



NOTICE OF COUNCIL MEETING

An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the Ruthven Community Hall on TUESDAY, NOVEMBER 9, 2004, at 6.30pm and members of Council are requested to attend.

Councillors are requested to attend at 6.00pm to meet informally with local residents.

Paul G. O'Sullivan
General Manager

November 2, 2004

COUNCIL BUSINESS AGENDA

November 9, 2004

PUBLIC ACCESS SESSION:

PAGE NO.

PUBLIC QUESTION TIME:

OPENING OF MEETING AND PRAYER (MAYOR):

APOLOGIES AND LEAVE OF ABSENCE

CONFIRMATION OF MINUTES - Ordinary meeting October 12, 2004
Extraordinary meeting October 19, 2004

CONDOLENCES

DISCLOSURE OF INTEREST

MAYORAL MINUTES

NOTICE OF RESCISSION MOTIONS

NOTICE OF MOTIONS

A

SUSPENSION OF STANDING ORDERS

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

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Subject/File No: DRAFT LEP AMENDMENT NO.12 - Review of 6(a) Recreation zoned land and Reclassification of certain Council owned property from Community to Operational (S849)

Prepared By: Strategic Planner and Manager Special Projects and Properties.

Reason: Completion of public exhibition process for draft LEP amendment.

Objective: Council's adoption of LEP Amendment No.12

Management Plan Activity: Strategic Planning

Background:

At its meeting of December 10, 2002 Council resolved to prepare a draft amendment to the Lismore Local Environmental Plan 2000 that sought to:

1. rezone Council owned land that is used for open space/recreation/environmental protection purposes that is not currently zoned for those uses;
2. rezone privately owned land that is either wholly or partly zoned for recreation purposes but which is not required for those purposes;
3. rezone privately owned land for recreation purposes where such land has been identified as being required for future recreational uses; and
4. reclassify certain Council owned land from community to operational to enable either the lease or disposal of the land.

The amendment was initiated by a direction from the Minister for Planning for Council to review its need for land in private ownership zoned for recreation following preparation and adoption of the Lismore LEP 2000. At its meeting of May 11, 2004 Council considered a further report on the matter and resolved to exhibit the draft amendment for a period of 28 days.

Manager - Finance & Administration Comments

Not required.

Public Consultations

Public Exhibition

Draft Amendment No.12 was placed on public exhibition from June 28 2004 to July 26, 2004. A total of 111 submissions were received in response to the exhibition, comprising:

- 96 submissions relating to the proposed reclassification of 18 land parcels from community to operational,
- 11 submissions relating to the rezoning proposals,
- 1 submission relating to rezoning of land not subject of the draft plan, and
- 3 submissions relating to reclassification of land not subject of the draft plan.

An assessment of submissions is included in a report prepared by Malcolm Scott, Consultant Town Planner, a copy of which forms Attachment 1 to this report. In summary the report's recommendations are as follows:

LISMORE CITY COUNCIL - Meeting held November 9, 2004

Draft LEP Amendment No.12 - Review of 6(a) Recreation zoned land and Reclassification of certain Council owned property

- a) That Council not proceed with reclassification from Community to Operational of the following lands:
- 7 Camelot Rd, Goonellabah
 - 19 Julie Crescent, Goonellabah
 - 10 Murray St, East Lismore
 - 11 Toona Court, Goonellabah
 - 8 Winchester Drive, Goonellabah
- b) That Council prepare a separate amending LEP to reclassify land at Crozier Field, Oakes Oval, Goonellabah Leisure Centre and Left Bank Café from Community to Operational.
- c) That the zone boundary between the 6(a) Recreation Zone and the 2(a) Residential Zone in the vicinity of Kookaburra Terrace and Just Street, Goonellabah be adjusted to match the cadastral boundaries.

Public Hearing

Clause 29 of the *Local Government Act 1993* requires that a Public Hearing be held in the case of a Local Environmental Plan amendment that proposes the reclassification of Community land. The intention of the Public Hearing is to allow members of the community to make submissions to an independent party, who must then report on these submissions to the Council.

On September 22, 2004, Mr. Rob Van Iersel of the GeoLINK Group chaired the Public Hearing which was attended by some 52 members of the public. Verbal submissions were presented in respect of nine (9) sites. In addition, two written submissions were provided as well as a petition, tabled by one of the presenters, containing 37 signatures. The report on the Public Hearing was made publicly available in accordance with the requirements of the LG Act. A copy of the report is included as Attachment 2.

In summary, the report recommends that Council not proceed with the reclassification from Community to Operational of the following lands:

- 7 Camelot Rd, Goonellabah
- 19 Julie Crescent, Goonellabah
- 10 Murray St, East Lismore
- 11 Toona Court, Goonellabah
- 8 Winchester Drive, Goonellabah

Council will note that both the consultant who assessed the public submissions and the chairman of the Public Hearing have recommended that the same five land parcels not be reclassified as Operational land. In view of the level of public interest shown in these sites, as well as merit considerations of the issues raised in the written and verbal submissions, staff concur with the recommendations contained in each of the reports.

Other Group Comments

Council's Parks Coordinator has inspected all sites proposed for reclassification and has had input into the process.

Author's Response to Comments from Other Staff

Not required.

LISMORE CITY COUNCIL - Meeting held November 9, 2004

Draft LEP Amendment No.12 - Review of 6(a) Recreation zoned land and Reclassification of certain Council owned property

Conclusion

Submissions resulting from both the public exhibition period and the Public Hearing have raised a number of issues which warrant changes to the exhibited amendment. Those changes include:

1. deletion of the five land parcels identified in the two consultants' reports from Schedule 6 (reclassification of public land as operational land), and
2. adjustment of the 6(a) and 2(a) zone boundary in the vicinity of Kookaburra Terrace and Just Street, Goonellabah to match the cadastral boundaries.

Furthermore, it is recommended that the five land parcels which are recommended to remain as Community land, should also be rezoned to 6(a) Recreation Zone as part of this amendment. Each of the five sites is currently zoned 2(a) Residential Zone.

All of the above changes have been incorporated into the LEP Amendment No.12 instrument which is included as Attachment 3 to this report. With respect to the submissions requesting Council reclassify land at Crozier Field, Oakes Oval, Goonellabah Leisure Centre and the Left Bank Café to Operational, such changes would require re-exhibition of the entire amendment. It is therefore considered that these matters would be more appropriately addressed by considering them in the next general review of the LEP. Planning staff have commenced work on that review.

Recommendation (PLA02)

That Council:

1. Adopt draft LEP Amendment No. 12 as per Attachment 3 to this report.
2. Use its delegations under section 69 of the EP& A Act to forward the amendment and report to the Minister for Infrastructure and Planning with a request that the Minister make the Plan.

LISMORE CITY COUNCIL - Meeting held November 9, 2004

Subject/File No: MEMORIAL BATHS REDEVELOPMENT
(P6768)

Prepared By: Manager Special Projects and Properties

Reason: To supplement interim report of October 19, 2004

Objective: To inform Council as to the progress of the Memorial Baths Redevelopment

Management Plan Activity: Special Projects and Properties

Background:

This report seeks to expand on and clarify the interim report which Council adopted at its meeting of October 19, 2004.

Since that meeting of the 19th of this month, staff have continued to negotiate with all parties involved in the project, including design consultants, contractors and suppliers and is now in a position to provide more comprehensive project costings.

Project Costs

As previously reported, the scope of features proposed at the Memorial Baths has been significantly enhanced since the original tender price was accepted. This enhancement, together with other items not allowed for in the initial tender have had an impact on Council's original tender acceptance price.

As redesigned work has been undertaken, staff have been very mindful of the regional significance of the Memorial Baths and have sought to provide a facility which is not available at neighbouring pools. The Memorial Baths has been designed to accommodate both carnivals of a regional significance and the open space usage requirements of Lismore's local patrons.

While design and fabrication work has continued on the below ground elements of the pool, costings for some of the new features have only recently become available. In this regard Council has choices as to the standard and inclusion of various elements of the redeveloped Memorial Baths.

The following table sets out the separate costs of these elements.

Pool element	Optimum option	Costs as currently designed	Basic option
Shade structures –over grandstands, 25m pool and toddlers pool	\$520,000	\$323,000	\$35,000
Pool furniture – blocks, blankets, ropes etc..	\$104,000	\$104,000	\$104,000
Pool boom	\$220,000	\$220,000	\$0
Grandstands	\$230,000	\$230,000	\$0
Provision of grassed area	\$75,000	\$75,000	\$10,000
Market Street roadworks (including stormwater and electricity conduits)	\$350,000	\$130,000	\$70,000
Pool lighting	\$200,000	\$120,000	\$70,000
Market Street mural	\$65,000	\$65,000	\$65,000
Tendered building costs, including professional fees	\$7,483,000	\$7,483,000	\$7,483,000
TOTAL	\$9,247,000	\$8,750,000	\$7,837,000

Memorial Baths Redevelopment

In the above table, the "building cost" component is based on costed information provided by the contractor which allows for the movement of the buildings into Market Street.

The "as currently designed" column of the table includes all of the elements which Council is obliged to construct as a result of development approval conditions and will deliver for the community a facility of regional significance.

Shade Structures

As required by the development consent shade structures have been designed to provide shade over the 25m pool, the grand stands the toddlers pool and the access to the change and shower facilities. This shade will cover the abovementioned areas for the majority of the day and is estimated to cost \$323,000.

Council has an opportunity to increase the shade as designed to provide 100% of the abovementioned areas with cover for 100% of every day. This would cost approx \$520,000.

Alternatively Council could seek a variation to the consent and provide minimal shade designed around the use of proprietary fabric structures. This would cost approx \$35,000.

Pool Boom

The inclusion of the pool boom in the project is seen as contributing significantly to the versatility and flexibility of the facility. It has the following specific benefits.

- Allows the disabled access end of the 50m pool to be separated from the remainder of the pool
- Allows main pool to be used for two separate training or program areas.
- Allows lap swimmers to use half of the main pool, with lane ropes while recreational swimmers are using the other end.
- Facilitates water polo sizing of the pool.
- Increase by two the number of lap swimmers that can be accommodated in a training club session.
- Provides two separate recreational areas in the main pool during heavy use.

A pool boom is used extensively at both of the visited Brisbane pools and in most pools in Sydney. The versatility that this feature provides for the pool cannot be overstated.

Market Street

The "As Currently Designed" proposal for Market Street includes full kerb and gutter on both sides of the road, new gravels for Market Street between Molesworth Street and Victoria Street and a stabilisation and reseal of the section of Market Street westerly of Victoria Street.

The "Optimum Option" makes provision for new gravels for the whole of Market Street, including the area up to the levee wall.

The "Basic Option" only makes provision for kerb and gutter on the northern side of Market Street and provides minimum gravel with a reseal of the existing surfaces.

Pool Lighting

The "As Currently Designed" proposal makes provision for 240 lux lighting which is the level appropriate for school competitions.

The "Optimum Option" makes provision for a television standard 400 lux level lighting.

The "Basic Option" provides for a minimum of concourse lighting such that OH & S standards are met.

Memorial Baths Redevelopment

Costs associated with next season's assistance program

- **Lismore Lake Pool**

In recognition of the extended period for which the Memorial Baths will be unavailable this season, Council has arranged for the provision of life guards at Lismore Lake Pool. These guards will be on duty over the periods of heaviest use, being 3.00p.m to 5.30p.m. Monday to Friday, 1.00p.m. to 5.00p.m. on Saturday and Sunday and 1.00p.m. to 5.30p.m. during weekday school holidays.

The cost of providing the two lifeguards and their facilities shed from October 2004 to the end of March 2005 is \$29,000.00

- **School assistance program**

Last season eighteen schools used the Memorial Baths for their school carnivals. The additional cost of bus transport and entry fees to alternative venues is anticipated to cost \$20,000.

In addition to the above-mentioned school carnivals, twenty schools used the Memorial Baths for "Learn to Swim" programs. Of these schools, five would be considered to be large, ten schools would be considered medium sized and five schools would be considered small.

Based on the sample of responses currently received Council anticipates that the cost to support each of these programs will be approximately \$20,000 in total.

Manager - Finance & Administration Comments

Based on the current design option, the Memorial Baths Redevelopment project is estimated to cost \$8.75 million. After all known and approved sources of funding are applied (loans, revenue, proceeds from asset sales, section 94 and reserves), the shortfall in available funding is \$1.046 million.

As this is a significant amount, there are only a limited number of funding options being the provision of additional funds, the reallocation of existing funds, or some combination of the two. Realistically, the provision of additional funds is most likely funding through loan funds with operational savings or additional revenues, including grants, used to offset the amount borrowed by as much as possible.

The additional annual repayment cost for a 20 year loan would be approximately \$10,100 for every \$100,000 borrowed. As a guide, based on additional borrowings of \$1.046 million, the annual repayment costs are estimated to be \$105,700. It is important to note that if Council resolved to borrow, it may need to do so internally this financial year and seek approval in the 2005/06 Approved Borrowing Limit.

In regards to funding the increased repayment costs, there is always capacity within the Budget to fund new initiatives and absorb increased costs. For example, approximately \$700,000 was provided in the 2004/05 Budget. While confident that the additional costs are manageable, it will have an impact on the provision of future works and services.

As to the 'assistance program' estimated to cost \$68,800, after reviewing the current operating budget for Pools, additional funding will need to be provided from Council's operating result as there is no capacity to absorb these costs.

