Lismore City Council (LCC) disposed of 20,268 tonnes of waste to landfill in the year 2001/2. This is a reduction of 54% based on 1990 tonnage figures, or 468 Kgs/person/pa disposed by every person in Lismore Local Government area (based on ABS 2001 census population of 41,883). However, for Council to achieve a 60% diversion rate would require a reduction to 406 Kgs/person/pa, or 17,551 tonnes pa.

Council has reduced waste from the domestic waste stream by over 60% (based on 1990 figures). The November 2002 waste audit shows that in the domestic sector on average, 57% (10kg) of material is placed in the organics bin, compared to 43% (7kg) in the waste bin. In addition, all levy payers on average deposit 2.3kg per week of material at the recycling drop off centres.

However, last year (2002/3) Council disposed of 22,202 tonnes, which is an increase of 1,934 tonnes (9.54%) on 2001/2 disposal figures, due to a 23% increase in Commercial and Industrial (C & I) waste.

In 2001/2 Council received over 7,087 tonnes of C & I waste. In 2002/3 C & I to landfill was 9,237 tonnes, which is an increase of over 2,150 tonnes on 2001/2 figures. C & I waste now comprises 41% of all waste to landfill.

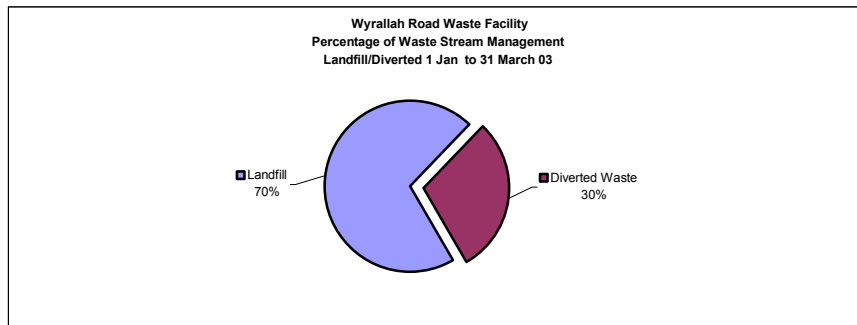
LCC achieved significant reductions of waste to landfill last year in all sectors, excluding C & I. ***If C & I waste to landfill continues to increase by 23% per annum, Wyrallah Road Waste Facility (WRWF) has approximately eight years of life remaining.***

With the exception of some businesses in Lismore who have an Integrated Waste Service, few waste reduction incentives for businesses mean that large volumes of C & I waste disposed to landfill results in an overall diversion from landfill rate of just 30% in Lismore. C & I users of the landfill have generally not shown any reduction in waste disposal, based on 1990 figures. (However, few landfills outside major metropolitan areas had weighbridges in 1990 and there is little information on the split between domestic and commercial waste available for 1990. The base figure (1990) used for calculating the 60% reduction target, is based on a NSW EPA estimated average of 1.017 tonnes/capita/annum).

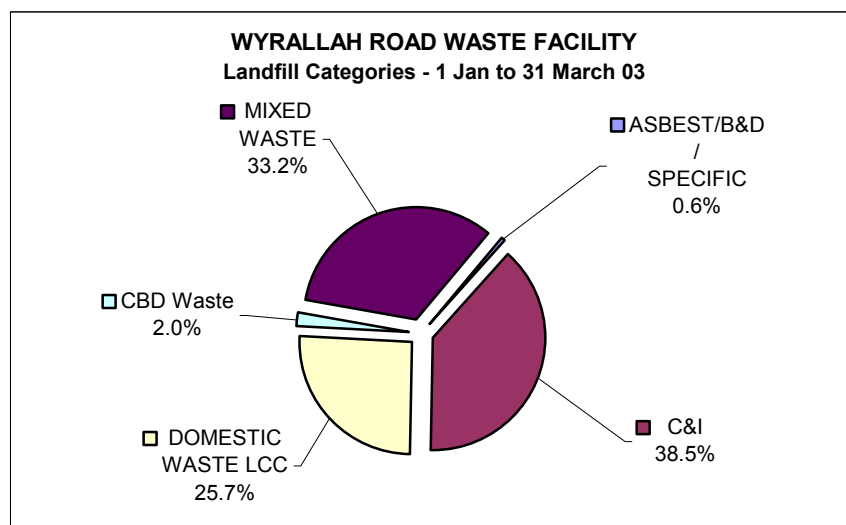
LISMORE CITY COUNCIL - Meeting held August 12, 2003

Wyrallah Road Waste Facility

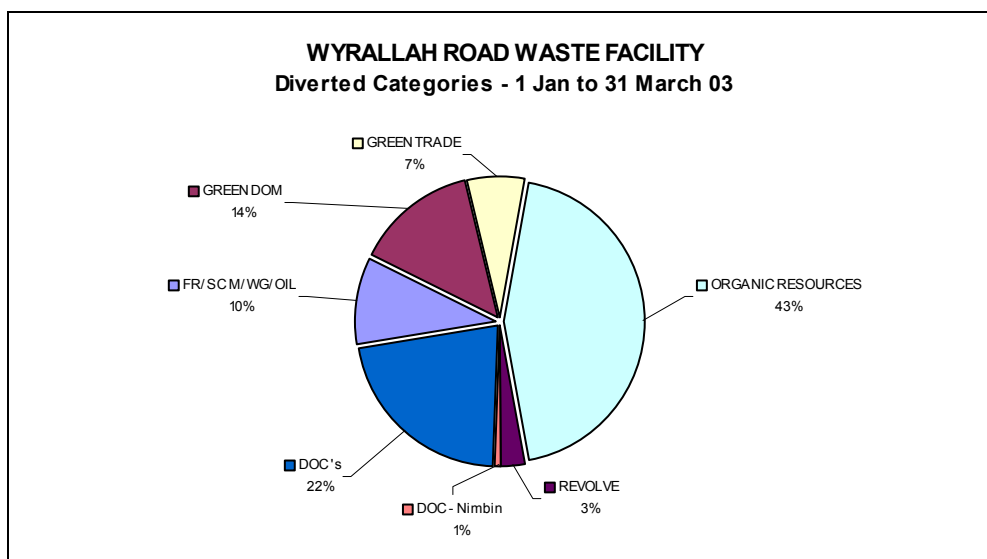
The following graph shows the percentage of the overall waste stream diverted from landfill in Lismore:



The following graph shows the breakdown of material land filled at WRWF:



Of the 30% of waste currently diverted from landfill (giving an overall reduction of 54% based on 1990 figures), the following graph illustrates where this material is diverted.



Note: FR/SC M/WG/OIL is fridges, scrap metal, white goods and oil.

- **Recent Developments in State Waste Reduction Targets**

In 2002 the State Government formed a new State-wide department called Resource NSW, to develop and implement the 'NSW Waste Avoidance and Resource Recovery Strategy 2003,' (WA&RRS) replacing the Waste Boards for the Sydney, Newcastle and Illawarra areas.

The Strategy identifies four areas where Council must achieve outcomes:

1. Avoiding and preventing waste;
2. Increasing use of renewal and recovered materials;
3. Reducing toxicity in products and materials; and
4. Reducing litter and illegal dumping.

Resource NSW requires waste target levels to hold at present generation levels for the next five years (based on 2000 figures). This means that in five years time, Lismore should be aiming not to generate any more waste than 22,000 tonnes per year, (2000 tonnage figure), index linked to economic development, based on a projected economic growth rate of around 2.5% per year.

