

Ordinary Meeting

An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at
the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on
TUESDAY, MAY 10, 2005
and members of Council are requested to attend.

Paul G. O'Sullivan
General Manager

May 3, 2005



Agenda

Opening of Meeting and Prayer (Mayor)

Apologies and Leave of Absence

Confirmation of Minutes

April 12, 2005

Public Access Session

Public Question Time

Condolences

Disclosure of Interest

Mayoral Minutes

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Altering Order of Business

(Consideration of altering the order of business to debate matters raised during Public Access).

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Strategic Plan Summary

Lismore regional city

STRATEGIC PRIORITY	AIMS	INITIATIVES
Economic Development	Build Lismore's reputation as a regional city for residents, businesses, education providers, health services and government.	<ul style="list-style-type: none"> ▶ Champion education ▶ Promote health facilities ▶ Support regional agriculture ▶ Promote cultural life ▶ Promote Lismore as a legal centre ▶ Support for sport
	Increase regional economic development, tourism and job creating investments.	<ul style="list-style-type: none"> ▶ Promote regional development ▶ Develop tourism ▶ Support businesses ▶ Pursue CBD revitalisation ▶ Assist in job creation ▶ Assist in creating new income opportunities
Quality of Life	Make Lismore a safe, healthy and caring community in which to live.	<ul style="list-style-type: none"> ▶ Increase social cohesion ▶ Support villages ▶ Provide community services ▶ Encourage sustainable development ▶ Promote recreation and leisure
Leadership by Innovation	Lead the region by demonstrating innovative practices in governance, customer service, communication, consultation, virtual amalgamation and financial management.	<ul style="list-style-type: none"> ▶ Lead the region ▶ Increase revenue from grants ▶ Improve customer service ▶ Consult the community ▶ Update technology ▶ Provide user pays services ▶ Privatise selected services ▶ Share assets and resources
Natural Environment	Preserve and rehabilitate Lismore's natural environment.	<ul style="list-style-type: none"> ▶ Provide sustainable land use planning ▶ Improve catchment management ▶ Conserve and repair the environment
Infrastructure	Further enhance Lismore's transportation, parking and pedestrian networks.	<ul style="list-style-type: none"> ▶ Improve transport systems ▶ Improve roads, cycleways and footpaths ▶ Assist with public transport ▶ Assist airport operations ▶ Support fleet operations
Water and Waste Cycle	Educate our community and lead the state in water and waste-cycle management.	<ul style="list-style-type: none"> ▶ Manage stormwater drainage systems ▶ Manage water and sewage ▶ Manage the waste stream and reduce waste

Notice of Motion

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

Councillor Chant moves

That the General Manager arrange a development application to permit the installation of lights on Crozier Oval.

(05-4340: P25112)

Report

Subject	Policy Advisory Groups – Community Membership
File No	S36
Prepared by	Administrative Services Manager
Reason	Council resolution
Objective	To appoint community members.
Strategic Plan Link	Leadership by Innovation
Management Plan Activity	Councillors

Overview of Report

Nominations for the following Policy Advisory Groups for Council to determine membership.

- Sport and Recreation
- Arts and Culture
- Public Transport
- Roads
- Community Services
- Sustainable Environment
- Economic Development

Background

Council, at its meeting held on April 12, 2005, finalised its new committee structure and resolved to commence the advertising process to select community representatives for the Policy Advisory Groups (PAG's).

Council placed advertisements in both the Northern Rivers Echo and The Northern Star and wrote to the newly identified target areas. The response has been mixed, with some PAG's attracting considerable interest and others being slower in attracting nominees.

Given that the Council's focus is on the budget/management plan/rating structure over the next two months it is not deemed critical that all PAG's be activated immediately. Accordingly it is proposed that Council consider at this meeting membership for:

- Sport and Recreation PAG
- Arts and Culture PAG
- Public Transport PAG

Council will continue to seek nominations for the remaining four (4) PAG's with a report to June or July meeting.

Detailed below is a summary of the responses received for these PAG's with the full applications separately enclosed with the business paper. Please note that council is not obliged to accept any or all nominations.