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Memorial Baths Redevelopment

For 2004/05, the combined effect of the increased capital works and assistance program on the Budget is estimated to be between \$100,000-\$110,000. This amount will need to be factored into the December Quarterly Budget Reviews. To reduce the amount borrowed and minimise this impact on future Budgets, where possible, operational savings and additional revenues should be applied to funding this project. It might also be prudent that the option to fund roadworks in Market Street be funded from the recurrent road reconstruction program, where revenue funding is already provided.

Public Consultations

Not required for this report.

Other Group Comments

Not required.

Author's Response to Comments from Other Staff

N/a

Conclusion

The Memorial Baths Redevelopment has provided Council with an opportunity to construct a regional standard facility in close proximity to the CBD. The standard of inclusions at the facility need not be extravagant, but should reflect Lismore's intent to develop a competition pool of regional significance.

The inclusions as shown in the "as currently designed" column of the table included in this report will provide for the maximum usage of the facility both by residents and competition swimmers.

Recommendation (GM01)

- 1 That Council endorse that the inclusions set out in the "as currently designed" column of the table included in this report and the Memorial Baths Redevelopment budget be increased to \$8.75m.
- 2 That Council allocate \$69,000 for the provision of a school swimming programs assistance scheme together with the provision of lifeguards at the Lismore Lake Pool as set out in this report from Council's operating budget.
- 3 The General Manager seek approval from the Department of Local Government to borrow additional loan funds for this capital works project as part of the 2004/05 Borrowing Program.

Subject/File No: NOISE MANAGEMENT IN THE MACADAMIA INDUSTRY (S234)

Prepared By: Group Manager Planning and Development - Michael Bismire

Reason: To advise Council of the Outcomes of the Trialing of a Draft Industry Code of Practice

Objective: Environmental Protection and Enhancement

Management Plan Activity: Strategic Planning

Background:

At its meeting on 9 March, 2004, Council resolved to

- trial a *Draft Code of Practice for Noise Management of On-farm Processing of Macadamia Nuts* during the 2004 harvest/processing season (April-September)
- publicise the trial
- seek a report from officers at the conclusion of the trial period incorporating all written comments/submissions received from the public (including growers)

The *Draft Code of Practice for Noise Management of On-farm Processing of Macadamia Nuts* came about in response to ongoing noise complaints about on-farm macadamia dehusking and associated activities in rural parts of the Lismore LGA. It was funded by Council, the Australian Macadamia Society (AMS), Lismore Living Centres (under the former DUAP), and, the Department of State and Regional Development.

The Code operates as both a best practice guide to growers on matters such as the appropriate siting of buildings, the use of noise-attenuating materials & construction techniques, appropriately-designed bins, de-huskers, silo fans, etc. and, as an alternative to the EPA Industrial Noise Policy, concerning acceptable levels of noise emission.

Manager-Finance & Administration Comments

N/A

Public Consultations

In accordance with Council's decision in March, 2004, to trial the Draft Code, notice of this decision appeared in the April 1 edition of the Northern Rivers Echo, and on Council's web site (with a link to the Draft Code) with an invitation for people to make comment during the trial period.

Feedback during Trial

No written submissions were received from any person during the trial period in relation to the Draft Code of Practice or the trial. One formal noise complaint was however, received in relation to a property in Munro Rd Dunoon. Residents across the road from the macadamia plantation complained specifically about noise from silo fans, which were being operated seven days a week generally between 7.00am-6.00pm. The complainant stated that it was mainly the noise on Sundays that affected them as they were usually home all day and regarded Sunday as the day in which to relax and enjoy the property.

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Noise Management in the Macadamia Industry

An investigation of the complaint included a noise assessment undertaken by Council staff of background noise levels as well as noise levels while the silo fans were in operation. Results from the assessment were:-

- Assessment undertaken 4 June 2004, 10.45am.
Background level (L_{A90}) :- 35.3 dB(A)
Silo Fans operating (L_{Aeq}) :- 57 dB(A)

The results revealed that the operating noise level of the silo fans at the complainant's residence was 7dB(A) above the level recommended in the draft Code of Practice (being 50dB(A) for daytime operation).

The operators of the macadamia plant accepted the need to install attenuators on the silo fans to reduce noise levels below 50dB(A) in order to comply with the draft Code of Practice, however, it was agreed in negotiations involving the operator, the complainant, and Council staff that the attenuators could be installed prior to commencement of the next harvest season ie. 2005. As such the complainant's response to noise levels once the attenuators are installed cannot be gauged until next season. It is worth noting that the complainant's main concern was noise levels on Sunday however, Council's draft code permits daytime noise on Sunday up to a level of 50dB(A) (it should be noted that the EPA Industrial Noise Policy places no limitation on days/hours of operation).

In addition to the formal complaint Council staff received four queries from the public about noise from macadamia processing operations. Advice and information was forwarded by Council staff to these people including copies of the draft Code of Practice. There is some possibility that these enquiries could become formalised complaints next season or in future years.

Industry Comment

Andrew Heap, Executive Officer for the AMS advises that the 2004 season was a record harvest for the industry of 43 000 tonnes, 35% greater than in 2003. In addition the harvest conditions were excellent ie. little to no rain, such that growers had no need to operate/process outside normal daylight hours. This is a likely contributing factor to the extremely low level of noise complaint.

Mr Heap, however, also believes that there is a more heightened level of awareness by growers to the options available to reduce processing machinery/equipment noise generation, and a greater sensitivity to the concerns of near neighbours and he attributes much of this to what he believes is a widespread awareness in the industry of the Draft Code of Practice; both of its aims and of practical advice it contains about reducing noise emissions.

For this reason Mr Heap advises that the industry would favour Council's adoption of the Code of Practice on a permanent basis.

Other Group Comments

N/A

Author's Response to Comments from Other Staff

N/A

Noise Management in the Macadamia Industry

Conclusion

Notwithstanding the bumper nature of the 2004 macadamia nut harvest in the Lismore area, the level of recorded noise complaint was extremely low. How much of this can be attributed to better harvest practices from growers through adherence to the Code of Practice or to the fact that favourable weather conditions allowed growers to limit nut harvesting/processing activities to daylight hours is difficult to determine.

Because of this difficulty and in order to evaluate the effectiveness and level of acceptance of the Code of Practice under potentially different field conditions, it is considered that trialling of the Code of Practice should be extended to cover the 2005 harvest/processing season. Although not the first preference of the AMS, an extension would (hopefully) test the Code under different conditions whilst maintaining the same noise performance standards that growers in the Lismore LGA were subject to during the 2004 harvest/processing season.

Recommendation (PLA01)

- 1 That Council resolve to extend trialling of the *Draft Code of Practice for Noise Management of On-farm Processing of Macadamia Nuts* to cover the 2005 harvest/processing season.
- 2 That the extension of the trial be publicised.
- 3 That Officers report back to Council at the completion of the 2005 trial period.

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Subject/File No: SOCIAL AND COMMUNITY PLAN 2005-2009
(S429)
Prepared By: Community Development Officer - Shauna McIntyre
Reason: To present the final Social and Community Plan
Objective: To seek Council support and endorsement for the Plan
Management Plan Activity: Community Services

Background:

The Social and Community Plan is a five-year plan that prioritises Lismore's social issues and identifies strategies to improve the quality of life for residents of Lismore. The Plan also aligns with Council's draft Strategic Plan 2004 – 2012 under the strategic priority of 'Quality of Life'.

The Social and Community Plan will assist Council to identify the services, facilities and processes which need to be established to address the community's needs and to allocate and source appropriate funding to meet these needs. The plan will also help Council to determine priorities when allocating resources annually. As the plan reflects one of Council's six strategic priorities it will also bridge across various sections of Council and allow them to better integrate their core activities with community needs as identified in the plan.

The Social and Community Plan also satisfies State Government requirements as set out in regulations. The Local Government (General) Amendment (Community and Social Plans) Regulation 1998 requires all Councils in NSW to develop a social/community plan or its equivalent by 30 November 2004 and include information about access and equity activities in their Management Plan and Annual Report. The State Government's social justice commitments require that councils focus on seven mandatory groups: children, young people, women, older people, people with disabilities, Aboriginal and Torres Strait Islander people, and cultural and linguistically diverse people. Councils may also include information about other specific groups.

This regulation aims to assist councils to:

- Promote fairness in the distribution of resources, particularly for those most in need.
- Recognise and promote people's rights and improve the accountability of decision makers.
- Ensure that people have fairer access to the economic resources and services essential to meeting their basic needs and improving their quality of life.
- Give people better opportunities for genuine participation and consultation about decisions affecting their lives.

The Community Services Team presented a workshop on the Social and Community Plan to Councillors on August 25, 2004. Following this a report was presented to Council in September seeking approval to exhibit the plan.

At its ordinary meeting of September 14, 2004 Council resolved (in part) that:

1. Following exhibition, a further report be presented to Council in November to adopt the final plan.

The Draft Social and Community Plan was placed on public exhibition from Thursday September 30, until Wednesday October 27, 2004. The Draft Plan was made available to the public at Council's Administration Centre Goonellabah, CBD Centre Magellan St, and the City Library. The Plan was also made available at Council's website.

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Social and Community Plan 2005-2009

A total of six submissions were received and reviewed by the Community Services Team. One submission congratulated the Team on the scope and detail of the plan and with others, made minor suggestions for improvement. Feedback included updated information on key services; detailed suggestions for improvements to Heritage Park; strategies to address transport issues for specific target groups; and highlighted the lack of budget allocated to many strategies.

Comment:

The Team considered the feedback received and made the following changes:

- *incorporated updated information, and*
- *made minor changes to layout and wording of the document.*

In addition to the feedback relevant to the Social and Community Plan, other detailed comments were received, and will be passed onto the relevant sections of Council for their consideration.

This report to Council represents the final stage in the process of finalising Council's Social and Community Plan 2005 – 2009.

Manager - Finance & Administration Comments

Not required.

Public Consultations

The Community Services Team conducted extensive consultations with each of the Plan's target groups, key stakeholders in the community, including Government and non-government agencies and, for the first time, the business community and Southern Cross University.

Other Group Comments

Nil.

Author's Response to Comments from Other Staff

Not required.

Conclusion

The Draft Social and Community Plan was well received and suggestions were incorporated into the final Plan (copy separately attached). The team received positive informal feedback on the extensive community consultation and will build on this to develop partnerships to implement the Plan. Not all strategies included in the Plan are the core responsibility of Council so staff will work with the community to lobby Government in the areas for which they are responsible.

Recommendation (COR40)

That Council adopt the Lismore Social and Community Plan 2005 - 2009.

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Subject/File No: FINANCIAL REPORTS – 2003/04
(S802)

Prepared By: Principal Accountant, John Hartley

Reason: Statutory Requirement

Objective: To present the 2003/04 Financial Reports

Management Plan Activity: Financial Services

Background:

Council resolved at the October 12, 2004 meeting to, in part,

191/04 b) present the 2003/04 Financial Reports to the public at the November 9, 2004 Council meeting.

In accordance with the Local Government Act, 1993 (LGA), this was advertised and submissions from the public invited. At the time of preparing this report, there had not been any submissions received. Any submissions received will be faxed to Councillors and comments provided, if required. The public has to November 5, 2004 to make a submission. This is part of the reporting anomaly within the LGA mentioned in the previous Council business paper concerning the Financial Reports.

As the detailed 2003/04 Financial Reports were considered by Council at the previous meeting, the following summary of results is now presented.

Item	2003/04 (\$,000)	2002/03 (\$,000)
<i>Statement of Financial Performance</i>		
Total Revenues from Ordinary Activities	48,372	44,406
Total Expenses from Ordinary Activities	45,938	43,330
Surplus/(Deficit) from Ordinary Activities	2,434	1,076
Grants and Contributions provided for Capital Purposes	8,646	5,421
Outside Equity Interests/Corrections	0	0
Surplus/(Deficit) from All Activities	11,080	6,497
<i>Financial Position</i>		
Current Assets	34,632	29,460
Current Liabilities	7,895	6,982
Non Current Assets	416,158	403,555
Non Current Liabilities	15,864	10,082
Total Equity	427,031	415,951
<i>Other Financial Information</i>		
Current Ratio (expressed as a ratio)	4.39	4.22
Unrestricted Current Ratio (expressed as a ratio)	3.52	3.01
Debt Service Percentage (%)	3.61	4.32
Rate Coverage Percentage (%)	43.43	47.30
Rates and Annual Charges Outstanding Percentage (%)	8.51	8.47

Manager - Finance & Administration Comments

Included in the body of the report.

Public Consultations

None received to date.

Other Group Comments

Not required.

Author's Response to Comments from Other Staff

Not applicable.

Recommendation (COR36)

That Council present to the public the 2003/04 Financial Statements.

Subject/File No: COUNCIL CULTURAL POLICY
(S857)

Prepared By: Manager Community Services, Wendy Adriaans

Reason: To present the proposed Cultural Policy for endorsement

Objective: Council endorsement of the proposed Cultural Policy

Management Plan Activity: Community Services

Background:

Lismore and the Northern Rivers region has the highest concentration of artists and arts/crafts practitioners per capita of any region in Australia apart from some suburbs of Sydney. This very strong creative force has helped to shape the unique identity of Lismore and its villages, festivals and events. As part of a regional approach to develop the arts industry within this region, in 2003 Council endorsed the formation of the Arts Northern Rivers Board and the employment of two regional arts development workers.

At the September 2004 Ordinary Meeting of Council, Council endorsed the draft Cultural Development Plan. One of the key drivers for the development of the Cultural Plan was the Ministry for the Arts, who provided cultural planning guidelines to be addressed by all NSW councils. It is understood that future funding from the Ministry may be dependent on the development and implementation of a cultural plan.