In addition, the WA&RRS states that recovery levels will need to increase in accordance with the following targets by the year 2014.

Stream	Current Resource Recovery	Aggressive scenario recovery
Municipal	26%	66%
Commercial	28%	63%
Construction	65%	76%

- **NRW Response to Recent Developments in State Waste Reduction Targets**

A visual audit of business waste in 2001, showed that 58% of waste delivered to landfill was organic waste, and a further 39%, recyclable materials. To achieve the new State waste reduction targets, Council will need to implement incentives for C & I waste customers to reduce waste disposed to landfill, for example: increased weighbridge charges for unsorted loads, and conversely, lower gate fees for loads that have been pre-sorted to remove organics and recyclables.

Manager - Finance & Administration Comments

Nil.

Public Consultations

Implementation of an incentive charging structure to encourage recycling in the C & I sector will be backed up by an educational support and information program for businesses, to assist them to develop and implement waste reduction plans.

Waste Minimisation Officer's Comments

The need to reduce C & I waste has been identified in LCC's Integrated Waste Minimisation and Management Strategy. A total of \$18,000 from the environment protection charge is committed under the 3-year action plan for 2003/4, towards three major programs aimed at reducing business waste under the 'Rainbow Region Business Waste Project'. The four parts to the program are as follows:

Wyrallah Road Waste Facility

- Study of what constitutes best practice waste reduction for local businesses contributing the highest volumes of waste to WRWF;
- Promotion of a free waste reduction advice service for local industry and businesses, including workshops and seminars; and
- Implementation of the Rainbow Region Reward Program, to encourage local industry and businesses to progress through the stages of developing and implementing a waste reduction plan under the guidance of LCC's Waste Minimisation team.

In addition, Waste Minimisation supports the implementation of a two tiers charging structure at the weighbridge to encourage waste diversion practices.

Other Group Comments

Nil.

Author's Response to Comments from Other Staff

Nil.

Conclusion

The benefits of waste reduction to landfill have been clearly stated in previous reports to Council, and they include:

- Reduction in monitoring costs and 'aftercare' costs through reducing organic waste to landfill;
- Extending the life of the landfill and avoiding expensive set up costs to commission a new site;
- Delivering value for money for the community in 'closing the loop' by diverting waste into useful product;
- Creation of jobs in the recycling industry; and
- Encouraging good environmental behaviour in the community (recycling is recognised as a powerful impetus for positive change in behaviour).

Achievement of more than a 60% diversion rate from landfill in the domestic sector is a result of the commitment by LCC of waste reduction effort in this area. However, achieving new waste reduction targets set by Resource NSW will require LCC to focus now on C & I waste as a priority and implement incentives to achieve measurable waste reduction outcomes in this sector.

Recommendation (ENT06)

1. Council develop new strategies to increase diversion rates for Commercial and Industrial waste delivered to the WRWF. These strategies to be reported to Council as part of the 2004-05 budget process to commence in the financial year commencing July 1, 2004.
2. Staff of Council to consult with key waste industry stakeholders in the interim, to assess all potential strategies that can be implemented.

LISMORE CITY COUNCIL - Meeting held August 12, 2003

Subject/File No: 2003 ANNUAL LOCAL GOVERNMENT ASSOCIATION CONFERENCE (S569)

Prepared By: Administrative Services Manager, Graeme Wilson

Reason: Need for Council authorisation

Objective: To determine delegates/observers and motions

Management Plan Activity: Councillors

Background:

The 2003 Annual LGA Conference will be held in Albury from November 9 – 12, 2003. This is the prime policy making forum of the Association and it is in Council's interest to be represented.

Councillors should also note that the Sister City Conference will be held in Orange November 9 - 11.

Delegates / Observers

Council is entitled to send 3 voting delegates and as many observers as it requires. Council policy No.1.2.1 states that *"The Mayor and General Manager shall, where practicable, attend the annual conference of the Local Government Association (NSW), with Council resolving each year the number of additional delegates/observers that will attend."*

Council will also be represented by Councillors Gallen and Irwin (Association Executive). Council will need to determine at this meeting its voting delegates and observers.

Motions for the Conference

Information on motions for the conference has been previously circulated to councillors. Should possible motions be submitted, they will be circulated as soon as possible. This will again need to be determined at this meeting.

Manager – Finance & Administration Comments

Not requested.

Public Consultations

Not requested.

Other Group Comments

Not requested.

Author's Response to Comments from Other Staff

Not requested.

Recommendation (COR07)

That the Mayor and Councillors _____ and _____ attend the conference as voting delegates, with the General Manager and Councillor(s) _____ attending as observers.

Subject/File No: MANAGEMENT PLAN REVIEW 2002-2003 –JUNE QUARTER 2003

Prepared By: General Manager

Reason: Requirement of the Act

Objective: Information and Annotation of Councillors

Management Plan Activity: General Manager

Background:

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

This report includes information that relates to the performance of programmes and activities highlighted in the Plan for completion during the quarter ended June 2003.

Recommendation:

That the report be received and its contents noted.

GROUP: GENERAL MANAGERS'
Management Plan Review
Period ending June 2003

Review of exceptional items across each functional area of the General Managers' Group

Communications and Community Relations

- **Communications Strategy** – progressive implementation, including:-
 - Proactive media planning and discussion with staff in over thirty (30) issues, e.g Molesworth St, CitySafe programme, budget, pool redesign.
 - Published *Community Link Apr/May* to residents.
 - Wrote crisis communication procedure for Council.
 - Oversaw new rates notice graphic design.
- **Internet** – Published Winter iteration of website and co-ordinated continued improvement of Internet. New pages added on Library opening, Councillor pages.
 - Completed yearly content review for accuracy.
 - Staff training for new content management system.
- **Community Relations** –
 - Organised the inaugural community attitudes survey, utilising researchers from the SCU.
 - Initial planning, Local Government Week.
 - Initial Planning, Show.
 - Oversaw development of new 'CitySafe' CBD newsletter.
- **Issue management** – maintained daily pro-active media schedule, including maintenance of positive media profile on issues and exceptionally high media coverage of events (greater than 98%)
- **Statutory** – Published 03-04 Management Plan.
- **Internal** – promoted staff awards through organised award entries.
 - Presented communication planning seminar for all managers and programme owners for 03/04
- **Customer Service** – continued to develop a 'Customer Service Charter' and progressively implement customer service enhancements (through the Abraxa Review)
 - Development of guidelines for 'plain English' correspondence for staff.

Special Projects and Properties

- Oversee the dismantling of Client Services and the redeployment of staff.
- Organise and coordinate staff movements within administration building to allow Human Resources to relocate.
- Continue to assist Business and Enterprise with the design and construction of a leachate treatment system at the Lismore Waste Facility.
- Finalise a settlement of the Steltech legal case.
- Finalise the refurbishment of the new Library in Magellan Street.
- Continue to work with the levee committee to ensure that the riverbank and parklands areas are completed to the highest possible standard.
- Oversee the refurbishment of Councils CBD Centre.
- Take leadership role in Memorial Baths Project following Councils decision of May
- Oversee and coordinate land valuations and classifications for Council property.
- Support Airport land rezoning reports.