Sport & Recreation Policy Advisory Group

<p>Criteria 8 representatives from different local sports and recreation organisations and interested members of the public.</p> <p>Nominations</p> <table> <tr> <td>Cheryl Amor</td> <td>Basketball</td> </tr> <tr> <td>Melinda Clark</td> <td>Tennis</td> </tr> <tr> <td>Laurie Cooper</td> <td>General interest/rugby league</td> </tr> <tr> <td>Therese Crollick</td> <td>General interest</td> </tr> <tr> <td>Barry Davidson</td> <td>General interest</td> </tr> <tr> <td>Ross Dowse</td> <td>Softball</td> </tr> <tr> <td>Matt Kelso</td> <td>Soccer</td> </tr> <tr> <td>Mary Lemon</td> <td>Tennis</td> </tr> <tr> <td>John McMahon</td> <td>Cricket</td> </tr> <tr> <td>Clint Mallett</td> <td>Hockey</td> </tr> <tr> <td>Paul Parry</td> <td>General interest</td> </tr> <tr> <td>Mark Pearce</td> <td>Rugby</td> </tr> <tr> <td>Norman Ryder</td> <td>Cricket</td> </tr> </table> <p>Council will need to determine the 8 representatives.</p> <p>Criteria 1 representative from the NSW Department of Sport & Recreation</p> <p>Nomination No nomination</p> <p>Criteria 1 representative from the North Coast Academy of Sport</p> <p>Nomination Tony Clarke</p>	Cheryl Amor	Basketball	Melinda Clark	Tennis	Laurie Cooper	General interest/rugby league	Therese Crollick	General interest	Barry Davidson	General interest	Ross Dowse	Softball	Matt Kelso	Soccer	Mary Lemon	Tennis	John McMahon	Cricket	Clint Mallett	Hockey	Paul Parry	General interest	Mark Pearce	Rugby	Norman Ryder	Cricket
Cheryl Amor	Basketball																									
Melinda Clark	Tennis																									
Laurie Cooper	General interest/rugby league																									
Therese Crollick	General interest																									
Barry Davidson	General interest																									
Ross Dowse	Softball																									
Matt Kelso	Soccer																									
Mary Lemon	Tennis																									
John McMahon	Cricket																									
Clint Mallett	Hockey																									
Paul Parry	General interest																									
Mark Pearce	Rugby																									
Norman Ryder	Cricket																									

Arts and Culture Policy Advisory Group

<p>Criteria 2 representatives community and professional arts practitioners</p> <p>Nominations</p> <p>Martyn Fox Bette Guy</p> <p>Criteria 1 representative arts educator (i.e. SCU, TAFE)</p> <p>Nomination Jan Davis</p> <p>Criteria 1 representative Lismore Regional Gallery</p> <p>Nomination Stephen Alderton (Director)</p>
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Criteria

1 representative festivals and events/tourist

Nominations

Ros Derrett
John Hoffman
Valerie Axtens
Heather Sidney

Council will need to determine the 1 representative.

Criteria

1 representative creative industries/small business

Nomination

Jyllie Jackson

Criteria

1 representative indigenous art

Nomination

No nomination

Public Transport Policy Advisory Group

Criteria

4 transport operators (including bus, taxi, community support)

Nominations

Peter Shepherd (Lismore Branch of Bus & Coach Association)
Stephen Haywood (Lismore Taxis)
Colleen Thomas (Northern Rivers Community Transport)

Criteria

3 community representatives

Nominations

Nick Casmirri
Therese Crollick
Robert Weatherby

Additional Nominations (which do not meet the advertised criteria)

Council has received nominations from:
Linda Lomman (Public Transport Development Project)
Leonie Watson (Aboriginal Transport)

Comments

Financial Services

Not required.

Other staff comments

All relevant groups have been consulted in the preparation of this report.

Public consultation

Council has involved the public in all stages of the review process.

Recommendation (COR11)

1 That Council make the following appointments to its Policy Advisory Groups:

Sport & Recreation PAG

.....

Arts and Culture PAG

.....

Public Transport PAG

.....

2 That Council thank the following unsuccessful candidates for their interest in nominating:

.....

3 Council continue to seek nominations for the following PAG's:

- Roads
- Community Services
- Sustainable Environment
- Economic Development

Report

Subject	Review of Fees – Sporting Clubs
File No	S157
Prepared by	Manager – Roads & Parks
Reason	Council request
Objective	Review fees and charges for sporting activities
Strategic Plan Link	Quality of Life
Management Plan Activity	Parks and Recreation

Overview of Report

This report examines the cost and services provided by Lismore City Council for sport. It investigates our current system of fees and charges and compares Lismore to other similar Councils. It also reports on feedback received and financial contributions from various sporting organisations.