The guidelines also require the development of a Cultural Policy that integrates with the Cultural Plan. Ideally the cultural plan and policy will integrate with Council's other planning processes to inform departmental and strategic planning processes.

The attached Cultural Policy has been developed in conjunction with the Cultural Plan and reflects the major goals and objectives within the Plan. The policy highlights the importance and value of the arts and broadly proposes mechanisms for the support and development of the arts and cultural industry.

Manager - Finance & Administration Comments

Not applicable.

Public Consultations

The Art in the Heart Advisory Panel was consulted as a key reference group regarding the development of the Cultural Policy in conjunction with the Cultural Development Plan.

Other Group Comments

Not applicable.

Author's Response to Comments from Other Staff

Not applicable.

Conclusion

The existence of a Cultural Policy will assist the planning and development of the arts and cultural industry as well as providing substance and justification in future funding submissions. It is important that Council acknowledges the value of the arts and culture industry and that its cultural policy reflects community direction and participation.

Recommendation (COS41)

That Council adopt the attached Cultural Development Policy.



POLICY MANUAL

POLICY NO:	Cultural Policy
FUNCTION:	Administration
ACTIVITY:	Community Services
OBJECTIVE:	To provide support for community cultural development
SECTION RESPONSIBLE:	Corporate & Community Services
AUTHORISED:	REVIEWED:

This Policy should be grounded in an exploration and expansion of Lismore's character and context to generate significant tangible and intangible benefits in the interests of the long term development of the city and its villages.

The Cultural Policy, into which the festival and events policy and a diverse range of community events and projects articulate, needs to enhance and augment the distinctive identity of the city and its sense of place.

This policy recognises the direct contribution that arts and culture make to our local community and its identity, and acknowledges that cultural development is strongly linked to the social, environmental and economic well-being of Lismore. As a community leader Lismore City Council has a responsibility to encourage and facilitate arts and cultural activity, to provide leadership and direction in cultural development, and to provide support for artists and arts/ cultural organisations to facilitate their continued contribution to Lismore's development.

Council will endeavour to achieve the following aims directly through its human and financial resources, and/or indirectly via the encouragement and support of community groups and individuals. Council will:

1. Recognise the value that cultural life contributes to community well-being.
2. Encourage the pursuit of excellence in arts and cultural endeavours within the region.
3. Provide leadership and support for the development and continuation of diverse cultural activity within the Lismore local government area.
 - 3.1 Support and encourage emerging and existing cultural organisations.
 - 3.2 Capitalise on the rich local creative talent by utilising the skills of artists to develop community arts projects that add to the distinctive identity of Lismore and its villages.
 - 3.3 Develop and support cultural activities that enliven and express the distinctive local identity of Lismore and its villages.

Council Cultural Policy

4. Create the most appropriate cultural infrastructure to support the needs of a diverse and creative community.
5. Create opportunities for all residents to participate in a wide range of cultural activity.
 - 5.1 Encourage and support organisations that promote cultural activity for young people.
 - 5.2 Support and facilitate the development of community-based cultural events throughout the year.
 - 5.3 Provide support for the development of partnerships within the community that promote Aboriginal cultural endeavours.
6. Support the development of cultural tourism in Lismore and surrounding region.
 - 6.1 Identify existing and future opportunities for cultural tourism and develop strategies to capitalise on these opportunities for sustainable development.
 - 6.2 Capitalise on Lismore's arts and cultural character as a competitive edge in the city's marketing campaigns.
7. Work towards the integration of cultural development planning with all relevant strategic planning processes and documents within Council.

Subject/File No: MANAGEMENT PLAN REVIEW 2003-2006–SEPTEMBER QUARTER 2004

Prepared By: General Manager

Reason: Requirement of the Local Government Act

Objective: Information 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 September 2004.

GROUP: GENERAL MANAGERS
Management Plan Review
Period ending September 2004

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

Communications and Community Relations

- **Strategic Planning** Delivery of first draft of Strategic Plan, including several Councillor workshops.
- **Improve Council Reputation**
 - Issue management - maintained daily pro-active media schedule via staff management, including maintenance of positive media profile on issues and exceptionally high media coverage of events (> 98%).
 - Project management of 4 new scholarships with SCU.
- **Improve Community Relations**
 - Project management of a review of business paper process and layout commenced.
 - Internet – Published Spring version of website.
 - Implementation of new content management system for Internet.
 - Published Community Link July/Aug edition.
 - Published Annual Report to residents.
 - Liaison with SCU re 10th anniversary celebrations.
- **Events - Community Relations -**
 - Project management for Show involvement.
- **Customer Service -**
 - Finalisation of first customer service reports and measurements.
- **Staff training**
 - Grammar and writing training held.
 - Creative thinking training promoted.
 - Communications planning held for 04/05.
 - Introduced 'Council Chat' as an internal communications debrief of Council meetings.

Special Projects and Properties

- Land register – the collating of leases and licences onto a central register is continuing however the register is not currently being placed on CIVIL as it is considering the appropriate software for the electronic document register system.

LISMORE CITY COUNCIL - Meeting held November 9, 2004

Management Plan Review 2003-2006 –September Quarter 2004

GROUP: GENERAL MANAGERS (continued)

Management Plan Review - Period ending September 2004

Special Projects and Properties (continued)

- Spinks Park and Riviera – the rowing club wharf plans have still not been approved by the Lands Department, however they are being pursued. Proposals for the repair of the rotunda are being formulated and should be finalised in the following months.
- CBD Centre – the disabled access ramp is under construction.
- Cultural Precinct – Council has adopted the site master plan. Architectural input into the aesthetics of the site is being obtained from two sources prior to a competition for the design of the public buildings being held.
- Reclassification and rezoning – the LEP amendment for the reclassification and rezoning of public and private land has passed the public consultation process and a report will be brought to Council for the November 2004 meeting.

Workshop, Fleet Management and Sign Shop

- Delivery of Freightliner / MacDonald Johnston additional Garbage truck (Northern Rivers Waste - Fleet No's 175) and in service.
- Delivery of one 35,600 litre, self bunded, diesel storage tank and pumping equipment (Workshop) and in service.
- Delivery of one second hand 225 kVA diesel generator in shipping container to be eventually installed as back-up power supply for the LCC Administration building.
- Delivery of UD Cab/Chassis for Bridges repair/construction truck, crane, winch and table-top body yet to be completed (Bridges - Fleet No. 184).
- Order placed for the purchase of 150mm super-silenced water pump and trailer for filling of Lismore Lake and roadworks tankers (Roadworks – Fleet No. 555).
- Tenders to Council for replacement of 3 tipping trucks (Tender T24027 & T24028 – Fleet No. 115, 116, 117) and lease / replacement of Waste Landfill Compactor (Tender T25004 – Fleet No. 218).
- Purchase/delivery to LCC Workshop of replacement/additional plant items which include:-
3 only 4x4 Toyota Hilux utilities (Rural Fire Service - Fleet No. 810, 814 & 821), Nissan X-Trail 4x4 Wagon (Group Manager City Works – Fleet No. 961), 4x4 Mitsubishi Triton utility (Lismore Water – Fleet No. 408), 4x4 Mitsubishi Triton utility (N.R. Waste Fleet No. 410), 2 only 4x4 Mitsubishi Triton utility (Parks & Recreation – Fleet No. 409 & 462), 4x2 Toyota Hilux utility (Parks & Recreation – Fleet No. 453), 4x2 Holden Rodeo utility complete with XL service body (Parks & Recreation – Fleet No. 456), Deutz 90hp tractor (Quarry – Tea Tree Farm – Fleet No. 209), 2 only 4x4 Holden Rodeo utilities (City Works / Roadworks – Fleet No. 427 & 490), UD MK175 Cab Chassis for Roadworks Signs section, service body yet to be completed (Roadworks – Fleet No. 125).

Economic Development / Tourism

- Visitor Information Centre (VIC) retail sales have also increased to over \$26,000, an increase of over \$12,000 on the previous quarter. The VIC now has an extensive range of regional cuisine products and from this developed conference packs for the NSW Regional Sustainability Conference in August. Many of these products have also been used at local events to promote the VIC and the high quality of the local products available.
- Lismore Tourism and the VIC embarked on a community awareness program to raise the profile of Lismore with local residents. A range of t-shirts were produced to reinforce the Lismore brand. These can be seen around many shops and cafes within the town. The success of this has prompted the VIC to increase the range of items available for summer. Staff assisted with the judging of the Northern Rivers Tourism Awards.
- Promotional material was also prepared for marketing the Herb Festival and Lismore Show.

LISMORE CITY COUNCIL - Meeting held November 9, 2004

Management Plan Review 2003-2006 –September Quarter 2004

GROUP: GENERAL MANAGERS (continued)
Management Plan Review - Period ending September 2004

Economic Development / Tourism (continued)

- A submission for funding for a 'Cafe and Culture Trail' was successful with a \$100,000 grant from the Australian Tourism Development Program.
- A submission has been lodged for a 'Rainbow Story Walk' through the National Heritage and Environment Program.
- Public relations efforts continued with extensive tourism marketing in SE Qld and coastal areas and articles in SE Qld print media.
- Tourism Marketing product - design and preparation of 'Lismore Diversity' brochure; design and preparation of Lismore Regional Accommodation Guide.
- Discussions with Ballina Shire Council in relation to collaboration and resource sharing on projects.
- Re-design of Lismore Tourism links from LCC website.
- Tourism Industry newsletter produced and distributed to all regional operators.
- Planning, coordination and sponsorship attraction for Australian Country Cricket, AA Baseball to be held in January 2005.
- Planning, advertising, website and merchandising for Jazz Convention and Masters Games.
- Pursuing sponsorship for Herb Festival and appointing coordinator.
- Assisting Council in the Nimbin safety campaign; preparation of submissions for funding to support the Nimbin Community Development Officer position through the Department of State and Regional Development and Arts Northern Rivers.
- Published Lismore Facts & Figures brochure.
- Liaison with the Chair of Lismore Economic Development Advisory Board in relation to the Board focus.
- Liaison with a number of developers interested in establishing business in Lismore.

Human Resources

- LGSA 2004 Local Government State Award Working Party input finalised .
- Assisted with the consultation and implementation of Parks and Recreation Review.
- Held discussions with the General Manager on Organisation Structure review.
- Reviewed results from cultural survey (employee opinion) survey and provided strategies for developing more constructive culture and leadership.
- Progressed a number of initiatives under the Employee Health & Fitness Program.
- Developed and began implementation of Aboriginal Employment Strategy.
- Started process of gathering comprehensive information on workforce characteristics.
- Ongoing risk assessments and site visits by OH & S committee.

GROUP: CORPORATE & COMMUNITY SERVICES
Management Plan Review
Period ending September 04

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

Information Services

- *Computer Network* – specifications prepared and quotations called to re-cable the administration building in preparation for new information systems and a new digital phone system.
- *Website* – tender documents now available from Council's website & a Trades & Services Directory is now available on Council's Intranet for staff use.

LISMORE CITY COUNCIL - Meeting held November 9, 2004

Management Plan Review 2003-2006 –September Quarter 2004

GROUP: CORPORATE & COMMUNITY SERVICES (continued)
Management Plan Review - Period ending September 04

Information Services (continued)

- *General –*
 - Northern Rivers Councils are investigating a regional WAN (wide area network) to connect regional centres for voice and data communications.
 - Northern Rivers Councils investigating a common IT Help Desk solution.
 - Richmond Valley, Clarence Valley, Rous Water & Lismore continue to work cooperatively to select a Records and Information Management System solution. Registrations of Interest were advertised in September, closing on October 6, 2004.
 - New compactus units installed in tunnel for storage of corporate records.

Finance & Administration

- *Rating & Revenue –*
 - During this period a workshop and two Council reports have been considered on the rating structure review, with additional options being developed for a further workshop due to be held on 2/11/04.
 - A meeting with property owners and business operators was held in early September to discuss the proposed expenditure of the Nimbin Business rate of \$10,000. The consensus reached was for \$8,000 to be spent on security (CCTV) and \$2,000 for economic development. A follow up meeting in early October reconfirmed the support of these initiatives and staff are now investigating implementation.
- *Councillors –* during this period e-mail communication was implemented, a review of the 'Payment of Expenses and Provision of Facilities' policy was undertaken and a number of workshops were held, including 'Conflict of Interest', Strategic Plan etc.
- *Financial Services –* an additional workshop was held to consider public & councillor submissions to the 2004/05 budget was held and it was agreed to allocate an additional \$371,800 for works and services. The 2003/04 statutory financial reports were completed and audited as required by the LGA and subsequently presented to Council at its October meeting.
- *Other –* discussions have been held with the Macquarie Bank and the Northern Rivers Regional Development Board regarding the possibility of a PPP (Public Private Partnership) opportunity for the cultural precinct. Until the (new) NSW government legislation on PPP's is introduced, no further action can be taken.

Community Services

- *Art Gallery –* eleven exhibitions held during this period together with fund raising activities such as Bastille Day Sweet Movie Night. The Gallery Director, Bronwyn Lerner finished up early September and a recruitment process has commenced for a replacement.
- *Kadina Park –* the EnviTE work for the dole team are continuing with stage 2 works including the development of a toddlers playground, an adventure climbing zone and installation of additional picnic shelters and park furniture. There has been some problems with anti-social behaviour and vandalism. The project team is liaising with residents and the police to develop strategies to address these problems, including increased security, additional signage, security lighting and neighbourhood watch.
- *Community Safety/ Crime Prevention –* Council was successful in obtaining a \$274,000 grant from the National Community Crime Prevention Program. This two and half year program will provide for the integration of out of school vocational and personal development courses that target young people at risk of offending. A Vocational Pathways Coordinator has been appointed and will commence in November.