Human Resources

- Consulted with staff on the development of Council's Employee Health & Fitness Program
- Prepared documentation for health providers including Consultant Doctor service to better manage workplace injuries and other health and welfare issues
- Provided seminars for managers, supervisors and team leaders on legislative changes to Workers Compensation and Safety and implications for Council
- Human Resources Information System (HRIS) approved in Budget and Project Plan and consultation in place
- Facilitated the General Manager's review of Client Services and consultation process
- Developed in conjunction with the General Manager the staffing plan for the CBD Centre and consultation process
- Assisted with establishing Men's Program for welfare and stress management activities for male staff
- Assisted Working Party to review Council's Skills Assessment Procedure for the 2003 assessment round
- Successfully relocated Human Resources Section to Level 1 of the Administration Building
- Revised Council's system for recognition of staff service and achievements

Workshop , Fleet Management and Sign Shop

- 1 new Sales / Stockpile Loader delivered to LCC workshop for quarry operations (V212). Induction of all operators and workshop personnel completed.
- Purchase & delivery to LCC Workshop of replacement and additional plant items which include
 - RFS utilities (V807 & V814).
 - Roadworks motorised towed road broom.
 - 2 x Landcruiser utilities (Lismore Water & Workshop)
 - Ford Transit Van (Lismore Water)
 - John Deere Ride-on Mower (Nimbin Water/Sewer)
- Maintenance and repair of all LCC fleet – *Ongoing*.
- Delivery is continuing for the replacement of the majority (75%) of the car fleet from 'Fleet Leasing' companies as per the decision of MGM – *Ongoing*.
- Banners and signs for Norpa, Musica-Viva, Waste Facility, etc.
- Replacement of vandal damaged signs.
- Replacement of road signs damaged from Motor Vehicle Accidents.
- Signs for Council departments as requested.
- New signs for private customers as requested.
- New sign/letter cutting machine ordered and delivered, now able to cut lettering down to 10mm tall.

Economic Development / Tourism

- Participated in the Brisbane Camping and Caravan Show and also Brisbane Holiday and Snow Show as trade promotions for our tourism industry
- John Campbell Communications and Marketing - rolling out tourism promotion campaign including new collateral and advertising in Brisbane News
- Increase of 12% in visitor numbers through the Visitor Information Centre for the March-June period as compared to last year.
- Tourism NSW's Board visited Lismore for one of their regional Board Meetings
- Continued to build the strength of the Visitor Services Groups - Accommodation providers, restaurants etc
- National Parks and Wildlife Sign installed at Visitor Information Centre
- Lismore Private Hospital announced and development application lodged
- Feasibility Study for Lismore-Byron Visitor Information Services - declined by Byron Shire Council
- Masters Games marketing proving very successful with significant bookings coming through much earlier than previous events
- Lismore Heritage Motel proceeding
- Various media familiarisation tours: Courier Mail, The Great Outdoors, Lesbians on the Loose
- Supported the Rural Lands Protection Board Conference, Australian Bureau of Agricultural and Research Economics (ABARE) Regional Outlook Conference and Motor Traders Association awards night
- Ms Margot Sweeny (CEO Summerland Credit Union) appointed Chair of the Lismore Economic Development Advisory Board following the resignation of Simon Irwin and Cr Tomlinson appointed as Chair of Lismore Tourism Advisory Panel following resignation of Ros Derrett

GROUP: CORPORATE & COMMUNITY SERVICES

Management Plan Review

Period ending June 2003

Review of exceptional items across each functional area of the Corporate and Community Services Group.

Community Services

- *Child Care Centres* – a new five year (2002/03 to 2007/08) strategic plan has been prepared and will be considered at this meeting, carpark and driveway of Gingerbread re-sealed, new Co-Ordinator of After School Hours Care commenced in March and has undertaken a total review of existing procedures, operating practices, reporting etc. with numbers now averaging 37 per week, being a significant increase.
- *Art Gallery* – new Assistant Director commenced in April, new curatorial committee established with broad professional representation to select and approve the 2004 and 2005 exhibition program.
- *Art in the Heart Precinct* – the library has been open since mid March and library staff have reported a marked increase in visitations, with feedback overwhelmingly positive. A consultancy brief for the preparation of a Master Plan for the precinct has been finalised, endorsed and advertised, closing 27/8/03.
- *Community Safety/ Crime Prevention* – new Community Safety Committee held its first meeting on May 20th and they approved the Terms of Reference. The Attorney General's Department has extended the endorsement of the Community Safety/Crime Prevention Plan for a further year, which will enable submission of specific project grant applications.
- *Youth Activities and Aboriginal Community Development* – Youth week was celebrated at the PCYC during April with approx 300 young people attended the day-long event. The major focus for the Aboriginal Community Development Officer has been the preparation and planning of Reconciliation Week, which included a Sorry Day luncheon, attended by approx. 120 people and NAIDOC Week, which was held in early July.

Information Services

- *Management* - A major strategic planning exercise outlining Council's plans and intentions for current and future use of information systems and technologies was commenced and when complete will be submitted to Council for consideration.
- *Miscellaneous* – entered into a NSW Agreement for Microsoft Software (new licensing agreement for desktop software), software changes to CIVIL included Ad Hoc Report Writer, superannuation legislative changes, salary sacrifice enhancements, Post Bill Pay interface and spreadsheet upload module, networking and technology for Gundurimba building.
- *Records* – Records Manager resigned and recruitment commenced, destruction of documents in accordance with the Disposal Schedule.

Finance & Administration

- *2003/04 Management Plan, Budget, Fees and Charges* – following MGM endorsement and consideration by Councillors at a workshop in May, the management Plan etc was adopted by Council in June following the statutory consultative period.
- *Section 94 Review* – significant input and management of the review by the Manager of Finance & Administration, resulting in a vastly improved and enhanced Plan being now place on public display.
- *Special Business Rate Variation Levy* – a draft Memorandum of Understanding detailing the rationale, funding, outcomes and responsibilities etc. has been prepared for consideration by Lismore Unlimited. Considerable input/negotiation with affected ratepayers in relation to the proposed Nimbin business rate.
- *Payment Options* – agreement with Australia Post was finalised for the provision of payment facilities at all post offices and agencies for the payment of rates and water accounts.

GROUP: PLANNING AND DEVELOPMENT
Management Plan Review
Period ending June 2003

Review of exceptional items across each functional area - Planning and Development Group.

Planning Services

- **Urban Development Strategy:** Strategy reported to April meeting but due to rescission motion considered at May Council meeting. Strategy subsequently adopted by Council with amendments and submitted to PlanningNSW for endorsement.
- **Rural Housing Strategy:** Two rezoning proposals received to date are of poor quality and fail to meet objectives of Strategy, particularly regarding environmental enhancement and master planning. Strategic Planner to prepare guidelines for Master Plan preparation.

- **Review & update planning instruments:-**
- **Amendment No. 11- Goonellabah Medical Centre:** Goonellabah Medical Centre. Submitted to Minister for approval and gazettal, gazettal occurred 9 May. Consent for extensions to centre subsequently issued June.
- **Amendment 12: Review of land zoned 6(a) Recreation:** mapping prepared and advised to Government agencies before preparation of legal instrument. Lindsay Walker has engaged consultant to progress plan so that sale of Council properties can proceed.
- **Amendment No. 13- Implementation of Flood Plain Risk Management Plan:**
- Prepared for consultation with DLWC. DLWC did not respond to consultation so their agreement is assumed. To be reported to Council in next quarter.
- **Amendment 14- Annual General update:** legal instrument prepared for consultation purposes.
- **Amendment 15: Rezoning of land at Trinity Drive** in accordance with Urban Development Strategy – prepared for consultation with Government agencies

- **Koala Management Plan:** Estimates of costs of implementation obtained from relevant Section Managers prior to presenting re-drafted Plan to Steering Committee. Further analysis undertaken to identify options or staging to reduce costs. Report submitted to MGM costed implementation of 2000 KPoM, with options for reducing those costs. MGM endorsed low cost option being presented to Steering Committee and Council for endorsement for exhibition.