Background

During the last local government election there was concern expressed from the sporting community in regard to fees charged by Lismore City Council for the use of fields and other sporting facilities.

Council at the ordinary meeting dated May 11, 2004 **RESOLVED** that –

- “1 *The Council undertake a review of fees charged to sporting clubs for use of fields and facilities.*
- 2 *The review include the cost to maintain the grounds and facilities for various sports, and the level of service provided by this Council, fees charged by similar councils, fees for junior sport compared to senior sport and the services provided by various sports.*
- 3 *A report be brought back to Council to include financial contributions made by the various sporting organisations to the upkeep.”*

Review process

This report contains three major elements -

- a review of the services provided by Lismore City Council for sport and their cost
- a review of fees charged by similar Councils, and
- consultation with various sporting organisations in regard to fees and charges.

Services provided by Lismore City Council

Lismore City Council provides over 39 hectares of playing surface on a weekly basis to the Lismore community. This includes at various times of the year, up to –

- 20 cricket fields (including six turf wickets)
- seven (7) full size soccer fields (plus numerous junior fields)
- nine (9) touch and oz tag fields
- four (4) baseball and eight (8) softball fields
- three (3) hockey fields
- two (2) athletic tracks
- two (2) league fields
- one (1) AFL field
- and others.

The main services provided by Lismore City Council for sporting clubs include –

- vegetation control (mowing, edging, weed spraying and some gardening)
- litter collection and garbage removal
- line marking
- toilet and change room cleaning
- goal post installation
- maintenance and repairs to amenities
- fencing and other structures
- turf wicket maintenance
- repairs to playing surfaces, topdressing, fertilising
- opening and closing facilities
- electricity supply (amenities and flood lighting)
- water supply (amenities and irrigation)
- plus other miscellaneous activities.

Lismore City Council - fees and charges

The fees and charges for various sporting grounds and facilities have a long and involved history. Many years ago fees were set as a percentage of the cost to maintain the various facilities. However, over many years additional fees have been introduced and service levels have increased or decreased due to various circumstances.

A copy of Council's fees and charges are attached as Appendix 1. At first glance they appear rather complicated but there is a degree of uniformity throughout the fees. For example, the cost of a full sized field per season for various sports is shown below -

Rugby League	\$1,574
Cricket (synthetic wicket)	\$1,529
Soccer	\$1,574
Australian Rules	\$1,586
Hockey	\$1,475
Touch / Oztag	\$1,465 (9 touch fields @ \$407ea, equivalent to approx 2.5 full fields)
Baseball/ Softball	\$1,348

It should be noted that junior fields are considerably cheaper to hire than senior fields.

There are only a few sports that appear to pay lower fees than shown above -

Athletics (Seniors & Juniors)	\$ 938 (\$469 each)
Little Athletics (Dunoon)	\$ 258
Twilight Cricket	\$ 322
Winter Cricket	\$ 400 (\$ 40 per day)

The reason the above fees are lower is that these sports are secondary sports to a primary hirer of the grounds. The primary hirer for Riverview Park where athletics is undertaken is Far North Coast Soccer which uses the ground for development training nearly the whole year round.

Balzer Park is used by little athletics but the primary hirer is cricket. Twilight cricket is secondary to Saturday cricket and winter cricket receives little special servicing.

Another anomaly with our current fees and charges worth highlighting is that the cost of turf wicket maintenance for cricket is high. The estimated cost just for a turf wicket is \$10,400 per season, the estimated cost to maintain the field is a further \$8,000 per season and therefore the total cost of a turf wicket oval is approximately \$18,400 per season. Our current fee for these facilities is \$2,832 per season, which is a lower proportional contribution than other sports.

The cost of individual sports

A new internal cost control system was introduced on July 1, 2004, specifically designed for management and staff to understand the true cost of undertaking various parks activities. Although this system is good for tracking work activities it does not track the cost associated with individual sports.

Staff endeavoured to provide accurate costings to sporting clubs at some of the early meetings. However, it became evident that the inaccuracies in the data detracted from the purpose of the meeting. It also became evident that some of the services provided by Council are also provided to some degree by sporting clubs; for example, activities such as litter collection. Also, many clubs did not understand or were not aware of the services provided by Council, therefore felt they should not be credited with that cost.