GROUP: CORPORATE & COMMUNITY SERVICES (continued)
Management Plan Review - Period ending September 04

Community Services (continued)

- *Aboriginal Community Development* – NAIDOC week celebrations were held during September and included the official opening, Information Day, Arts & Crafts stall all week, TAFE community brunch, basketball competition, children's disco and the Indigenous Community Awards dinner.

GROUP: PLANNING AND DEVELOPMENT
Management Plan Review
Period ending September 2004

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

Planning Services

1. Corporate Relations: Customer Service

- **Provision of planning advice:** phone/counter enquiries – July 548, August 532, September 581.
- **Participation in Government (State/regional) initiatives:**
 - Farmland Protection Project.
 - Development of Northern Rivers Economic Model.

2. Development Integration: Assessment of Development Applications

Steps have been taken to revise categorisation of planning DA's to align with statutory processing time frames specified in Environmental Planning and Assessment Act for the various category types:-

- Number DAs: 69 DAs lodged, 86 determined, No. DAs received year to date: 195 (c.f. 2003 180).
- Average DA Assessment times:
 - Integrated/Designated/Concurrence: 60 days* (statutory time – 60 days).
 - Other (local) DAs: 36 days (statutory time – 40 days).
- Residential Subdivision statistics: 9 DAs lodged proposing creation of 293 lots. 101 lots released.
- Other approvals: 32 Subdivision Certificates issued
43 miscellaneous.

* Important as Rural Fire Service consistently takes in excess of 40 days to return advice, so, when advertising period is also considered, assessment time is around 1 week.

3. Development Integration: Monitor and review current planning controls

- **Amendment 12 (Review of land zoned 6(a) Recreation):** public hearing held, report targeted for November Council meeting.
- **Amendment 16 (Airport Industrial Estate):** report on public exhibition prepared for consideration at October Council meeting.
- **Amendment 18 (Dwelling entitlement Satinwood Rd):** exhibited for public comment
- **Amendment 21 (alteration to date of adopted of DCPs for Exempt & Complying Development):** exhibited for public comment (no submissions) with report prepared for October Council meeting.
- **DCP 14 (Residential Development):** report on minor alterations considered at August Council meeting with decision to place draft DCP amendment on exhibition.

GROUP: PLANNING AND DEVELOPMENT (continued)
Management Plan Review - Period ending September 2004

3. Development Integration: Monitor and review current planning controls (continued)

- **Clunes DCP Review:** 61% response rate to questionnaire. Responses evaluated and preliminary results reported to Clunes Wastewater Committee.
- **DCPs 18 (Off-street Car parking) and 28 (Subdivision):** draft generation rates for DCP 18 finalised. DCP 28 Review underway.
- **DCP 39 Exempt Development:** report on minor alterations to DCP considered at August Council meeting with draft amendment to DCP placed on exhibition.
- **Draft DCP 47 (Waste Minimisation):** Council, at its August meeting resolved to place DCP on exhibition.

4. Development Integration: Implement adopted land use strategies

- **Urban Development Strategy:** Council, at its August meeting, resolved to adopt the Strategy inclusive of all major greenfields sites. It further resolved to send delegation to Minister for Planning to obtain support for variation to methodology used by Ministry staff to determine future land release levels (hence population increases).
- **Amendment 15: Rezoning of land at Trinity Drive in accordance with UDS:** exhibition completed but required formulation of S94 Plan. To expedite, alternative planning controls are being explored.

Rural Housing Strategy:

- **Amendment 17:** Council resolved at September meeting to adopt LEP amendment to permit 17 lots at Minshul Crescent, Tullera and forward to Minister for making of Plan.
- **Amendment 19:** LEP amendment exhibited to permit 26 rural residential lots and 1 community lot at Stony Chute Rd., Nimbin. and 3 lots at 18 Dougan Road, Caniaba. Consultation with Government Departments raised issues for clarification and further information has been sought from applicant.
- **Amendment 22:** Council resolved at August meeting resolved to prepare LEP amendment for exhibition for 9 rural residential lots at Eltham Road, Eltham.

5. Enforcement

42 Complaints responded to. 10 Inspections involving alleged non-compliance with conditions of consent.

Environmental Health Services

1. Environmental Protection and Enhancement - Assess Development Applications, Onsite Sewage Management Applications and Section 68 Applications

- **Development Applications:** Section provided comment on and undertook environmental and public health assessment of all DA's submitted to Council in the quarter. Monitoring of processing times was commenced from September only and averaged 23 days, which met performance indicator of 25 days or less.
- **Onsite sewage applications:** Over 40 onsite wastewater applications were received and assessed during the quarter. Processing times have averaged approximately 4 weeks.

2. Environmental Protection and Enhancement - Commercial Premises Management

- Inspections of 8 high risk, 2 medium and 1 low risk food premises were undertaken during the quarter. 43 additional inspections were carried out for new food premises, re-inspections and complaints.

GROUP: PLANNING AND DEVELOPMENT (continued)
Management Plan Review - Period ending September 2004

Environmental Health Services (continued)

3. Environmental Protection and Enhancement - Comprehensive State of Environment Report

- Work on SoE report continued and included collection and assessment of data from relevant agencies and organisations. Some government agencies did not provide data and information to Council within agreed time frame with consequent delays. Final drafts completed during quarter included three chapters being biodiversity, waste, and heritage, which have involved reporting against 21 regional indicators.

4. Environmental Protection and Enhancement - Water Sensitive Urban Design (WSUD)

- WSUD regional meetings are continuing and an internal working group has been established. A regional meeting was held in Ballina in July 2004 and in Lismore in September. Work towards developing regional policy/DCP continues with establishment of triggers to determine what types of developments will be required to meet stormwater quality targets.
- WSUD bus trip was held to Brisbane in July with participation from over 50 delegates from regional Councils.

5. Environmental Protection and Enhancement - Sun Protection

- Shade shelters, which were at former Rous Water car park, have been purchased for use at priority sites. A number of sites have been selected to investigate potential for erection of these shelters including Riverview Park South Lismore, Baseball grounds at Albert Park, and Channon playground area. Discussions and investigations continue with Council's recreation planner to finalise sites and construction needs.

6. Environmental Protection and Enhancement - On-Site Sewage Management

- The strategy spread sheet model has been updated as required.
- Audit/Education programme continues.
- On-going inspections of failing systems also continues.

7. Environmental Protection and Enhancement - Environmental Monitoring

- Section has monitored results from water supply sampling program and undertaken repeat sampling for failures as necessary.
- Monthly water monitoring program of rivers and creeks throughout catchment has not been implemented this quarter due to resources, although event sampling was undertaken on two occasions in response to reported environmental incidents.

8. Environmental Protection and Enhancement - Cities for Climate Protection

- Council resolved at July meeting to join Cities for Climate Protection program. The Section has worked with CCP program requirements for membership throughout September including completing community profile survey required and working towards obtaining funding to engage assistant to complete Milestone 1 (inventory and data collection).

Building Services

1. Development & Integration - Fire safety audit

- The audit has not been completed this quarter, although the majority of the properties have been assessed with outstanding orders and works progressing. Audit is envisaged to be completed prior to December 2004.
 - Continuing to identify buildings with outstanding fire matters and cataloguing their risk level for prioritisation.
-

LISMORE CITY COUNCIL - Meeting held November 9, 2004

Management Plan Review 2003-2006 –September Quarter 2004

GROUP: PLANNING AND DEVELOPMENT (continued)
Management Plan Review - Period ending September 2004

Building Services (continued)

2. Assessment of Development Applications & Construction Certificates.

- Average processing time/application: 20.16 days for the quarter (standard-25 days)
- No. DAs received year to date: 599 (c.f. 2003 578). NB: 2003 record year for building DAs
- Value of Construction Certificates issued during quarter: - \$64.51M. (inc. Lismore Square extension)

3. Public Safety - Swimming Pool fencing

- Pool strategy continues to be implemented, with 25 new pool inspections conducted each month of the quarter.

4. Corporate Relations - Professional Development

- During the quarter staff attended UTS Bushfire and Advanced Building Code short courses to improve their technical skill base, obtain additional qualifications, and continue their professional development.

5. Assessment of Development Application referrals.

- Section has responded with building advice and conditions to Planning Services section on weekly basis with average referral response times of 7 days, allowing for the 40-day turnaround for most DA types to be adequately met.

GROUP: BUSINESS AND ENTERPRISE
Management Plan Review
Period ending September 2004

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

Lismore Water

- Nimbin water supply restrictions (Level 2)
- Clunes Wastewater Committee - suspension of the Environmental Impact Assessment and expansion of the Committee to include wider stakeholders.
- Successful replacement of part of the sewer rising main from Dawson Street pump station.
- Completed 2003-4 sewer replacement programme.
- Letting of water main replacement tenders.
- Planning for the upgrade of Keen Street.

Northern Rivers Quarry & Asphalt

- Completed work on noise barriers to meet EPA requirements.
- Conducted Registrations of Interest process regarding business development for the NRQ&A business.
- Evaluated RoI responses and conducted workshop of Council.
- Commenced plant upgrades activities.

Lismore Memorial Gardens

- Completed opening of the Gardens of Reflection.
- Prepared site for Fathers Day.
- Assessment of additional changes to chapel configuration to improve service levels.
- Commenced project for East Lismore sectional marking.

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Management Plan Review 2003-2006 –September Quarter 2004

GROUP: BUSINESS AND ENTERPRISE

Management Plan Review - Period ending September 2004

Northern Rivers Waste

- Development of Cell2 delayed pending other leachate capital works.
- Continue to work with Tryton to assist with product and market development.
- Rural collection services will not be expanded until final commissioning of extra collection vehicle.
- Reviewed tenders for replacement of landfill compactor.
- Commenced restructure of staff and resources within the business unit.

Lismore Regional Airport

- Port Macquarie / Lismore / Brisbane regular passenger service has ceased and this was replaced by on demand charter services.
- Precision Approach Path Indicator (PAPI) lights were installed and commissioned.
- Council has investigated the installation of secure parking however this option is likely to be taken up by a private operator.
- A development application was lodged for a second fuel facility on the airport.
- Subdivision of the Aspect North site for the geospatial facility at the airport is continuing, requiring the consent of Federal aviation authorities.
- REX passenger numbers continue to be strong following the advent of Virgin at Ballina.
- Prepared risk assessment for Federal Government Aviation Security risk assessment.

Commercial Properties

- Council is progressing strategic rezoning to allow industrial development of several open space areas in South Lismore.

GROUP: CITY WORKS

Management Plan Review

Period ending September 2004

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

Parks & Recreation:

- Refurbish plantings on CBD roundabouts.
- Refurbish plantings on roundabouts and median strips along Ballina Road (SH16).
- Design and build gardens beside Transit Centre.
- Tree planting programme along Winterton Parade, Alexandra Parade and Pitt Street.
- Topdressing of playing fields with Tryton's compost material completed on Heaps Oval, No. 2 Field at Albert Park, and other playing fields.

Urban Works:

- Pedestrian refuge constructions at Rous Road, Conway Street, Nielson Street, Keen Street and Uralba Street.
- Skyline Road reconstruction complete. Erection of koala fence complete with seeding of old road section to be done at appropriate time. Noise reduction works complete on grids at Skyline and Durham Roads.

GROUP: CITY WORKS (continued)

Management Plan Review - Period ending September 2004

Urban Works (Cont.)

- Union Street widening.
- Cathcart Street reconstruction.
- Kadina Street, New Ballina Road and Industry Drive – Pre-construction activities.
- Drainage construction projects – Mortimer Oval Snow Street pit.
- Extension of Oliver Avenue roadworks and drainage complete – retaining wall to be constructed.
- Wilson Street drainage complete and roadworks partially complete (30%).
- East Lismore Drain (Elizabeth Street).
- Reversal of Magellan Street.
- Taxi Shelter, Carrington Street – Commenced.
- Street lighting upgrades completed for Richmond Lane enroute from the Crowther Carpark, and in the new Keen Street Carpark.
- Quote accepted from Country Energy to install Stage 6 of Oliver Avenue street lighting project.

Bridges:

- Loftville Creek Bridge railing refurbishment.
- Simes Bridge pedestrian railing.
- Cubawee Bridge, Kyogle Road.

Traffic and Enforcement:

- On-street/off-street parking enforcement continued – 726 fines issued.
- Nine abandoned vehicles impounded.
- 86 incidents recorded by safety cameras.
- Pedestrian refuges installed on Conway Street (Farmer Charlies), Keen Street (Workers Club) and Rous Road.
- New Regional Transport Co-Ordinator commenced at the CBD Centre.
- Link between Glasgow Lane and Glasgow Lane South opened to through vehicular traffic.
- Nimbin safety camera investigations commenced.

Rural Works:

- Reconstruction and bitumen sealing Terania Creek Road – Complete.
- Broadwater Road reconstruction (1.9Km), Broadwater – Complete.
- Richmond Hill Road reconstruction – Commenced.
- Rous Road, Marom Creek, road reconstruction – Commenced.
- Nimbin Road, Coffee Camp, reconstruction – Commenced.
- Cubawee Bridge approaches, Kyogle Road – Complete.
- Caniaba Road realignment – Complete.
- Heavy Patching – Kyogle Road – Complete.
- Heavy Patching – Wyrallah Road and Kilgin Road – Complete.
- Road Shoulder Maintenance – Kilgin Road and Broadwater Road.
- Drainage Maintenance – Terania Creek Road, Rosebank Road, Emerson Road, Ridgewood Road, Dunoon Road.
- Side-Arm Slashing – Dunoon Road, Nightcap Range Road.
- Resealing

LISMORE CITY COUNCIL - Meeting held November 9, 2004

Management Plan Review 2003-2006 –September Quarter 2004

GROUP: CITY WORKS (continued)

Management Plan Review - Period ending September 2004

Rural Works (continued):

- Completed gravel maintenance in the following areas: Wallace Road, Terania Creek Road, Munro Road, Missingham Road, Fraser Road, Upper Coopers Creek Road, Stibbard Lane, Tuckean Island Road, Wyrallah Road, Maxwells Road, Sheehan Road, Hazelmount Road, Mathieson Road, Cook Road, Back Creek area, Rifle Range Road.