- **Villages Development Strategy:** Edit of existing document undertaken, placed on Council Web site.

- **Monitoring of Development Applications:** Average processing time/application for quarter 35.3 days (standard – 40 days). Number of public enquiries – April, 396; May, 548; June, 481.

Management Plan Review – Planning and Development Group: Period ending June 30, 2003

Environmental Health

- **Audit of Commercial Premises:** Risk Assessment Strategy has been established in accordance with Plan of Management. Commercial premises inspections in accordance with strategy will commence in September quarter.
- **Stormwater Management Strategy:** SEA project for region has been extended to December 2003. Stormwater Projects Officer Michael Hallinan is working on intermittent basis from Council.
- **Urban Drainage & Bushland Reserve Remediation and Education Project:** continuing to be implemented by Vanessa Tallon. Claude Riley Reserve, Windsor Court and Holmes Park at Goonellabah works programmes have been completed. Weed busters programme has also been completed with educational field days and community education being undertaken.
- **State of the Environment Report:** 2002/03 is supplementary reporting year. Year 2000 comprehensive report has been converted into electronic version by Steven Hill Productions and placed on Council's web page. Planning has commenced for comprehensive report due in November 2004.
- **Waterways monitoring:** Water monitoring for comprehensive report commenced in April 2002 has now been completed.
- **Sun Protection:** Nesbitt Park–(cricket shelters) to be constructed. Investigation of appropriate shade shelter at Riverview Park is to commence for this financial year. Construction of Skatepark sun shelter has been completed.
- **On-site Sewage Management:** Audit/Education programme continues. Council adopted revised on-site sewage management strategy in June. Workshops to demonstrate computer model to consultants and regional council staff subsequently conducted. On-Site inspection programme incorporated amnesty period which ended in May. Results of programme are to be evaluated and actions implemented in September quarter.
- **Contaminated Lands Policy:** has been developed and will be continually updated as properties are either confirmed to be contaminated or not contaminated. Risk assessment of properties on database to be investigated.
- **Resource Review/ Needs Analysis:** Assessment of Work Districts being monitored for workload distribution purposes.
- **Water Sensitive Urban Design (WSUD):** WSUD DCP is to be developed by December 03. Initial investigation is being undertaken.

Waste Minimisation Strategies

Actions Planned – Strategies and Programmes:-

- **Implement media plans for contamination management in organics stream**
 - Media releases and associated TV and radio interviews during April included major media campaign for open day at WRWF on 3 May. Media work included media release, newspaper advertising, radio ads, and two radio interviews. Major media campaign for contamination management in recycling stream (Drop Off Centres) ran during June. Campaign called 'Don't Skip The Skip', included bus shelter advertising, newspaper advertising and Birch, Carroll & Coyle Cinema advertising.
-

Management Plan Review – Planning and Development Group: Period ending June 30, 2003

- **Develop and implement schools waste education program ‘Resources On Tour’**
- During April and May program was fully booked. 260 students and 20 parents and teachers benefited from program during June. Feedback sheets indicate program was well received again and demand far exceeded spaces available.
- **Provide report each year on composition of waste, diversion rates and contamination status in Lismore:** final report of November 2002 waste audit was received from consultants ‘Full Circle Environmental Solutions’ in April and reviewed in May. Assessment of timing of audits over past three years suggests September 2003 would be optimum time for next major audit of waste and organic streams.
- **Implement Cleaner Production initiatives under IWS 3-year action plan:** program commenced in June with launch of poster design competition among local TAFE and SCU art students. Media release and advertising during June generated significant amount of media interest in first stage of program designed to help businesses to reduce waste. Program will consist of study of ‘best practice’ waste management for local industries with Integrated project student from SCU. This will be followed by free information and advice service for local businesses on reducing their waste, comprising site visit and assistance to develop waste reduction plan. Program will culminate in joint seminar between LCC and SCU for local industry.
- **Provide Waste Audit Service for Schools:** Following workshop program in March, Waste Minimisation took bookings from schools to progress to next round of program. Direct assistance was provided to Wyrallah Road Public School to carry out their own waste audit during April, Blakebrook School and Tunttable Falls in May, and Woodlawn College during June.
- **Develop and implement procurement policy for Council:** During April discussion continued with IT services regarding implementation of LCC’s double sided printing policy. Output trays from Multi Function Devices are being monitored.
- **Recycling Review:** DOC’s continue to operate efficiently and cleanly with new improved service standards. Waste Minimisation carried out program of DOC inspection program during January. LCC’s Law Enforcement Unit enlisted to assist in issuing Penalty Enforcement Notices to Dumpers.
- **Organics Service:** 90 rejection ‘slips’ issued (comprising 1st, 2nd, 3rd ‘notices’ & service withdrawal) and 16 home visits conducted during quarter.

Building Services

- **Monitoring of Development Applications:** Average processing time/application 18.1 days for the quarter (standard-25 days).
- **Fire Safety Measure Program:** One Fire Order issued during quarter. Numerous other premises have been brought to our attention and preliminary investigations have been undertaken.
- **Swimming Pool Survey:** survey not currently meeting performance targets (12 inspections/quarter) although staff continuing to follow-up previous pool fencing inspections with some incidental inspections also undertaken.

- ***Inspections of Caravan Parks, Places of Public Entertainment, Public Halls, Boarding Houses:*** Geoff Moore engaged to undertake inspections of Public Halls and caravan parks has completed task which has been outstanding for a number of years. Will continue to address follow-up inspections of public halls as necessary. Inspection of Places of Public Entertainment intended to commence next quarter, depending on resources.
- ***Staffing Matters:*** One of two vacant building surveyor positions filled during quarter with interviews for remaining position due early in September quarter.

GROUP: BUSINESS AND ENTERPRISE

Management Plan Review

Period ending June 2003

Review of exceptional items across each functional area of the Business & Enterprise Group

Northern Rivers Waste

- Richmond Valley Council has now called for tenders for Waste Collection Services Contract. Substantial effort by waste minimization staff, finance and Northern Rivers Waste was required to pull the tender together. This was lodged in early July.
- The North East Waste Forum has resolved to undertake a strategic review of its function. Lismore City Council will participate in the process.
- **A critical issues report regarding possible westward expansion of the landfill has arrived from consultants URS. This will now be analysed and the consequent steps determined.**
- **Two pilot projects for leachate treatment were determined and are to be constructed on site for a 3 month trial.**
- **Council has received DA approval for the construction of a Hazardous Household Waste Storage facility. This will act as a regional facility for the northern members of NEWF.**

Lismore Memorial Gardens (LMG)

- Preparations are continuing on a detailed plan for the first section of the LMG landscape plan.
- Review of procedures and policies regarding the retention and placement and Rights of Burial.

Northern Rivers Quarry & Asphalt (NRQ&A)

- Construction of new amenities block is now finalised.
- Staff attended training by the Department of Mineral Resources relating to safety of fixed and mobile plant.
- Council have tendered for supply of railway ballast for the SRA.
- Finalisation of staff placements at the NRQ&A and the airport tea tree farm.