Cost compared to fees received

Although the cost to provide services to individual sports is difficult to quantify, the cost to service sport overall can be reasonably accurately determined. This cost is estimated to be \$555,000 annually. A detailed breakdown of this cost is shown in Appendix 2.

The cost of sport accounts for 23% of the overall Parks & Recreation Budget.

The fees received from sports clubs and other users is \$137,500 per annum (averaged over the past three years). Refer to Appendix 3 for details of fees received over the past three years. Therefore, fees and charges cover approximately 25% of the total cost.

Fees charged by similar councils

A summary of fees charged and services provided by other councils is shown in Appendix 4. Detailed fees and charges of other councils are shown in Appendix 5.

Every council appears to charge fees in a different manner so it is very difficult to compare one council to another. Generally, Lismore provides a good range of services and the fees charged are substantial but certainly not the most expensive compared to other regional centres.

The councils surrounding Lismore do not charge any substantial fees. This factor and their relatively close proximity give a false impression that Lismore's fees are too high.

Public consultation

Feedback from sporting organisations

The following meetings were held with sporting organisations to discuss fees and charges -

- Cricket – December 13, 2004
- Soccer – December 14, 2004
- Hockey, softball and baseball – December 15, 2004
- Athletics, touch and Oz Tag – December 16, 2004
- Rugby league and AFL – January 11, 2005.

The above clubs represent approximately 70% of the income received by Council. Comments received from sports clubs are shown below -

Cricket

Cricket uses up to 18 ovals each weekend, which requires over 26 Ha of playing surface and six (6) turf wickets to be prepared on a weekly basis. During a cricket season over 690 Ha of grass is mowed (this is the playing surface only, it does not include the field surrounds).

- Cricket representatives had no complaints about the fees charged for turf wickets but felt the cost of synthetic wickets were expensive. Comparison to neighbouring councils was made, where very low or no fees apply to synthetic wickets.
- The comparison between cricket fields and open space was highlighted. If cricket was not using the fields council would need to still mow them like other open space.
- Cricket representatives mentioned that kiosks were not viable for their sport due to the low spectator numbers. Therefore, the potential for raising revenue is limited.
- They also highlighted that cricket brought a lot of people to Lismore and there were flow-on benefits to businesses in Lismore.
- Some high quality Sunday matches were being played in other council areas due to the fees charged by Lismore City Council.
- Cricket could not afford an increase in fees.

Soccer

Up to 10 soccer fields are prepared by Lismore City Council. There are five (5) clubs regularly using council fields.

- Council staff presented a spreadsheet showing the estimated cost to maintain soccer fields. Unfortunately, considerable time was taken up discussing the inaccuracy of the data or the inequity of some of the assumptions used to distribute cost.
- Again the comparison between open space and sports fields was raised. Council was obliged to cut grass on open space whether or not it was used for sport.
- Relatively little funding was used by sport in comparison to the benefits it returned to the community in the form of economic development, health and social benefits.
- Players and clubs in Lismore are disadvantaged as they must raise funds to cover council fees, whereas clubs in neighbouring councils did not have this burden.
- All clubs were struggling with financial commitments. The lack of any substantial development of sporting facilities in Lismore demonstrates this fact.
- Soccer clubs were very concerned this review would lead to increases in fees and charges.

Hockey, baseball and softball

Baseball and softball use the Albert Park Complex. Hockey's main venue is Hepburn Park but Mortimer Oval and Humbly Oval are also used.

- Hockey pointed out that Hepburn Park receives a lot of use as it is also used by touch and Oz Tag. The surface is rough and the ground is compacted. Given the poor quality surface, the fees paid are considered not good value for money.
- It was noted schools also use Hepburn Park which contributes to the over-use but do not pay fees.
- Both codes encouraged council to invest more in capital expenditure for ground surface improvements.
- A structured management plan is required which sets out a programme of works, which Council should fund.
- Council should realise there are a lot of intangible benefits of sport, including contributing to the health of the community, development of children and bringing money into Lismore.
- Extra amenities are required at Albert Park.
- No increase in fees and charges was warranted unless council improved the quality of facilities.

Touch, Oz Tag and athletics

Touch football and Oz Tag are played at Hepburn Oval and athletics is undertaken at Riverview Park and Balzer Park, Dunoon.