Road Safety:

- Safety Around Schools – Dummies used to help slow down speeding motorists outside schools.
- Advisory speed checks conducted throughout the LGA with follow-up from the Richmond Local Area Command to address speeding on local roads.
- Operation Southtracks – RSO co-ordinated Council and RTA support of Richmond Highway Patrol road safety operation.
- Road Safety Playground – Family Fun Day held in September to launch the playground in conjunction with Bike Week 2004. Approximately 600 people attended, well supported by staff and Councillors.
- Young Drivers – Workshops for supervising drivers conducted in July/August – good response.
- RRISK – Planning well underway – 2,200 students from 27 secondary schools will attend this year.
- Local Government Road Safety Conference attended in September. Worked on revised Guidelines for RSO positions.
- Drink Driving – Planning for Lismore Cup Day to discourage drink driving, promote alternate transport, co-ordinated bus routes, extra off-street parking. Police reported only seven persons charged with drink drive offences and declared the event a great success.
- Drink Driving and Alcohol Related Crime – Supporting Lismore Licensees, Licensing Police and the Department of Gaming and Racing to establish and formalise a Lismore Liquor Accord.

Community Consultation:

- Young Drivers Forum hosted by Thomas George, MP - over 100 attended.
- Molesworth Street - Parking survey completed, report being prepared for Traffic Advisory Committee.
- Keen Street – Preliminary meetings held with business owners and operators of Keen Street in regard to CBD upgrade and water main works.

Survey, Design and Subdivision Control:

- Cowlong Road, McLeans Ridges, Realignment – Design alternate route.
- Dunoon Road, Modanville – 9.8km-10.6km, North Lismore – Rehabilitation.
- Nimbin Road, Coffee Camp – 19.8km-20.7km, North Lismore – Rehabilitation.
- Blue Knob Road, Nimbin – Cullen Bridge to Southwell Bridge – Rehabilitation.
- Rous Road, Tregeagle – Mollys Grass Road to Marom Creek – Rehabilitation.
- Uralba Street, Lismore – Diadem to Hunter Streets – Kerb and gutter, drainage plus widening.
- Keen Street, Lismore – Magellan to Woodlark Streets - Reconstruction and beautification.

LISMORE CITY COUNCIL - Meeting held November 9, 2004

Management Plan Review 2003-2006 –September Quarter 2004

GROUP: CITY WORKS (continued)

Management Plan Review - Period ending September 2004

Development Control:

Design Plans Assessed:

- Residential Subdivisions – 93 Barham Street, Regatta Estate, Stage 4, 52 O’Flynn Street, 47 Holland Street, Bristol Court, 292 Ballina Road, 25 First Avenue.
- Drainage Works – 6 Knox Place, Goonellabah.
- Drainage / Sewer Works – Just Street, Goonellabah.
- Preliminary Earthwork – 35 Just Street, Goonellabah.
- Commercial Developments – 39 Diadem Street (day care carpark), Ballina Street/Ewing Street, Lake Street, North Lismore.

Jobs Under Construction:

- Residential Subdivisions – Hillcrest Avenue, Heather Avenue, 33 First Avenue, Millar Street, Barham Street, Cavendish Road (Ubrihien Estate), Palmvale Drive, 317 Ballina Road.
- Rural Residential Subdivisions – Willis Road, Tregeagle, Dunoon Road, Tullera (Stage 3), Cedar Drive, Dunoon, Stage 3, Perradenya Estate, and Perradenya Estate entry reconstruction.
- Commercial Developments - 4 Snow Street and Holland Street.

Completed Jobs:

- Rural Residential Subdivisions – Cowlong Road, McLeans Ridges – Intersection and Dunoon Road, Tullera (Stage 2).
- Residential Subdivisions – 203 Invercauld Road, 3 Millar Street, Koala Drive, 23 Hillcrest Drive.

Emergency Services:

- Flood levee construction on schedule.
- Flood levee – Club Lane to Police Station – Commenced.
- Service Level Agreement between the Rural Fire Service and Council signed.
- The Rural Fire Service is working towards a combined Richmond Valley/Kyogle Shire/Lismore City Councils’ organisation.
- Lismore SES Unit active with around 70 trained members.

Recommendation (GM02)

That the report be received and its contents noted.

LISMORE CITY COUNCIL - Meeting held November 9, 2004

Subject/File No: SEPTEMBER 2004 QUARTERLY BUDGET REVIEW STATEMENT
(JH: S880)

Prepared By: Principal Accountant – John Hartley

Reason: Clause 7, Local Government (Financial Management) Regulations 1993

Objective: To gain Council's approval to amend the 2004/05 budget to reflect actual or anticipated results.

Management Plan Activity: N/A

Background

The Local Government Act 1993 (LGA) requires the annual budget to be reviewed on a quarterly basis and any significant variances to be reported to Council. This report satisfies the LGA's requirements.

The purpose of the September review is to "fine tune" any budgets that may vary due to more accurate information being available now than during the estimates process. This includes the reinstatement of budgets for works carried forward from the previous financial year.

General Fund

The 2004/05 Management Plan provided for a \$133,300 surplus. This review details a deficit of \$55,600 to make an accumulated budget cash surplus of \$77,700

For Councillors benefit, the detail of this movement is as follows:

Budget Balance Movements for Quarter	Amount \$
Opening Surplus Balance at July 1, 2004	133,300
Less – Additional Programs as per Council Resolution 169/04	(105,000)
• Re-install public toilet at Goonellabah Tennis Courts	(15,000)
• Provide shade trees to sporting fields	(20,000)
• Increase funding for Lismore Lantern Parade	(10,000)
• Third annual grade on busiest gravel roads	(40,000)
• Play equipment for Peace Park Nimbin	(20,000)
Less – Additional contribution for Road Safety Officer – after finalisation of funding	(1,500)
Add – Surplus impact of Financial Assistance Grants adjustments	21,400
Add – Surplus impact of PAMP funding adjustments	29,500
Closing Surplus Balance at September 30, 2004	77,700

For Council's information, listed below are the details of the activities, other than those reported as impacting on the surplus, with significant variances. Please refer to the attachment for individual programs for details of all budget movements.

LISMORE CITY COUNCIL - Meeting held November 9, 2004

September 2004 Quarterly Budget Review Statement

Economic Development Unit

The Management Plan includes an amount for the Riverbank project, which is funded from Quarry reserves. To correctly account for this situation, an amount of \$338,300 has been transferred to EDU reserves from Quarry reserves. There has been no amendment made to the project total as a result of this transfer.

Council approved (resolution 169/04) as part of the Budget Workshop additional funds to be allocated to a free commuter bus feasibility study - \$10,000, funded from Parks reserves (McKenzie Street Sale)

General Manager Support Services

A total of \$155,000 has been transferred from Special Properties reserves for the following programs:

Programme: Corporate and Community Services - Miscellaneous Properties

Front Counter; Goonellabah Council Offices - \$54,000, C-Block renovations -\$20,000, Carpark for pool vehicles; Goonellabah Council Offices (additional funding) – \$10,000, Compactus; Goonellabah Council Offices - \$ 24,000, Disabled Access (CBD office) - \$10,000.

Programme: Corporate and Community Services – Property and Community Facilities

Shade sails-\$10,000, Security Cameras Goonellabah Council Offices - \$6,000

Programme: Corporate and Community Services - Administration – Councillors

Strategic Plan - \$21,000

Community Services

Community Services staff successfully applied to the Department of Infrastructure, Planning and Natural Resources for a \$13,000 grant for the Bundjalung Elders Stories project. This has a nil impact on the surplus, as it will be fully expended. Also, there was an amount of \$15,700 carried forward as an unexpended grant from 2003/04 in relation to the Community Safety Program, which is to be completed this year

Council approved (resolution 169/04) as part of the Budget Workshop additional funds to be allocated to a) funding to NORPA - \$15,000 and the production of the Lismore Book – \$25,000, funded from Parks reserves (McKenzie Street Sale).

Health and Building

Additional expenditure has been included in relation to the Stormwater Management Project - \$19,000, this being fully funded from reserves.

Parks

An amount of \$266,800 has been transferred from Parks reserves (sale of McKenzie Street) to fund additional projects as approved by Council Resolution 169/04.

Additional projects include: Civic Pride funding \$20,000, Elders Park final stage \$14,000, Upgrade of sporting fields \$30,000, Landscaping of Allsopp Park \$40,000.

A capital budget has been included for the following projects: Extension to the Tucki Tucki Creek open space \$251,700 – being compensation for land acquisition funded from section 94 Contributions; and Coronation Park \$35,000 – funding from section 94 Contributions \$5,800 and section 94 Open Space Reserves.

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Urban and Rural Roads

The following capital project budgets were included with funding sourced from reserves, unexpended grants and loans funds:

- Cycle Ways \$39,000 – funded from unexpended grants \$16,000 and Roads Reconstruction reserve \$23,000
- McKenzie Street \$72,000, Rotary Drive \$133,000, Terania Street \$38,000, Union Street \$80,000, Caniaba Roads \$100,000, Cowlong Road \$183,000 and Richmond Hill \$242,000 – funded from Roads Reconstruction reserve
- Classified Roads \$157,000 and Cubawee Bridge \$74,900 – funded from Contractors Reserve
- Drainage Constructions – Mortimer Oval \$105,000, Cathcart St \$65,000 and East Lismore \$27,000 – funded from unexpended loan funding.
- Security Cameras in CBD \$20,000 - to be funded from CBD security reserve.
- New Ballina Road - Renwick & O'Flynn St \$40,000 – transfer from operational expenses.
- Oliver Avenue/Lancaster Avenue \$165,000 – funding from Section 94 contributions \$119,600 and Special Property reserve \$45,400.

Skyline Road - an amount has also been included in the capital budget \$85,200 As at the September quarter the project has incurred 2004/05 financial year costs of \$157,000, \$80,000 in excess of the budget allocation due to extra works being carried out on the fencing. The additional funding is to be sourced from section 94 – Urban Strategic Roads and from within existing Roads Budget with nil impact on the Surplus. This has not been included in this review, as the project has not been finalised, this will be included in December 2004 review.

The following additional projects have been included as per Council resolution 164/09 and are funded from Parks reserve – being funds received in relation to the sale of land at McKenzie Street: Construct Bus bay at Eltham \$25,000, construct Walkway between the Channon Village and Coronation Park \$68,000.

The RTA single invitation maintenance contract was finalised with an advised overall reduction in funding of \$127,000. This has had a nil impact on the surplus as programs have been revised in accordance with the final funding advice.

The Management Plan includes an amount \$100,000 as a purchase incentive to City Works to purchase from the Quarry, which is funded from Quarry reserves. To correctly account for this situation, an amount of \$100,000 has been transferred to Road reserves from Quarry reserves. There has been no amendment made to the project total as a result of this transfer.

Quarry Operations

An amount \$438,300 has been transferred from quarry reserves being: \$100,000 incentive payment to City Works for purchases from the Council Quarry previously included under Roads Reserves \$100,000 and Riverbank Development \$338,300 previously included under EDU reserve movement.

Northern Rivers Waste

A grant previously included in the original budget for the construction of the footbridge will not be received, requiring the reversal of the original budget allocation. The original project was to be funded from matching grant \$15,000, Council contribution \$10,500 and Reserves \$4,500. The Council contribution of \$10,500 has been reallocated to general garden maintenance.

Lismore Memorial Gardens

An amount has been included in the capital budget for the construction of a Garden of Reflection \$65,000 with funding from the Public Cemetery reserve.

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Lismore Regional Airport

An amount of \$70,000 has been included in the capital budget in relation to the Aspect North development at the Lismore Airport - this is to be funded from Airport Reserves.

Water Fund

Rous Water has advised the final consumption charges for 2004/05 with the affect being an additional \$164,000 in expenses to be included. This has been offset by an expected increase in revenues collected for water charges of \$164,000, there being no net impact on the Water Fund.

Sewerage Fund

Capital works totalling \$20,000 have been transferred from section 64 funds for works on mains at Heather Avenue.

Change in Net Assets

The 2004/05 Management Plan showed a surplus in the "Change in Net Assets" of \$4,136,000. This review has decreased the surplus by \$406,000 to \$3,731,000.

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

Manager - Finance & Administration Comments

The impact of the changes approved by Council to the Lismore Memorial Baths project has not been included in the September review. A report on the amended project is to be presented to Council at this meeting for review and consideration. The impact on the budget will depend on the resolution of the Council and the changes adopted and be included as part of the December quarterly review.

Public Consultations

Not required.

Other Group Comments

Not required.

Author's Response to Comments from Other Staff

Not applicable.

Conclusion

Council's budget has moved from a surplus of \$133,300 to a surplus of \$77,700. The significant changes have been due to Council resolution 169/04 to allocate part of the surplus to various projects – a total amount of \$105,000. In addition, as a result of final advice being received in relation to the Financial Assistance Grants and PAMP funding, an additional amount of revenue was recognised - \$49,000, the net impact on the surplus being \$57,600.