Lismore Regional Airport

- Evaluated landing fee discount proposal from Rex.
- Completed negotiations for the development of the Aspect North aerial mapping service to be based at South Lismore Industrial Estate.
- Further discussions with potential operators of the Lismore Brisbane link.
- Renegotiated the Ambidji Frontec Agreement.

Property

- Investigation of industrial land opportunities in South Lismore.
- Development Application lodged for subdivision of Centenary Industrial Estate.
- Arranged the rehabilitation and sale of former quarry sites.

Lismore Water

- Active participation in the water supply management process through the implementation of water restrictions and water education initiatives.
- Clunes Wastewater Project – final options report considered in March with a proposed date for the final report moved to May 2003.
- Tender for the UV disinfection unit for East Lismore issued and assessed. Commenced detail design work with successful contractors.
- Council is undertaking debt recovery action regarding the turf farm matter.

GROUP: CITY WORKS
Management Plan Review
Period ending June 2003.

Review of exceptional items across each functional area of the City Works Group.

Parks & Recreation:

- Repairs/maintenance programme to playgrounds in Council area – continuing.
- Grass cutting and path sweeping programmes - on schedule.
- Garden maintenance programme – remains slightly behind schedule.
- Landscaping works for Molesworth Street upgrade.
- Review the Open Space component of the Section 94 Plan.
- Relocation of large palm as part of flood levee construction.

Urban Roads:

- Molesworth Street Upgrade - continuing.
- Footpath beautification of Union Street, South Lismore – complete.
- Footpath Repair Programme - continuing.
- Reseal Programme - complete.
- Development of Asset Management System - on schedule.
- Urban maintenance.
- Keen Street Carpark – complete.
- Shared right-turn zone at Bangalow Road / Corndale Road Intersection – complete.
- Pedestrian lights outside Goonellabah Public School - complete.

Rural Roads:

- Completed reconstruction of Dunoon Road, from Cowley Road to Fraser Road, Dunoon.
- Completed intersection upgrade of Stony Chute and Nimbin Roads.
- Completed heavy patching of Koonorigan Road.
- Completed heavy patching on Kyogle Road (MR544) and Dunoon Road (MR306).
- Completed heavy patching on Bruxner Highway (SH16), McKees Hill.
- Completed Bruxner Highway (SH16) pavement overlay, Segment 2480 and 2490, Tatham.
- Sibley Street slow point - complete.
- Cullen Street cycleway - complete.
- Commenced intersection upgrade of Corndale Road and Hunters Hill Road.
- Completed gravel maintenance in the following areas: The Channon, Terania Creek, Rock Valley and Cawongla.

Bridges:

- Completed Hollingsworth Creek Bridge traffic barrier and structural steel painting.
- Commenced installation of bollards – Molesworth Street.

Emergency Services:

- Flood levee construction on schedule.
- Pump station at Gasworks Creek commissioned.
- Flood levee – Gasworks Creek to RSL Club – complete.
- Flood levee – RSL Club to Club Lane – progressive well.
- Flood levee – Club Lane to Police Station – final design almost complete.

Traffic, Enforcement, Street Lighting and Road Safety:

- 145 dogs and 18 cats lifetime registered.
- 81 dogs and 22 cats impounded.
- On-street/off-street parking enforcement continued – 445 fines issued.
- 13 abandoned vehicles impounded.
- Two new safety cameras installed in Keen Street.
- “*Drinks without Dramas*” campaign continued.
- Intersection of Conway and Carrington Streets modified.
- Pedestrian traffic lights installed on Ballina Road.
- New CitySafe Committee initiated.

Survey, Design and Subdivision Control:

- Blue Knob Road, Blue Knob – Realignment 200m south of Lillian Rock Road.
- Skyline Road, Monaltrie – Realignment and Koala protection.
- Ballina Street / Diadem Street Roundabout – Design in progress, delayed due to referral to RTA.
- Nimbin Road, Goolmangar – Rehabilitation – Hayden Road to Goolmangar Public School.
- Blakebrook Quarry, Blakebrook – Stockpile Quantities.
- Eltham Road Rehabilitation, Eltham – 5.9Km-7.0Km east of Bangalow Road – Design in progress.
- Grace Road, Bexhill – Control survey for monitoring movement.
- Cullen Street, Nimbin – Permanent blister.
- Kirklands-Riviera Carpark – Magellan Street, Lismore – Post-levee layout.
- Nimbin Carpark – Cullen Street, Nimbin – Final stage design.

Development Control:

- Collection of outstanding quarry levies (first stage) complete; second stage underway.
- Transport components of Section 94 Plan - complete.
- Comments on rezoning application for Minshul Crescent, North Lismore

Design Plans Assessed:

- Residential Subdivision – Toongahra Circuit, Goonellabah.
- Residential Subdivision – Waratah Way, Goonellabah.
- Residential Subdivision – Bristol Circuit, Goonellabah.
- Residential Subdivision – Just Street, Goonellabah.
- Residential Subdivision – Hillcrest Avenue, Goonellabah.
- Rural Residential Subdivision – Perradenya Estate, Caniaba.
- Commercial Development – 140 storage sheds, Holland Street, Goonellabah.
- Commercial Development – Eastpoint Shopping Centre, Holland Street, Goonellabah.

Jobs Under Construction:

- Residential Subdivision – Toongahra Circuit, Goonellabah.
- Residential Subdivision – Waratah Way, Goonellabah.
- Residential Subdivision – Sophie Street, Goonellabah.
- Residential Subdivision – Greenwood Drive, Goonellabah.
- Residential Subdivision – Barham Street, East Lismore.
- Rural Residential Subdivision – Perradenya, Caniaba.
- Rural Residential Subdivision – Richmond Hill Road, Richmond Hill

LISMORE CITY COUNCIL - Meeting held August 12, 2003

MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD JULY 16, 2003
AT 10.00 AM.

(WMacD:VLC:S352)

Present: Mr Garry Hemsworth (*Chairperson*), Councillors John Chant, Mervyn King and John Hampton, Messrs Thomas George, MP, Mike Baldwin (*Roads and Traffic Authority*), Snr Const Steve Hilder (*Lismore Police*) and Bill MacDonald (*Co-Ordinator – Traffic & Law Enforcement*).

In attendance: Mr Ron Marriott (*Lismore Turf Club*) for Item No. 3.
Mr John Bancroft and Ms Rebecca Idiens (*Herb Festival*) for Item No. 4.
Robyn and Julie (*Goonellabah Public School P&C*) for Item No. 11.

Apologies: Apologies for non-attendance on behalf of Councillor Ken Gallen, Mr Bill Moorhouse and Mrs Wendy Johnson were received and accepted and leave of absence granted.

Minutes of Traffic Advisory Committee Meeting – June 18, 2003

Members were advised that the Minutes of the meeting held on June 18, 2003 were adopted by Council at its meeting of July 8, 2003 excluding Item No. 14 (*Woodlark Street – Accident Statistics – Refer Item No. 1 below*).