- The issue of over-use of Hepburn Park was raised. Also, the fact schools use Hepburn Park and do not pay fees whereas junior sport did pay fees.
- The benefits of sport to the community was highlighted.
- Too much money was spent on other areas such as gardens and playgrounds and not enough was being spent on sport.
- Several operational matters were also discussed such as the need for shade trees at Riverview Park and mowing correct areas for athletics.
- Athletics was struggling with costs due to relatively low numbers and could not afford an increase in fees.

Rugby league and AFL

These clubs were invited to a meeting on December 20, 2004 which no one attended so the meeting was rescheduled to January 11, 2005. Only one representative attended.

League is played at Crozier Oval and Oakes Oval. AFL is played at Mortimer Oval.

- Marist Bros Junior Rugby League play at Woodlawn College, where ground fees are much lower than council fees.
- Council rates should contribute more to sport.
- Sport provides community service benefits.

Discussion

Council's objective is to charge fees in a fair and equitable manner. The difficulty in charging fees is that the various sports are very different. Many variables exist between sports including –

1. the area required to play the sport
2. the number of players
3. the length of time for a match
4. the type and quality of playing surface required
5. the time of year the sport is played
6. the wear and tear on the playing surface and
7. the ancillary facilities required by the sport.

Therefore it is difficult to charge fees in an equitable manner given all these variables.

There are several fundamental ways of charging fees. These include -

- Cost per field
- Cost per player
- A proportion of actual cost
- Cost per hour
- A combination of the above.

There are advantages and disadvantages with each method. Our current system is generally based on a cost per field per season. Using this method there is also a loose correlation between fees as a proportion of actual cost (given the cost to prepare and maintain a field is similar). The administration of this system is also relatively simple compared to other methods.

There were several issues raised during the meetings, which were common to all sports -

- Clubs are experiencing financial difficulty and cannot afford an increase in fees and charges.
- Fees are not charged by neighbouring councils for sport. Therefore, residents of Lismore are being disadvantaged.
- Council has an obligation and spends funds maintaining open space and other recreational facilities. Why is sport singled out to pay fees for usage?
- Sport provides benefits to the whole of Lismore through increased economic development, health and social development. Council should take these factors into account when setting fees.

This review has highlighted to staff many areas for improvement. These including -

- a better understanding is required of the services provided and costs incurred by council for each sport
- more uniform application of services to each sport is required
- the need to review some work practices is required
- a better understanding of how other councils operate may lead to improvements by Lismore City Council
- An asset management approach is required to manage park facilities satisfactorily.

Council can elect to reduce fees and charges for sport. However, approximately \$137,500 per year is received in fees, which is used to provide services. Any reduction in this income needs to be replaced to maintain the existing level of service.

Comments

Financial Services

No comment.

Conclusion

Overall sports clubs contribute by way of fees approximately 25% to the total cost of Council provided sports facilities.

This report has examined the cost and services provided by Lismore City Council for sport. Investigation of our current system and discussion with other councils has lead to the conclusion our current system is generally satisfactory, with the exception of fees for turf wicket ovals, athletics, twilight and winter cricket.

Rather than increase fees, it is proposed to enforce existing conditions of hire. Therefore, clubs will be responsible for litter collection and cleaning of facilities. This will lead to a more uniform service to all clubs.

Clubs do not like paying fees and claim they cannot afford any increase in fees.

On some occasions Lismore is missing out on representative or other high quality games due to our fees. Games are being relocated to neighbouring councils where no fees are charged.

Generally Lismore provides a good range of services and the fees charged are substantial but are in line with other regional centres.

The above report was submitted to the Lismore District Sports Association (LDSA) meeting of February 7, 2005. It was decided to distribute the report to sporting clubs for comment. The LDSA considered this issue again at its meeting held on April 4, 2005. Representatives from Little Athletics (Mr Laurie McLeod) and Cricket (Mr Norm Ryder), attended the meeting. Mr McLeod tabled a written submission. Written submissions were also received from Far North Coast Baseball Association, Lismore Touch Football Association, Lismore Richmond Rovers Soccer Club and The Channon Craft Market. These are included in Appendix 6.

The LDSA endorses the following recommendations to Council.

Recommendation (WOR2)

1. That the existing fees and charges for sport remain unchanged for 2005/06.
2. That further investigation be undertaken into the fees for turf wickets, athletics, twilight cricket and winter cricket in consultation with the sports clubs concerned and the Lismore District Sports Association (LDSA), to be reviewed during 2005/06.
3. That individual clubs and Council staff liaise on maintenance responsibilities.