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Council also resolved to apply part of the sale proceeds of McKenzie Street to various projects – this amount of \$268,000 has been transferred from the Parks reserve to the projects as identified. These projects have a nil impact on the general surplus.

Council remains in a strong position for the 2004/05 financial year, performance will need to be monitored to ensure that this continues.

Recommendation (COR39)

1. Council adopt the September 2004 Budget Review Statement for General, Water and Sewerage Funds.
2. This information be submitted to Council's Auditor.

Subject/File No: TENDERS FOR THE RENEWAL OF SEWER MAINS, VARIOUS LOCATIONS, LISMORE (T25006)

Prepared By: Contracts Engineer, Lismore Water – Ravi Ariyasinghe

Reason: To inform Council of tenders received for the renewal of sewer mains at various locations, Lismore

Objective: To obtain Council approval to award the Contract

Management Plan Activity: Sewer Mains Renewal Program

Background:

Tenders have been called for the renewal of approximately 1,700m of sewer mains with trenchless methods, 45 house service lines and associated works at various sections of Bridge Street, Dawson Street, First Avenue, Gaggin Lane, Keen Street, McKenzie Street, Orion Street and Weaver Street in Lismore as part of the 2004/05 sewer mains renewal program.

These sewer mains were identified as needing renewal because of their poor service condition.

The request for tender was advertised in the Sydney Morning Herald, the Weekend Star and the Courier Mail (Brisbane).

Two tenderers (Collex Pty Ltd and Interflow Pty Ltd) submitted their tenders by the close of tender at 2.00pm on Thursday 7 October 2004.

Collex Pty Ltd submitted two conforming offers. Option A is a combination of pipe bursting and relining methods. Option B is solely a relining system.

Tender Examination:

The tenders received are summarised below.

TENDERER	METHODOLOGY	TENDER PRICE
Collex Pty Ltd – Option A	Combination of pipe bursting and relining	\$513,283
Collex Pty Ltd – Option B	Relining	\$545,244
Interflow Pty Ltd	Relining	\$609,425

The prices shown above are **exclusive** of GST. This tender is a schedule of rates tender.

An evaluation panel consisting of Ravi Ariyasinghe (Contracts Engineer, Lismore Water), Janaka Weeraratne (Asset Manager, Lismore Water) and Kim Bulmer (Water and Wastewater Inspector) undertook the assessment of tenders.

The tender documentation (Clause B7) defined five areas by which each tender would be assessed.

- i. Total Price;
- ii. Material Equipment and Methodology;
- iii. Capability and Past Experience;
- iv. Quality, Safety and Environmental Management; and
- v. References.

Attachment A shows the weighted result for each criteria.

The tendered price for Option A of Collex Pty Ltd is considered reasonable and has provided the better proposal for this project when compared with the other offers.

Referee Check

Council contracted Collex Pty Ltd for several projects of a similar nature in the past and Collex Pty Ltd performed the works under these contracts to a high standard.

Principal Accountant's Comments

The 2004/05 Management Plan has current allocation of \$466,000 remaining for sewer mains replacements. The balance of funds are to be accessed from reserves and under spent jobs programmed in the 2003/04 Management Plan.

Public Consultations

Not required.

Other Group Comments

Not required.

Author's Response to Comments from Other Staff

Not required.

Conclusion

Collex Pty Ltd is considered to be able to complete the work satisfactorily. It is recommended that the contract for the renewal of sewers at various sections of Bridge Street, Dawson Street, First Avenue, Gaggin Lane, Keen Street, McKenzie Street, Orion Street and Weaver Street in Lismore be awarded to Collex Pty Ltd at the rates submitted in their Option A.

Recommendations (ENT11)

- 1 The contract for the renewal of sewer mains at various locations is awarded to Collex Pty Ltd at the rates submitted in Option A. (The estimated price of the works is \$513,283 plus GST.)
- 2 The Mayor and General Manager are authorised to execute the Contract on Council's behalf and attach the Common Seal of the Council.

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Subject/File No: COUNCIL MEETINGS AND PUBLIC CONTACT FORUMS FOR 2005 (S43)

Prepared By: Administrative Services Manager – Graeme Wilson

Reason: Council policy

Objective: Determine schedule and meeting locations

Management Plan Activity: Corporate Management

1. **Council Meeting Schedule**

Council has resolved that Ordinary meetings will be held on the second Tuesday of each month. The first ordinary meeting of the year will be held on February 8, 2005.

2. **Rural Meetings and Public Contact Forums**

Council's Policy No. 1.2.7 states that Council will meet two times per year at village locations and will also conduct three Public Contact Forums at rural locations. Over the past 12 years council has visited almost every Public Hall at least once; visits which are well received by local residents.

In the current year, only one rural Council meeting has been held, this was due to the timing of the 2004 Local Government Elections. It is proposed to resume the two rural meetings in 2005.

All three Public Contact Forums for 2004 – Jiggi, Dorrroughby and Eltham have been conducted, all with good attendance from local residents.

When initiated, the Contact Forums were designed as a mechanism whereby the rural residents could have improved access to Councillors. Since this time, the advance in technology with respect to fax and email has removed some of the access barriers but the public still sees benefit in face to face contact. The format of these contact Forums is being reviewed with a view to increasing their effectiveness as a way of obtaining feedback on future directions as well as current performance.

The following schedule of venues is suggested –

a)	Council Meetings:	March 8	Clunes
		November 8	The Channon
b)	Public Contact Forums:	March 21	Wyrallah
		June 20	Keerrong
		September 19	Tullera

3. **City Contact Forums**

Council has introduced the concept of City Contact Forums. Two are scheduled each year, with this year's being held at the Lismore RSL Club and Goonellabah Community Centre.

Suggested meeting dates and locations are detailed below –

April 18	City Hall
July 18	RSL Sports Club

Manager – Finance and Administration Comments

Not requested.

Public Consultations

Not required.

Other Group Comments

Not required.

Author's Response to Comments from Other Staff

Not applicable

Recommendation (COR32)

That the schedule of venues as outlined below be adopted –

- | | | | |
|----|------------------------|-------------------------------------|---------------------------------|
| a) | Council Meetings | March 8
November 8 | Clunes
The Channon |
| b) | Public Contact Forums: | March 21
June 20
September 19 | Wyrallah
Keerrong
Tullera |
| c) | City Contact Forums: | April 18
July 18 | City Hall
RSL Sports Club |

Subject/File No: INFORMATION GATHERING POLICY – INSURANCE CLAIMS (S187)

Prepared By: Administrative Services Manager - Graeme Wilson

Reason: To adopt a consistent approach to Information Gathering

Objective: To adopt a Council Policy

Management Plan Activity: Administrative Services

Background:

From time to time Council receives requests from the public for reimbursement for damages to property or personal injuries. These requests can take the form of a phone call though to a Statement of Claim lodged with the District Court.

To determine Council's response to such requests, investigations are carried out to determine the circumstances of the incident. Obviously the more serious the incident the greater is the effort put into the investigation.

Using the Best Practice Manual on Information Gathering, developed by Statewide Mutual an Incident Flow Chart and an Internal Investigation report pro forma were prepared and have been in use for a number of years to ensure consistency and completeness of the investigation process. These have been recently reviewed and a copy is attached for your information.

Council's insurance brokers have recommended that these procedures be supported by a Council policy. Accordingly, a simple policy has been prepared to accompany the procedures which are essentially staff directions.

Manager - Finance & Administration Comments

Not required.

Public Consultations

Not required.

Other Group Comments

The various groups within Council have been consulted as part of the preparation of the internal procedure.

Author's Response to Comments from Other Staff

Not required.

Recommendation (COR37)

That Council adopt Policy No 1.4.18. "Gathering Information".



POLICY MANUAL

POLICY NO: 1.4.18	GATHERING INFORMATION
FUNCTION:	Administration
ACTIVITY:	Corporate & Community Services
OBJECTIVE:	To document the required standard of Council generated information and data needed to assist in defending a public liability or professional indemnity claim and ensure that they constitute admissible evidence.
SECTION RESPONSIBLE:	Corporate & Community Services
AUTHORISED: 9/11/04	REVIEWED:

Introduction

This policy, together with the procedure (CorS.1.60), provides the minimum data standards for the gathering of information and is designed to meet the following principles:

- To meet operational business needs, accountability requirements and community expectations.
- The protection of Council's financial position through risk management.
- To facilitate the minimum data requirements for information required to be used defending possible public and professional liability claims.

Implementation

The General Manager is responsible for the implementation of this policy.

Budget

Council will allocate sufficient human and financial resources to implement this policy and associated procedure within Council's budget constraints.

Monitoring and Review

This policy will be reviewed at least on an annual basis in accordance with Council policy. The General Manager will monitor and review the procedure as required.

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Subject/File No: OCTOBER 2004 – INVESTMENTS HELD BY COUNCIL (S178)

Prepared By: Principal Accountant – John Hartley

Reason: Required under Clause 16 Local Government (Financial Management) Regulations 1999, Local Government Act 1993 and Council's Investment policy.

Objective: To report on Council Investments

Management Plan Activity: N/A

Background:

The Local Government Act 1993, Clause 16 Local Government (Financial Management) Regulations 1999 and Council's Investment policy requires a monthly report be provided to Council on investments. The report is to include the source and amount of funds invested, terms of performance of the investment portfolio over the preceding period and a statement of compliance in relation to the Local Government Act 1993.

Due to timing issues the final value of some investments is not available within the required reporting timeframe, therefore an estimate will be provided based on the investments held at the time of the report. This balance will be confirmed to Council at the following Ordinary meeting.

Report on Investments

The investments held by Council with various financial institutions, have been made in accordance with the Local Government Act 1993 Regulations and Council's investment policies.

- *Confirmation of Investments – 30th September 2004* \$32,470,337
There is no variation to the amount reported on the 12 October 2004. The final rate of return on investments was 6.17%, higher than previously reported (5.93%).
- *Estimate of Investments – 31st October 2004* \$32,575,244
Some variation is expected on the final balance as some investments are held in Managed Funds. The final valuation of these funds is not made until the end of the month. The current rate of return on investments for October 2004 was 6.17% compared to 5.62% for the same period last year. Indications are that rates will rise shortly.

A summary of Council's investments in graphical form has been included in the attachments.

Manager - Finance & Administration Comments

N/A

Public Consultations

N/A

Other Group Comments

N/A

Author's Response to Comments from Other Staff

N/A

Conclusion

The investments held by Council with various financial institutions, have been made in accordance with the Local Government Act 1993 Regulations and Council's investment policies.

Recommendation (COR38)

That the report be received and noted.

Subject/File No: DISCLOSURE OF PECUNIARY INTEREST RETURNS 2003/04
(S18)

Prepared By: Administrative Services Manager – Graeme Wilson

Reason: Request by Department of Local Government

Objective: To meet the guideline requirements

Management Plan Activity: Administrative Services

Background:

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

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

In accordance with the procedure, tabled are Returns for Councillors and designated staff.

Manager - Finance & Administration Comments

Not required.

Public Consultations

Not required.

Other Group Comments

Not required.

Author's Response to Comments from Other Staff

Not applicable.

Recommendation (COR35)

That the report be received and noted.

LISMORE CITY COUNCIL - Meeting held November 9, 2004

MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD OCTOBER 20, 2004
AT 10.00 AM.

(WMacD:VLC:S352)

Present: Councillors Merv King (*Chairperson*), Jenny Dowell and John Hampton, Ms Bronwyn Mitchell (*on behalf of Mr Thomas George, MP*), Messrs Mike Baldwin (*Roads and Traffic Authority*), John Daley (*Lismore Unlimited*), Snr Const Steve Hilder (*Lismore Police*), together with Mrs Wendy Johnson (*Road Safety Officer*), Messrs Bill Moorhouse (*Group Manager-City Works*) and Bill MacDonald (*Co-Ordinator – Traffic & Law Enforcement*).

Apologies: Nil

Minutes of Traffic Advisory Committee Meeting – September 15, 2004

Members were advised that the Minutes of the meeting held on September 15, 2004 were adopted by Council at its meeting of October 12, 2004

Disclosure of Interest: Nil

Business Arising:

1. Proposed Woolworths Petrol Station – Nos. 99-103 Diadem Street, Lismore

(Refer Item 1 of Minutes of September 15, 2004)

Mr Warren Rackham, Council's Projects Assessment Planner, addressed the Committee on the revised plans showing the reversed traffic arrangements. It was pointed out that it was now proposed to have entry to the service station via the service road opposite McKenzie Street and exit via the southern driveway onto Diadem Street. In order to further reduce conflict on Diadem Street between the shopping public and through traffic, it was suggested that a centre median should be installed on Diadem Street from McKenzie Street towards Magellan Street. The centre median could include an indented bay at the McKenzie Street end to allow motorists exiting the service station to negotiate a U-turn if they needed to travel south back towards Ballina Street.

Concerns were raised about the restricted turning area within the service station site for fuel tankers. It was felt that it was necessary to ensure normal semi-trailers were also capable of servicing the site and not only B-Doubles.

TAC95/04 **RECOMMENDED** that the above issues be addressed by the Developer and included in any approval conditions. (D040394)

2. Intersection of Bangalow Road / Howards Grass Road, Howards Grass

(Refer Item 81 of Minutes of August 18, 2004)

A plan was tabled showing two different intersection treatments in a proposal to relocate the Howards Grass Road intersection closer to Lismore. The preferred option was for an upgraded type 'AUR' intersection which would provide sufficient road width to allow through traffic space to manoeuvre around vehicles propped to turn right. The estimated cost of the new intersection would be \$100,000.