Disclosure of Interest: Nil

Business Arising:

1. **Woodlark Street – Pedestrian Lights**
The Committee noted Council's resolution. Mr Baldwin confirmed previous advice that an assessment had been carried out some time ago and indications were that traffic would still bank up through the Keen Street roundabout. However, it was suggested that this proposal should be further explored along with impacts such an installation would have on the remainder of the CBD traffic movements. It may be possible to run this proposal through the existing traffic modeling that had been carried out by Rust PPK. Before any further Workshop was held, it was agreed that the whole of the CBD traffic network needed to be further investigated and options provided on ways to solve current problems.
- TAC111/03 **RECOMMENDED** that Council seek assistance in developing an up-to-date traffic model which would include recommendations for future facilities to resolve current problems. (R7329)

Correspondence:

2. **NSW Roads & Traffic Authority;** advising that 11 School Zones across NSW are being trialled over the next 12 months and any further installation of flashing lights at School Zones will not be undertaken until after this time.
The letter was submitted for information and its contents noted.
(03-5677:S352,S346)
3. **Lismore Turf Club Limited;** seeking permission to host the 2003 Truck Show and Parade on Saturday, August 30.
Mr Ron Marriott addressed the Committee and confirmed that plans were well underway for another successful event this year. It was proposed that trucks be assembled at the Turf Club and the parade travel along Woodlawn Road, Winton Parade and Molesworth Street. Truck drivers would carry out a U-turn at Bounty Street and proceed back to the Turf Club.

3. **Lismore Turf Club Limited** (Cont'd)
Mr Marriott tabled the first part of a Traffic Management Plan being prepared and undertook to provide further detail on traffic control measures once the plan had been finalised.
- TAC112/03** **RECOMMENDED** that approval be granted for the parade to proceed as proposed, provided appropriate traffic control measures were in place and had been accepted by the Police Service and RTA as well as Council.
(03-6516:P10386)
4. **Northern Rivers Herb Festival;** outlining arrangements for the Herb Festival to be held on August 16-17, 2003 and seeking Council's endorsement.
Mr Bancroft tabled a plan of the proposed parade route which included a contingency plan to send the parade across Ballina Street and down beside the Ballina Street Bridge if wet weather played a part on the day. Due to problems in obtaining approval to include part of the Highway, it was agreed that if the parade used this route it would disperse prior to Bounty Street and individual entrants would then mix with normal traffic flow movements and be subject to normal road rules.
Mr Bancroft undertook to ensure entrants were aware of this requirement. Mr Bancroft also undertook to have a Traffic Management Plan prepared showing control measures that would be put in place on the day. Victoria Street would also be closed to through traffic south of the RSL Club.
- TAC113/03** **RECOMMENDED** that approval be granted for the road closures, parade and other measures as outlined, provided a suitable traffic control plan was forthcoming and accepted by the Police Service and RTA as well as Council.
(03-6757:S822)
5. **NSW Roads & Traffic Authority;** advising in connection with the recent implementation of a Restricted Parking Area at the Southern Cross University. The letter was submitted for information and its contents noted.
(03-6987:S352,P2782)
6. **NSW Roads & Traffic Authority;** announcing that a State-wide default 50 kph general urban speed limit will be introduced, effective November 1, 2003. It was noted that further contact would be made with Council prior to the implementation of the default 50 kph speed limit on November 1 to determine and arrange any additional signage installations or modifications.
- TAC114/03** **RECOMMENDED** that the proposed default 50 kph urban speed limit and its commencement date be noted.
(03-7218:S352)
7. **Mrs C Grant;** requesting that a safe pedestrian crossing zone be installed on Uralba Street, near Dawson Street.
Councillor King tabled the above letter. The Chairperson pointed out that this intersection had been identified in the recently completed '*Pedestrian Access and Mobility Plan*' as being in need of upgraded pedestrian facilities and had been prioritised with other future works that would be progressed as funding became available.
- TAC115/03** **RECOMMENDED** that the writer be advised in accordance with the above.
(03-7495:R6058)

Reports:

8. **Road Safety Officer's Report:** Annual Activity Report – June 2002/July 2003.
TAC116/03 **RECOMMENDED** that the contents of the report be noted and that Mrs Johnson be thanked for her ongoing commitment to road safety issues. (S596)

General Business:

9. **Shepherd Lane, Lismore – “No Stopping” Zone**
Snr Const Michael Hogan had requested that the Committee consider the installation of “No Stopping” signs at Shepherd Lane. In light of current congestion problems being experienced within the lane it was suggested that parking be restricted to one side of the lane only.
TAC117/03 **RECOMMENDED** that “No Stopping” signs be erected along the southern side of Shepherd Lane, between Hunter and Diadem Streets. (R6066)

10. **Intersection of Carrington and Magellan Streets, Lismore**
Councillor King raised concerns that some motorists when exiting the southern leg of Carrington Street onto Magellan Street, were not staying on the left side of the road. This in turn made it difficult for motorists to turn from Magellan Street onto Carrington Street, causing traffic flows to slow or stop.
TAC118/03 **RECOMMENDED** that the intersection be investigated with a view to installing centre-line marking on Carrington Street if road width permitted. (R7303)

11. **Ballina Road, Goonellabah – Pedestrian Lights**
Two representatives of the Goonellabah Public School P & C Association were present for this item and invited to convey their concerns relating to the recent installation of the pedestrian lights on Ballina Road. It would appear that some young children have been left on their own to cross the road and there is some concern that they will not understand how to use the facility correctly.
It was noted that some educational material had been dropped off to the School and that the ‘lollypop’ person was to be retained for two weeks into the new School term. This would allow time to identify children who may experience problems and be relayed back to the School.
It was also suggested that the “green light” pedestrian crossing time may need to be extended and Mr Baldwin undertook to investigate this matter.
It was pointed out that as with any facility that involved particularly young children having to cross busy roads, there was a certain amount of parental responsibility in ensuring that their children were capable of using the facility safely.
TAC119/03 **RECOMMENDED** that the facility be monitored over the first two weeks of the third School term to ascertain if any additional action is required. (R6408)

This concluded the business and the meeting terminated at 11.55 am.

CHAIRPERSON

TRAFFIC & LAW
ENFORCEMENT CO-ORDINATOR

DOCUMENTS FOR SIGNING AND SEALING

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

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

Recommendation:

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

Council and Revised Rural Fire District Service Agreement

The revised agreement replaces the earlier Agreement, with changes that make it easier to understand and administer.

(03-3275: S104)

Deed of Settlement - Steltech Construction Pty Ltd -v- Lismore City Council

In the week preceding the hearing dates for the Steltech Construction P/L -v- Lismore City Council a settlement was negotiated. This settlement involved input from Council's staff in company with its Barrister & Solicitor.

The General Manager and Mayor be authorised to sign and apply the common seal of the Council to the Deed of Settlement, negotiated in the Steltech Construction Pty Ltd -v- Lismore City Council Matter.

(Z97/005)

Licence Agreement – NSW Rural Fire Service, Lismore District and Council

Licence to install and maintain at the Wyreema Avenue reservoir site the licensee's equipment for 2 years from 1/7/03 to 30/6/05.

(P4031)

CONFIDENTIAL MATTERS - COMMITTEE OF THE WHOLE

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

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

Recommendation:

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

Item 1: Recycling Service Review

Grounds for Closure -

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

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, JULY 8, 2003 AT 6.03PM.

Present: Mayor, Councillor King; Councillors Baxter, Chant, Crowther, Gallen, Hampton, Irwin, Suffolk, Swientek and Tomlinson, together with the General Manager; Group Managers- Corporate & Community Services, City Works, Planning & Development, Business & Enterprise; Manager-Finance & Administration, Manager-Planning Services, Environmental Planner, Strategic Planner, Development Assessment Planner (Chris Soulsby), Team Leader-Administrative Support and Administrative Officer.