Report

Subject	Organisational structure
File No	S258
Prepared by	General Manager
Reason	To meet the requirements of Section 333 of the Local Government Act
Objective	To receive council support for a revised organisational structure
Strategic Plan Link	Leadership by Innovation
Management Plan Activity	General Manager

Overview of Report

This report outlines a revised organisational structure. It explains the justification and implications of the change. In broad terms the new structure involves a change from the existing 5 management groups to 3 management streams. The justifications for the change include improving cross-organisational efficiency and communication and to enhance strategic management and customer service delivery.

Background

The present structure of Council has been in place for 8 years and it is not very different to a traditional local government model. During this time the Local Government environment has changed substantially and there is a very clear message coming from the Minister for Local Government calling for Councils to engage in structural reform with a view to creating increased efficiencies and performance accountability.

The present structure is built around 4 function based groups. This has lead to a strong delineation of activities. In addition, the present structure sees 5 specific functions reporting to the GM, some of which are inappropriate, in a structural sense. The present organisational structure chart is attached (Attachment #1).

The need to re-determine the structure (Section 333) occurs after an election of Council and in regard to senior positions is appropriate at the expiry of employment contracts. These factors have coincided during 2004/2005 providing a rational opportunity to review the structure of the organisation.

Section 333 of the Local Government Act, 1993 provides:-

Re-determination of structure

333. The organisation structure may be re-determined by the Council from time to time. It must be re-determined within 12 months after any ordinary election of the Council.

The Council's Strategic Plan emphasises in part an agenda of innovative leadership. This restructure is the timely mechanism which will present the opportunity and impetus to create a new leadership team suited to the future needs of Lismore City as it progresses the implementation of the objectives contained in its revitalised Strategic Plan.

Why change?

The current structure displays some shortcomings or deficits which pertain to: -

- Lines of communication
- Personal accountability
- People management
- Council wide perspective

What this restructure is designed to deliver is a stronger emphasis on: -

- Leadership
- Delegation
- Communication
- Strategic management

The key distinguishing feature of the proposed structure and the nature of the two Executive Director positions to be recruited, is that the target candidates will be those with demonstrated superior people management skills. I envisage that professional skills capabilities and experience will be more dominant among Managers at the next, or program, level.

Justification for change

A change to the existing structure is justified for the following reasons: -

1. The Strategic Plan identifies "Leadership by Innovation" as one of six strategic priority aims. The strategy also calls for "continuous improvement in our management practices" to support challenges such as new technology, risk management, open market competition and doing more with less funding.

This strategic direction calls for a review of Council's traditional executive structure. The position profiles and requirements for the Group Manager roles have not substantially changed for at

least four years. In light of the need for continuous improvement and the fact that all four contracts of employment expire this year, this is a timely opportunity to review the structure and apply contemporary management techniques.

2. The proposed new structure is designed to encourage cross-organisational efficiencies and communication as it breaks down the existing four 'silos' in Council. The more generic nature of the new executive positions also allows for more strategic succession planning in the senior roles.
3. The 2004 internal cultural health survey and my own observations strongly demonstrate a need for cultural change and development across the organisation broadly. The major contributing factor in developing an effective culture in an organisation is through its leadership team. This restructure presents an opportunity to more accurately define the necessary management and leadership skills to drive cultural evolution.
Additionally, the changing local government environment requires leaders and managers who will effectively embrace and drive change.
4. The need for improvements in customer service delivery was identified in the 2002 Abraxa Report. Current best practice for customer relations involves a high percentage of customer enquiries being dealt with at the first point of contact. To support this and to ensure a consistent organisational approach to customer relations, a new position responsible for customer relations co-ordination and management is proposed. This new role will give priority to developing an enhanced customer service focus by creating agreed benchmark standards setting the strategic direction for customer relations and creating a "whole-of-Council" customer relations approach.
5. The proposed new structure will facilitate improved reporting lines and re-align several oddly placed departments to improve service levels, communication and responsibility.
6. The proposed new structure will alter the roles of some managers by increasing their responsibilities and those that work with them. This will be achieved through redefinition of job descriptions and revised delegations. This will also provide for improved career path options and create a greater emphasis on direct accountability.
7. By Council adopting a new structure which embraces changes based on contemporary management principles, a potent message is promoted that this Council's corporate culture is more than ever about enhanced customer service and personally accountable performance.