TAC96/04 **RECOMMENDED** that the plan be forwarded to the RTA for approval, together with a request for funding to be provided for the project. (R4101,R4401)

Correspondence:

3. **F Scibilia & Ms G Kimmins;** expressing concern for the lack of visibility at the driveway entrance to No.93 Alphadale Road, Lindendale, and requesting measures be taken to improve road safety.
A convex safety mirror was not considered appropriate in a general state speed limit area due to the distortion of approaching vehicles and their distance.
TAC97/04 **RECOMMENDED** that a 'concealed driveway' sign be erected for northbound traffic prior to the driveway. (04-9975:R4608,P14373)
4. **Ms JM Thompson;** advising that motorists are disregarding road rules at the new roundabout at the intersection of Johnston and Eltham Roads, Eltham, and suggesting the roundabout be replaced with a Stop sign on Johnston Road.
An inspection of the road was carried out and it was noted from discussions with a resident that many motorists were using the roundabout incorrectly and travelling on the wrong side of the medians.
TAC98/04 **RECOMMENDED** that this matter be referred to Council's Manager - Design Services for investigation and advice as to appropriate measures to reduce the current problems. (04-10311:R4001,R4002)
5. **R Jordan;** drawing attention to the speed of vehicles on the section of Magellan Street, between Brewster and Cathcart Streets, Lismore, and suggesting more prominent traffic control measures be implemented.
It was noted that this section of Magellan Street was in reasonable condition with wide road shoulders allowing for adequate parking. A further upgrade of the alignment and delineation was not considered warranted. With the statewide introduction of the 50kph urban speed limit, signposting of individual streets was not necessary. It was suggested that classifiers be installed to establish the speed of vehicles prior to a decision on whether or not any additional traffic calming measures were needed. (04-10375:S352,R7319)
6. **Ms K Barker;** requesting pedestrian safety be improved on James Gibson Road in the Clunes Village by installing a footpath, additional signage and a pedestrian crossing.
Mr MacDonald advised that he had spoken with Ms Barker and established that approximately six (6) children currently walked out of James Gibson Road and crossed Main Street to catch the bus each morning in front of the nursery. It was noted that the footpath area directly on the corner was severely restricted by shrubbery. The shrubs needed to be removed to afford sufficient space for pedestrians to use the grassed area instead of needing to walk on the road.
There was a painted median on Main Street, between the nursery and James Gibson Road, that could offer some protection until funds became available for the installation of a pedestrian refuge. It was suggested that if numbers of children catching buses each morning increased considerably, it may be more appropriate for bus operators to consider travelling along James Gibson Road to collect the children. (04-10692:R3902,R4101)

General Business:

7. **Uralba Street, Lismore – Parking Restrictions**
Cr Irwin had raised concern for vehicles now being parked on Uralba Street, adjacent to the Baptist Church, resulting in restricted sight distance.
It was noted that vehicles were being parked on both sides of the road, which did in fact have the effect of slowing through traffic. Whilst the width of available road for through traffic was narrow, bearing in mind the high demand for parking in the area, it was suggested that parking adjacent to the church be allowed with the exception of restricting parking for the first 10m from Rotary Drive by way of the installation of a 'No Stopping' sign. (R6058)
8. **Laneway Between Brewster & Clarice Streets, Lismore – Speeding Vehicles**
N Pond had drawn attention to the traffic conflict being experienced on the above laneway between parked vehicles and speeding motorists.
An inspection of the laneway was carried out and it was noted that its general condition would generally not allow excessive speed. The fact that some vehicles were being parked on the laneway would actually have the effect of slowing through traffic. If parking became a problem, Council's Rangers could investigate this issue. (R7417:CR04-3864)
9. **Additional Parking Facilities - Hunter Street, Lismore**
A plan was tabled showing a proposal to construct 45° angle parking on the western side of Hunter Street, immediately south of Uralba Street, adjacent to Hewitt Court. The project would provide 12 spaces at a cost of \$63,000. It was noted that approximately six (6) vehicles could already be parked parallel in this area so the net gain would be six (6) spaces.
TAC99/04 **RECOMMENDED** that the proposal be considered for funding as a future budget submission. (R6058)
10. **Traffic Issues – Eltham Village and Spring Grove Court, Goonellabah**
Cr Dowell advised that she had been approached by an Eltham resident raising concerns for the unsafe nature of the road and the speed at which some motorists were travelling on Johnston and Boatharbour Roads. Mr MacDonald advised that he had inspected the roads with the Police representative on the previous day and whilst they were narrow they were not worse than many other rural roads. There were no obvious problem areas provided motorists travelled at speeds appropriate to the conditions. A reduction in speed limits was not considered warranted.
Other issues raised were -
The installation of 'No Through Road' signs at Gray Road (off Eltham Road) and Spring Grove Court (off Kathryn Drive, Goonellabah).
The repositioning of the 'No Through Road', sign on Mayfield Street, Eltham, to provide greater visibility. (R4002,R4005,R6520,R4009)
11. **Molesworth Street Survey**
Mrs Johnson tabled the results of the survey of business people recently carried out to ascertain their acceptance or otherwise of the various aspects of the recent upgrade. Whilst not all agreed, there appeared to be general acceptance of the layout, landscaping, pedestrian facilities and parking with the majority indicating that their customers required one hour or less to do their business. (R7322)

12. CBD Parking – Off-street Carparks

There was general discussion regarding the growing demand for off-street parking and the need to cater for current and future growth. Mr Moorhouse advised that two new carpark areas were due to come on line shortly; being

- * the area on the corner of Keen Street and the Clyde Campbell Carpark back to the Commercial Bottle Shop that was basically an extension of the Clyde Campbell Carpark, and
- * another area on the south-eastern corner of Keen Street and Richmond Lane.

It was suggested that both of these areas should be designated 2-hour parking. These areas were intended to compensate for the loss of any on-street parking as a result of the proposed Keen Street upgrade.

It was also considered appropriate that the operators currently parking their buses in the Crowther Carpark be requested to vacate this carpark and find alternate parking. This would provide additional all-day parking within close proximity to the CBD.

Plans should also be put in place to bring forward the construction of the section of the Crowther Carpark north of Browns Creek, behind Johnson's Car Sales.

TAC100/04 **RECOMMENDED** that -

- a) the two new carpark areas off Keen Street be designated 2-hour parking
- b) the bus operators who currently use the Crowther Carpark to park their buses all day be requested to vacate the carpark and this area be reverted back to all-day parking.
- c) steps be put in place to ensure the earliest possible development of the northern section of the Crowther Carpark behind Johnson's Car Sales.

(P9988)

This concluded the business and the meeting terminated at 11.30 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:-

S88B Instrument – Request to Vary Restriction as to user over Lot 64 in DP 730275 at 60 Beaumont Drive, East Lismore

Council is the beneficiary of a restriction as to use over the above lot which seeks to protect trees over 2m in height. As Council's adopted Vegetation Management Order covers this area the title restriction is redundant.

(D03/888)

S88B Instrument – Request to Vary Restriction on use over Lot 26 in DP 830908 at Florence Street, Goonellabah.

Council approved a dwelling in 1993 that was subsequently constructed but has a floor area less than that stated in the Restriction on Use. Although the previous beneficiary of the Restriction had signed a variation it was not valid and now requires Council to sign the variation. The dwelling is a good quality brick two storey home and the request should be supported.

(P23726)

Sale of Lot 35, Bristol Circuit, Goonellabah

Council has negotiated an offer of \$120,000 for the purchase of Lot 35 in the next stage of the Bristol Circuit residential subdivision. The price is consistent with the value ascribed to the lot when the multi list agents visited the site.

(P28714)

SECTION 356 DONATIONS

CONFIDENTIAL MATTERS – COMMITTEE OF THE WHOLE

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

Section 10A(2) – Local Government Act 1993.

- a) personnel matters concerning particular individuals (other than councillors);
- 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;
- h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.

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: Section 339 Report – Senior Staff

Grounds for Closure: Section 10A(2) (a):

Public Interest: Discussion of this matter in an open meeting would on balance be contrary to the public interest because it contains personnel matters concerning particular individuals.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, OCTOBER 12, 2004 AT 6.06PM.

Present: Mayor, Councillor King; Councillors Chant, Crimmins, Dowell, Ekins, Graham, Hampton, Henry, Irwin, Meineke, Swientek and Tomlinson, together with the General Manager; Group Managers- Corporate & Community Services, Planning & Development, Business & Enterprise; Manager-Roads & Parks, Manager-Special Projects & Properties, Manager-Finance & Administration, Manager-Communications & Community Relations, Manager-Water & Wastewater, Assets Manager-Water & Wastewater, Acting Manager-Economic Development & Tourism, Fleet Manager, Administrative Services Manager and Team Leader-Administrative Support.

186/04 **Apologies/**
Leave of
Absence: Leave of absence was approved for Councillor Henry for the period October 20-30, 2004.
(Councillors Chant/Hampton)

187/04 **Minutes:** The minutes of the ordinary meeting held on September 14, 2004, were confirmed, subject to it being noted that in respect to Minute 165/04 Councillor Swientek moved the motion of condolence for the late Roy Doepel.
(Councillors Swientek/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:-

Darran Singh re Report – 2003/04 Financial Reports

(See Minute No. 191/04)

Darran Singh, on behalf of Thomas Noble Russell Auditors presented the 2003/04 financial reports to Council.

(S854)

Martin Field re Report – Draft Cultural Precinct Master Plan

(See Minute No. 192/04)

Mr Field raised a number of issues with respect to the interaction of the Library and the Cultural Precinct, including carparking, use of the ground floor of the Library building and the merits of expenditure on a new building for the Art Gallery.

(S857)

CONDOLENCE:

Caitlin Rose Green

Caitlin Green died on Monday, October 4 aged 19 from pneumonia following surgery in Brisbane. She was elected to Council's Access Committee in June this year.

Caitlin's parents Beth and Russell say that being elected to this committee gave her a great sense of achievement and joy. She attended Goonellabah primary School and Richmond River High School where she completed her HSC last year.

This year Caitlin started a 2 day per week Get Skilled course at TAFE. She was much loved at Realising Every Dream or RED Inc. where she was engaged 2 days each week in music and art.

Earlier this year Caitlin made a lantern and participated in the Lantern Parade. Despite being confined to a wheelchair her spirit was indomitable.

Through the Access Committee Caitlin raised issues such as parking for drop-off at RED Inc. in Carrington Street and access to shops in the CBD. Her fellow members are deeply saddened by her passing.

- 188/04 Councillor Dowell moved that Council's expressions of sympathy be conveyed to the family of Caitlin Green and the motion was carried with members standing and observing the customary moment's silence. (S75)

MAYORAL MINUTES:

Clunes Wastewater Committee

- 189/04 **RESOLVED** that the minute be received and –
- 1 A moratorium on the EIS process be put in place pending a Council resolution giving authority to proceed.
 - 2 That the CWC be expanded to include representative stakeholders from Clunes and other areas.
 - 3 Council advertise and letter drop the appropriate areas to invite representatives from the Wilsons River and Coopers Creek catchments to join the CWC.
 - 4 Council at its November meeting consider the nominations and appoint additional members to the CWC.
 - 5 The SKM Stage 1 Site Options Report and any other options be reviewed by the expanded CWC and the results be reported to the Council for determination of the next steps.
- (Councillors King/Hampton) (S288)

SUSPENSION OF STANDING ORDERS:

- 190/04 **RESOLVED** that standing orders be suspended and Council now deal with the undermentioned matters:-

- **2003/04 Financial Reports**
- **Draft Cultural Precinct Master Plan**

(Councillors Irwin/Meineke)

2003/04 Financial Reports

- 191/04 **RESOLVED** that the report be received and Council –
- 1 Adopt the 2003/04 Financial Reports and 'Statement by Councillors and Management' for both the General Purpose Financial Reports and Special Purpose Financial Reports, with the Mayor and Deputy Mayor delegated to sign on behalf of Council,
 - 2 Present the Financial Reports to the public at the November 9, 2004 Council meeting, and
 - 3 Advertise the presentation of the Financial Reports to the public from October 28, 2004 and invite both inspection and submission if desired.
 - 4 That staff and the auditor be congratulated on the presentation of the report.
- (Councillors Irwin/Ekins) (S854)

Draft Cultural Precinct Master Plan

- 192/04 **RESOLVED** that the report be received and Council –
- 1 Adopt the Lismore Cultural Precinct Draft Master Plan as exhibited.
 - 2 That the Project Committee proceed to the preparation of specifications for an architectural competition for an environmentally sustainable building for the art gallery/museum.