139/03 **Apologies/**
Leave of
Absence: An apology for non-attendance on behalf of Councillor Roberts was received and accepted and leave of absence granted.
Leave of absence was approved for Councillors Tomlinson, for the period July 16-30, Gallen (Traffic Advisory Committee July 16) and Suffolk for the week commencing July 14.
(Councillors Irwin/Chant)

140/03 **Minutes:** The minutes of the Ordinary Meeting held on June 10, 2003, were confirmed.
(Councillors Hampton/Irwin)
The minutes of the Extraordinary Meeting held on June 17, 2003 were confirmed.
(Councillors Chant/Hampton)

PUBLIC ACCESS SESSION:

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

Dr Effie Ablett re Draft Comprehensive Koala Plan of Management for North Eastern Portion of Lismore Local Government Area

(See Minute No. 143-144/03)

Dr Ablett spoke in support of the recommendation citing relevant studies on koala populations which indicated that the Lismore population was viable in terms of survival compared to other areas of NSW if managed. She also stated there was eco-tourism potential in the protection and promotion of koalas and pointed to the Gunnedah Shire Council initiative as an example.

(S680)

Ian Morgan from Police Citizens Youth Club re Application for Closure of Part Orion Street

(See Minute No. 145/03)

Mr Morgan requested that the matter be deferred to allow the Police Citizens Youth Club (PCYC) and Trinity Catholic College to further discuss the proposal. He said the PCYC had expectations that there would be further consultation so all issues could be discussed including access to the PCYC and parking.

(R6051)

Brother Peter from Trinity Catholic College re Application for Closure of Part Orion Street

(See Minute No. 145/03)

Brother Peter spoke in support of the recommendation stating that discussion on this issue had been ongoing with Council since July 2001. A master plan for the site had been prepared with the main use being for a meeting place for the College.

Formal discussions have taken place between the College and the PCYC and the master plan had been changed as a result. He also indicated that there was ongoing informal discussion between the Project Manager and the President of the PCYC.
(R6051)

CONDOLENCE:

Late Pam Baxter

The death occurred recently of Mrs Pam Baxter. Mrs Baxter became the wife of Councillor Reg Baxter in 1952 and spent her life living and working in the district. She commenced working at Sheridan's Store in Coraki and later at AGR's in Lismore and along with Reg conducted a business in High Street, Lismore for 12 years.

Mrs Baxter was very involved with baseball in Lismore, especially the Norths Club and also did a lot of voluntary work and sewing for the Caroon Opportunity Shop.

Meals on Wheels was another organisation that Mrs Baxter took a keen interest in, delivering meals for 10 years and serving on the committee for 6 years.

Late Jim Ward

Samuel James Ward commenced working with Terania Shire Council in 1974 and following the amalgamation in 1977 he was promoted to the position of Overseer in Lismore City Council and worked in a number of different areas.

Jim earned the respect of his mates and supervisors as he considered working for the Council was working for the community and he did this in every sense of the word, as he took a special interest in looking after the elderly, the disadvantaged and the frail.

Jim resolved more problems over a cup of tea with a resident than quoting a regulation; he was a person who called a spade a spade. He was a person with a great sense of humour and got a lot of pleasure and enjoyment by sharing it with friends and colleagues.

141/03 The Mayor moved that Council's expressions of sympathy be conveyed to the families of the late Pam Baxter and Jim Ward and the motion was carried with members standing and observing the customary moment's silence.
(S75)

SUSPENSION OF STANDING ORDERS:

142/03 **RESOLVED** that standing orders be suspended and Council now deal with the undermentioned matters:-

- **Draft Comprehensive Koala Plan of Management for north eastern portion of Lismore Local Government Area**
- **Application for Closure of Public Road – Part Orion Street, Lismore**
(Councillors Irwin/Tomlinson)

Draft Comprehensive Koala Plan of Management for north eastern portion of Lismore Local Government Area

143/03 **RESOLVED** that the report be received and that Council resolve to place the draft *Comprehensive Koala Plan of Management for the south-eastern portion of the Lismore Local Government Area* on public exhibition for a two month period and commence the associated community consultation.
(Councillors Irwin/Tomlinson)

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

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

- 144/03 **RESOLVED** that a letter be sent to staff and members of the Committee congratulating them for their efforts and input into the formation of the Plan.
(Councillors Swientek/Irwin) (S680)

Application for Closure of Public Road – Part Orion Street, Lismore

A MOTION WAS MOVED that the report be received and -

- 1 That the application to close the identified part of Orion Street, Lismore (shown as hatched on the enclosed plan) be endorsed for public exhibition.
- 2 That all costs associated with the road closure be borne by the applicant.
- 3 That a valuation be obtained for the proposed road closure area and that said valuation be used in the determination of the sale price sought for the subject part of Orion Street.
- 4 That the General Manager be authorised to sign any documents necessary to bring about the recommendation subject to Point 5.
- 5 That the Police Citizens Youth Club (PCYC) and Trinity liaise and resolve any concerns they have in relation to boundary matters in Orion Street.

(Councillors Crowther/Swientek)

AN AMENDMENT WAS MOVED that the matter be deferred until the next meeting to allow further consultation between Trinity Catholic College, PCYC and Council.
(Councillors Suffolk/Hampton)

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

- 145/03 **RESOLVED** that the matter be deferred until the next meeting to allow further consultation between Trinity Catholic College, PCYC and Council.
(Councillors Suffolk/Hampton)
(R6051)

RESUMPTION OF STANDING ORDERS:

- 146/03 **RESOLVED** that standing orders be resumed.
(Councillors Hampton/Irwin)

REPORTS:

Draft Comprehensive Koala Plan of Management for North Eastern Portion of Lismore Local Government Area

(See Minute No. 143-144/03)

Review of Lismore Contributions Plan 1999

- 147/03 **RESOLVED** that the report be received and –
- 1 That the draft Section 94 Contributions Plan (with updated valuations for land acquisition costs in the Recreation and Community Facilities Works Programmes) be placed on public exhibition for a period of eight (8) weeks.
 - 2 That letters be sent to affected community and sporting organisations advising them of the recommendations and proposed changes to the Plan and inviting them to comment.
 - 3 That an information session on the Plan be held for local consultants and representatives from the development industry.
- (Councillors Irwin/Hampton)
(S517)

Lismore Wilson River Redevelopment – Naming Elements

A MOTION WAS MOVED that the report be received and that subject to the provisions of Council's Naming of Public Places Policies, the Geographic Naming Board be approached to adopt the names as per the community's wishes as detailed below:

- The Ramp
- Riverside Picnic Area
- The Riviera
- Junction Point
- Pritchard Park

(Councillors Swientek/Chant)

AN AMENDMENT WAS MOVED that the report be received and that subject to the provisions of Council's Naming of Public Places Policies, the Geographic Naming Board be approached to adopt the names as per the community's wishes as detailed below:

- The Ramp
- Riverside Picnic Area
- The Riviera
- The Stops
- Pritchard Park

(Councillors Gallen/Tomlinson)

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

Voting Against: Councillors Swientek, Baxter, Hampton and Suffolk.

On submission to the meeting the MOTION was DEFEATED.

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

A MOTION WAS MOVED that the report be received and that subject to the provisions of Councils Naming of Public Places Policies, the Geographic Naming Board be approached to adopt the names as per the community's wishes as detailed below:

- The Ramp
- Heritage Park
- Kirklands/Riviera
- The Stops
- Pritchard Park

(Councillors Crowther/Chant)

AN AMENDMENT WAS MOVED that the report be received and each item be dealt with seriatum.

(Councillors Baxter/Gallen)

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

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

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

148/03 **RESOLVED** that the report be received and each item be dealt with seriatum.

(Councillors Baxter/Gallen)

Voting Against: Councillors Swientek

149/03 **RESOLVED** that the boat ramp area immediately to the south of Ballina Street be named The Ramp.
(Councillors Gallen/Hampton)

A MOTION WAS MOVED that the newly completed park immediately to the north of Ballina Street be named Riverside Picnic Area.
(Councillor Tomlinson/Gallen)

AN AMENDMENT WAS MOVED that the newly completed park immediately to the north of Ballina Street be named Heritage Park.
(Councillors Hampton/Crowther)

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

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

150/03 **RESOLVED** that the newly completed park immediately to the north of Ballina Street be named Heritage Park.
(Councillors Hampton/Crowther)

Voting Against: Councillors Tomlinson, Gallen and Swientek.

151/03 **RESOLVED** that the area in the centre of the CBD where Kirklands was situated be named The Riviera.
(Irwin/Chant)

152/03 **RESOLVED** that the area at the junction of Wilson River and Leycester Creek be named The Stops.
(Councillors Gallen/Irwin)

A MOTION WAS MOVED that the area opposite the Police Station be named Pritchard Rainforest Reserve.
(Councillors Irwin/ Tomlinson)

AN AMENDMENT WAS MOVED that the area opposite the Police Station be named Pritchard Park.
(Swientek/Hampton)

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

Voting Against: Councillors Irwin and Tomlinson.

153/03 **RESOLVED** that the report be received and the area opposite the Police Station be named Pritchard Park.
(Councillors Swientek/Hampton)
(S775)

Application for Closure of Public Road – Part Orion Street, Lismore

(See Minute No. 145/03)

Provison for Airport Management Services

154/03 **RESOLVED** that the report be received and Council –
1 (a) Terminate the current five (5) year agreement with Ambidji Frontec Pty Ltd.
(b) Not call tenders for the management of the Lismore Airport due to the lack of competitive tenderers in the market.

- (c) Contract with Ambidji Frontec Pty Ltd for a five year period for the management of the Lismore Airport effective from July 1, 2003.
- 2 The Mayor and General Manager be authorised to execute the Contract on Council's behalf and attach the Common Seal of the Council.
(Councillors Crowther/King) (P25804)

Lismore Flood Levee Scheme – Property Acquisition – 43 Keen Street, Lismore

- 155/03 **RESOLVED** that the report be received and –
- 1 The General Manager or his delegate be authorised to proceed with the purchase of Lot 2 in D.P. 532545, being land in Keen Street, Lismore, for a purchase price of \$180,000.00.
 - 2 The General Manager be authorised to execute and apply the Common Seal of the Council to the Contract for Sale, Memo of Transfer and or any other legal instruments necessary to effect the transfer of the property.
 - 3 Pursuant to Clause 31(2) of the Local Government Act 1993, as amended, the land the subject of this report be classified as 'Operational Land'.
 - 4 All costs associated with this purchase be borne by the Lismore Flood Levee Scheme.
- (Councillors Hampton/Swientek)
Voting Against: Councillor Baxter. (P5595)

Aspect North Development at Airport

- 156/03 **RESOLVED** that the report be received and Council -
- 1 Authorise the General Manager or his delegate to conclude the sale of part Lot 28 in DP 1035497, being land at 40 Three Chain Road, South Lismore.
 - 2 The General Manager and Mayor be authorised to sign and apply the Common Seal of Council to the contract of sale and property transfers as necessary.
- (Councillors Crowther/Hampton) (P9733)

Review of Council's Rating Structure

- 157/03 **RESOLVED** that the report be received and –
- 1 That a Working Party be formed consisting of three Councillors, Management and the Rating Services Coordinator, to investigate the appropriateness of the current rating structure in relation to the Council's revenue raising requirements.
 - 2 A report from the Working Party be presented to Council by February 2004.
- (Councillors Swientek/Baxter)

- 158/03 **RESOLVED** that Councillors Tomlinson, Chant and King be appointed to the Working Party.
(Councillors Irwin/Crowther) (S384)

June 2003 Quarterly Budget Review Statement

- 159/03 **RESOLVED** that the report be received and –
- 1 Council adopt the June 2003 Budget Review Statement for General, Water and Sewerage Funds.
 - 2 This information be submitted to Council's Auditor.
- (Councillors Crowther/Chant) (S802)

COMMITTEE RECOMMENDATIONS:

Traffic Advisory Committee 18/6/03

- 160/03 **RESOLVED** that the minutes be received and the recommendations contained therein be adopted, excluding Clauses 5 and 14.
(Councillors Gallen/Hampton) (S352)
-

- 161/03 **Clause 5 – Nicolas Harrison**
RESOLVED that the information be noted.
(Councillors Irwin/Tomlinson)
Voting Against: Councillors Swientek and Crowther.
(03-5983: R7307,R7303)

- 162/03 **Clause 14 – Woodlark Street- Accident Statistics**
RESOLVED that the information be noted and that the Traffic Advisory Committee again evaluate the possibility of installing pedestrian lights.
(Councillors Crowther/Irwin)
Voting Against: Councillors Tomlinson, Gallen and Swientek. (R7329)

DOCUMENTS FOR SIGNING AND SEALING:

- 163/03 **RESOLVED** that the following documents be executed under the Common Seal of Council:-

Sale of Proposed Lot 734 Lancaster Drive, Goonellabah

Council has negotiated an offer of \$60,865.00 (plus GST) for the purchase of proposed Lot 734, being vacant land on the corner of Lancaster Drive and Oliver Avenue, Goonellabah. This Lot will not be available until August this year, but the price is consistent with previous sales, being \$35.00 per m² plus GST.

(Councillors Crowther/Baxter)

Voting Against: Councillor Swientek. (P28320)

CONFIDENTIAL MATTERS - COMMITTEE OF THE WHOLE:

- 164/03 **RESOLVED** that Council now exclude the press and public and meet in Committee of the Whole to consider the following matter:-

Report – Airport Landing Charges

(Crowther/Hampton)

Voting Against: Councillors Gallen and Swientek.

(P25804)

RESUMPTION OF OPEN COUNCIL:

When the Council had resumed its former sitting, the General Manager reported that Council, meeting in Committee of the Whole, had resolved to exclude the press and public during its consideration of the beforementioned matters to preserve the commercial information provided.

AND IT NOW RECOMMENDED THAT

- 1 Council make a one off 100% reduction of Lismore “head tax” for a period of 3 months from July 22, 2003 on those tickets sold by REX that are current everyday low fares on the condition that REX make a corresponding decrease in ticket fares in accordance with their submission. Further that Council negotiate with REX an increase in the number of seats available at the current everyday low fare.
- 2 In conjunction with REX, Council widely promote and publicise this decision.
- 3 Council seek to support this with other value added offers.
- 4 Council review the impacts of the initial rebate with a view to implementing a differential pricing program that would align discounted airfares with a differentially discounted “head tax” for the period from November 1, 2003 to June 30, 2004.

LISMORE CITY COUNCIL - Ordinary Meeting held July 8, 2003

165/03 **RESOLVED** that the General Manager's report of Council meeting in Committee of the Whole be received and adopted.
(Councillors Irwin/Chant)
Voting Against: Councillors Gallen, Swientek, Baxter and Hampton.

This concluded the business and the meeting terminated at 9.22 pm.

CONFIRMED this 12TH day of AUGUST 2003 at which meeting the signature herein was subscribed.

MAYOR