- 3 That competition results be reported back to Council prior to the adoption of the successful concept design.
(Councillors Irwin/Hampton) (S857)

RESUMPTION OF STANDING ORDERS:

- 193/04 **RESOLVED** that standing orders be resumed.
(Councillors Irwin/Dowell)

REPORTS:

2003/04 Financial Reports

(See Minute No. 191/04)

Draft DCP 47 – Waste Minimisation and Amendments to DCP’s 14, 26 and 40

- 194/04 **RESOLVED** that the report be received and Council adopt DCP 47 – Waste Minimisation and associated amendments to DCP 14 – Residential Development, DCP 26 – Industrial Development Standards and DCP 40 – Complying Development.
(Councillors Irwin/Tomlinson) (S545,S461,S739)

Draft Cultural Precinct Master Plan

(See Minute No. 192/04)

Amendment to DCP 39 Exempt Development and Lismore LEP

- 195/04 **RESOLVED** that the report be received and Council –
- 1 Adopt Amendment No. 2 to DCP 39 Exempt Development, and
 - 2 Adopt Amendment 21 to Lismore Local Environmental Plan and forward it to the Minister for Infrastructure, Planning & Natural Resources with a request that the plan be made.
- (Councillors Irwin/Dowell) (S890,S739)

Draft Amendment No. 5 to DCP 14 – Residential Development

- 196/04 **RESOLVED** that the report be received and Council adopt draft amendment No. 5 to Development Control Plan 14 – Residential Development as exhibited and give public notice of its adoption in accordance with the requirements of the Environmental Planning and Assessment Regulation, subject to Item 4.1 (a) of Amendment No. 5 to DCP 14 being amended to read.....*all buildings are contained within a radius no greater than 20 metres from the perimeter of the main building.*
(Councillors Meineke/Crimmins) (S461)

Application to Close Part of Hanlon Street, South Lismore

- 197/04 **RESOLVED** that the report be received and –
- 1 That the application to close the eastern part of Hanlon Street, South Lismore, be endorsed by Council and lodged with the Crown for gazettal as operational Council land.
 - 2 That Council sell the abovementioned closed road to the adjoining landowner at market price.
 - 3 All costs associated with the road closure be borne by the party seeking such closure.

- 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.

(Councillors Hampton/Meineke)

Voting against: Councillors Tomlinson and Swientek.
(R6922)

Purchase of Plant - one new 6 x 4 Tipping Truck for Rural Roadworks Construction and Maintenance Work

198/04

RESOLVED that the report be received and Council purchase one (1) only Mitsubishi truck with the Peak Engineering Tipper body as tendered (T24028) from Murwillumbah Truck Sales of Murwillumbah NSW for the cost of \$161,455.00 (includes GST) and accept their trade-in offer for V117 of \$48,000.00

(Councillors Dowell/Crimmins)

Voting against: Councillors Chant and Hampton.
(T24028)

Purchase of Council Plant - two new 4 x 2 Tipping Trucks for Rural Roadworks Construction and Maintenance Work

A MOTION WAS MOVED that the report be received and Council purchase two (2) only Isuzu FVR950HD trucks with the Obieco Tipper bodies as tendered (T24027) from:

- 1 Northern Rivers Isuzu of Lismore for the cost of \$122,190.50 (includes GST) each and accept the
- 2 Private offer to purchase V115 & V116 from Valley Motor Auctions of Kotara NSW for \$47,777.00 each

(Councillors Dowell/Hampton)

At the request of the mover and seconder the motion was WITHDRAWN.

A MOTION WAS MOVED that a further report be submitted to next meeting canvassing the issue of accepting a non-conforming tender.

(Councillor Swientek)

The motion lapsed for want of a seconder.

199/04

RESOLVED that the report be received and –

- 1 Council not accept any of the tenders submitted.
- 2 New tenders be called for the supply of two 4 x 2 tipping trucks with specifications to be determined by the Fleet Manager.

(Councillors Henry/Crimmins)

Voting Against: Councillors Swientek and Ekins. (T24027)

Replacement of Council Plant – Vehicle No. 218 (Bomag BC601RD) - Supply of one new 36 Tonne (Approx.) Waste Landfill Compactor

200/04

RESOLVED that the report be received and Council sign an agreement for an operating lease for supply of machine only of one (1) only Bomag BC772RB Compactor unit as tendered (T25004) from BT Equipment, Rocklea, Qld. On a eight (8) year lease for the cost of \$765,547.20 (includes GST) and accept their Trade-in offer for Councils Compactor (Fleet No. 218) of \$132,000.00 (Cheque refund to LCC).

(Councillors Graham/Hampton)

Voting Against: Councillors Irwin, Swientek, Chant and Meineke. (T25004)

Quotations - Laying of the Water Mains and Associated Works at Keen Street

- 201/04 **RESOLVED** that the report be received and the quotation for the laying of 100/150 mm diameter water mains and associated works be awarded to Camglade Pty. Ltd. at the rates submitted. (The estimated price for these works is \$129,712 plus GST and \$10,800 for rate only items.)
(Councillors Hampton/Meineke) (S82)

COMMITTEE RECOMMENDATIONS:

Traffic Advisory Committee 15/9/04

- 202/04 **RESOLVED** that the minutes be received and adopted and the recommendations contained therein be adopted.
(Councillors Dowell/Chant) (S352)

DOCUMENTS FOR SIGNING AND SEALING:

- 203/04 **RESOLVED** that the following documents be executed under the Common Seal of Council:-

Transfer Granting Easement for water supply pipeline over Lot 1/DP 952545 and Lot 521/DP 843447 known as 75 Tuntable Falls Road, Nimbin. The easement will run from Council's existing DE Williams dam to Tuntable Falls Road.
(04-10268: P24894,P15912)
(Councillors Hampton/Dowell)

SECTION 356 DONATIONS:

- 204/04 **RESOLVED** that in accordance with Section 356(1) of the Local Government Act 1993, the donations to persons as listed are hereby approved for distribution.

a)	Mayor's Discretionary Fund (GL2033.26)			
	Budget:	\$2,700	To date:	\$70
	➤ Magic Mania – entertainment for disadvantaged children – sponsorship for 3 children + carers (04-10231: S164)			\$105.00
	➤ Arts Northern Rivers - contribution to registration fee for Jyllie Jackson to attend the Regional Arts Aust. National Conference 2004 at Horsham, Vic. (04-10794: S164)			\$100.00
	➤ St. Carthage's School – support for State Champion Tournament of Minds team to Perth to contest national finals. (04-10758: S164)			\$150.00
b)	City Hall Reductions in Rental – Policy 8.4.2 (GL2033.2)			
	Budget:	\$8,100	To date	\$203.40
	➤ Youngstar2.com In accordance with policy			\$80.91

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	➤ Lismore Neighbourhood Club In accordance with policy			\$265.91	
	➤ Northern Rivers Writers Centre In accordance with policy			\$44.55	
	➤ Goonellabah Quilters In accordance with policy			\$288.37	
	➤ Lismore Neighbourhood Club In accordance with policy			\$118.18	
	➤ Lismore Musical Festival Society In accordance with policy			\$2,852.73	
c)	Banners – Policy 1.4.14 (GL2033.8)				
	Budget:	\$700	To date:	\$205.00	
	➤ ACON - Promotion of World Aids Day – 22/11/04 to 5/12/04 (1 week) (04-10961:S164,R6058) In accordance with policy			\$145.00	
	➤ Lismore 2004 Women Reclaim the Night Collective – 29/10/04) (1 week) (04-10585: S749) In accordance with policy			\$145.00	
	➤ Big Scrub Rainforest Day 2004 Organising Committee – 5/9/04 (1 week Uralba Street & 1 week Carrington Street – full cost \$235) (04-10306: S164) In accordance with policy			\$145.00	
d)	Licence Fees Payable by Charitable Organisations – Policy 1.4.7 (GL2033.7)				
	Budget:	\$300	To date:	\$34.20	
	➤ Blue Knob Hall Committee – reimbursement 30% of DA fee for signs. (04-10435: P26787) In accordance with policy			\$60.00	
e)	Council Contributions to Charitable Organisations – Waste Facility – Policy 5.6.1 (GL 2033.15)				
	Budget:	\$6,000	To date:	\$884.04	
	➤ Animal Rights & Rescue			18.91	
	➤ Challenge Foundation			86.82	
	➤ Five Loaves			37.91	
	➤ Friends of the Koala			7.78	
	➤ Life Community Op Shop			5.45	
	➤ LifeLine			110.00	
	➤ Lismore & District Police Boys			3.64	
	➤ Saint Vincent DePaul			74.42	
	➤ Salvation Army			<u>54.00</u>	\$398.93

(Councillors Irwin/Meineke) (S164)

MATTER OF URGENCY:

Report on Pool

205/04 **RESOLVED** that this item be admitted to the meeting as a matter of urgency.
(Councillors Irwin/Tomlinson)

206/04 **RESOLVED** that staff provide a detailed report to Council at its special meeting next week on the pool. This report is to include:

- 1 Costings for each item, including the measures to deal with the delay and any way the construction can be expedited.
- 2 How Council can be assured that the costs represent best value for money.
- 3 The impact on the budget including what will be deferred to accommodate this cost.

(Councillors Irwin/Tomlinson)

Voting against: Councillor Graham. (P6768)

CONFIDENTIAL MATTERS - COMMITTEE OF THE WHOLE:

207/04 **RESOLVED** that Council now exclude the press and public and meet in Committee of the Whole to consider the following matter:-

Mayoral Minute – Performance Review 2003/04 – General Manager

(Councillors Irwin/Hampton)

RESUMPTION OF OPEN COUNCIL:

It was reported that the Committee of the Whole had met in confidential session to consider the General Manager's Performance Review Report for 2003/04 and that the Committee made the following recommendations to Council:

- 1 That the Performance Review of the General Manager for the twelve months ending July 2004 be received and noted.
- 2 That the Council record its overall satisfaction with the performance of the General Manager for the period under review.
- 3 That the General Manager's total remuneration package be adjusted.
- 4 That Council conduct a workshop on November 16, 2004 to develop performance objectives and measures for the 2004/05 performance agreement.

208/04 **RESOLVED** that the report and recommendations of Council meeting in Committee of the Whole be received and adopted.

(Councillors Irwin/Hampton)

Voting Against: Councillor Swientek.

(E/OSU-100)

This concluded the business and the meeting terminated at 10.05 pm.

CONFIRMED this 9TH day of NOVEMBER, 2004 at which meeting the signature herein was subscribed.

MAYOR

MINUTES OF THE EXTRAORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, OCTOBER 19, 2004 AT 6.03PM.

Present: Mayor, Councillor King; Councillors Chant, Crimmins, Dowell, Ekins, Graham, Hampton, Henry, Irwin, Meineke, Swientek and Tomlinson, together with the General Manager; Group Managers- Corporate & Community Services, City Works, Planning & Development, Business & Enterprise; Manager-Special Projects & Properties, Manager-Finance & Administration, Manager-Communications & Community Relations, Acting Manager-Economic Development & Tourism, Fleet Manager, Administrative Services Manager and Team Leader-Administrative Support.

209/04 **Apologies/** Leave of absence was approved for Councillors Chant, Dowell,
Leave of Irwin, Tomlinson and Hampton from 24-27/10
Absence: (Councillors Crimmins/Graham)

REPORTS:

Memorial Baths Redevelopment

210/04 **RESOLVED** that the report be received and -

- 1 That Council acknowledge project cost increases arising from the consent condition of November 2003 and July 2004 which are estimated at \$300,000 and vote such funds as are required for this work.
- 2 That staff continue to negotiate project costings and report back to Council at the meeting of November 9, 2004 with final details.
- 3 That Council consider the benefits and disbenefits of installing a moveable boom in the 51 metre pool an estimated cost of \$220,000 and determine whether this feature is to be included or excluded.
- 4 That Council note the impact of design and construction changes will manifest as a contract time increase with the project expected to be completed by the end of April 2005.
- 5 That Council endorse the actions taken to ameliorate the impact on pool users arising from development of the swimming centre's completion date including:
 - i) The appointment of Mr Iain Jones as pool Liaison Officer.
 - ii) Council assist schools and swimming groups to locate alternative venues for their events.
 - iii) The subsidy of bus travel for schools and other swimming groups to assist with transport costs to alternative pool venues.
 - iv) Provision of lifeguard at the Lake Pool during specific periods of time.

(Councillors Hampton/Chant) (P6768)
Voting Against: Councillors Tomlinson, Ekins and Swientek.

Keen Street Upgrade

211/04 **RESOLVED** that the report be received and –

- 1 That the reconstruction of the Keen Street pavement (Woodlark to Magellan Streets) take place during January 2005, subject to consultation with stakeholders, and that the street be closed to all non-construction traffic during that period.

- 2 Council adopt a design layout that includes stainless steel gutter and bollards with tree locations similar to Molesworth Street, and that this plan be widely circulated to interested parties for information and seeking comments on the details.
- 3 Council invite expressions of interest from persons wishing to create an on-street eating area in this section of Keen Street on the basis that the successful applicant will be expected to construct and finance the facility to a similar standard to that in Molesworth Street.
- 4 As work proceeds outside the Conservatorium we minimise any damage to the building.
(Councillors Irwin/Ekins) (R7313)

Private Offer to Purchase Council Trucks

NOTICE OF RESCISSION MOTION:

212/04 Formal notice having been given by Councillors Crimmins, Swientek and Meineke it was **RESOLVED** that Minute No. 199/04 (Purchase of Council Plant) be rescinded.
(Councillors Crimmins/Meineke)

213/04 **RESOLVED** that the report be received and -

- 1 Accept the private offer to purchase V115 and V116 from Valley Motor Auctions of Kotara NSW for \$47,770.00 each subject to the purchaser giving a binding commitment to complete the purchase by the end of April 2005.
- 2 Not accept any tenders for the supply of two 4 x 2 tipping trucks.
- 3 New tenders be called for the supply of two 4 x 2 tipping trucks with specifications to be determined by the Fleet Manager.

(Councillors Irwin/Swientek) (04-11248: T24027)

Strategic Plan

214/04 **RESOLVED** that the report be received and the draft plan titled Lismore City Strategic Plan be placed on public exhibition for 21 days with a view to obtaining further community feedback prior to the Plan being adopted by Council at its December meeting.
(Councillors Swientek/Meineke) (S4)

This concluded the business and the meeting terminated at 7.15 pm.

CONFIRMED this 9TH day of NOVEMBER 2004 at which meeting the signature herein was subscribed.

MAYOR