Outline of proposed changes

Reference to the structure schematic (Attachment #2) reveals that the significant structural changes are found at the senior management level. In lieu of a 5 member leadership team, the structure requires a 3 person executive team whose focus is on strategic management. The structure places primary responsibility for operational management at the next, or program, level.

The title for the two senior roles is both important and sensitive. I propose they be designated as Executive Directors to reflect the special emphasis on their management skills and their place in the organisation hierarchy. The nature of these roles is intentionally a shift away from the traditional assumed professional strengths of say, planning, engineering or finance. Having said that, I do believe that prior local government management experience is essential.

Whilst accepting that the proposed structure is a different approach compared to commonly seen local government models, one justification is to engage Lismore's stated agenda to show innovative leadership. This aspiration is especially relevant to its management credo and inevitably will challenge established conventions. For this reason, the new structure should promote the notion of innovation but it can also be said that the Executive Director titles are logical. Based on Councillor feedback I have reviewed some alternative titles but believe that those originally proposed are sound.

- Group Manager – suffers from being the status quo, and could well impede the structural realignment of operational responsibilities within the organisation.
- Executive Manager – not regarded in recruitment terms as possessing the status desired of the proposed senior roles – this title is generally used at a lower level.
- Assistant General Manager – this title conveys a message of subservience and even though it may be an apt description of the role I believe it lacks the desired tone and would not be helpful in selling the role internally, on the accountability question, and externally, for its perceived status.
- **Executive Director** - In the context of local government, the General Manager is the Chief Executive thus it seems clear to me that in terms of relationship and perceived status the Executive Director title is suitable. This is because "Executive" frames the senior team and conveys a message of seniority and common purpose. It marks them as different roles to the next level managers, and generally sets them apart which is most definitely intended. An indirect benefit will be to ensure that the positions, during the recruitment phase, will stand out in the market thus attracting maximum exposure and interest. These Executive Director positions will be designated as senior staff under Section 332(2) of the Local Government Act.

Other notable features of the new structure are: -

- Creation of a customer relations co-ordination and management role.
- A corporate strategy focus.
- Highlighting the asset management function.

I submit that there is a logical distribution of organisational activities across the proposed Executive Team. As that applies to the **General Manager/Chief Executive** (Attachment #3), those responsibilities are those which touch the whole of the organisation – finance, corporate strategy, customer service,

communication, organisational development and human resources.

The Executive Director – Infrastructure Services (Attachment #4) is responsible for the hardware of Lismore City – the roads and parks, water and wastewater, hard waste, quarries, memorial gardens and assets generally. Currently, the asset management function is spread across a number of sectors in the Council's organisation and our resource base and risk management will benefit from better co-ordination.

The Executive Director – Development and Governance (Attachment #5) takes responsibility for those functions which are undertaken to develop Lismore City whether they be in planning, building approvals, environmental care, community services and economic development, whilst applying appropriate regulatory and governance measures. This information systems is an important, sophisticated and growing governance tool.

In specific terms, *Section 332(1) of the Local Government Act* provides: -

A Council must determine:-

- *An organisational structure*
- *Those positions within the organisation structure that are senior staff positions*
- *The resources to be allocated towards the employment of staff*

Notwithstanding the openness of *Section 332 (1)* the Act confers on the General Manager (S335) the responsibility for the day-to-day administration of the Council with Councillors to be concerned with setting the strategic direction and policies of the Council and of monitoring performance.

The proposed structure as outlined on the attached schematics does not identify every employee position in the Council's workforce (approx 270). I am recommending that Council adopt a structure which covers the roles generically referred to as senior and middle managers, as identified on the chart (Attachment #2), with the intention that those levels of management address the operational issues below that strata, as part of their responsibilities.

In practice this is necessary in an organisation of this size because in the past 24 months there have been many management initiated changes and reviews involving job change, position relocation, job redesign, reporting and responsibility variations in almost all sections of the Council's workforce. If the Councillors become directly involved in these management issues, the best principles of management accountability are thwarted and the decision making process at the operational level will become unwieldy and unworkable.

Benefits of proposal

The key benefits of the recommended structure may be summarised: -

- Focus on customer service/relations – creation of a new co-ordinating role.
- Clarity of management responsibilities – eliminate duplication and/or crossover roles.
- Direct communication channels – specify accountabilities and delegations.
- A sustainable contemporary structure – employ modern management principles.
- Platform to initiate organisational development - target internal cultural deficits.

Implications for staff

- There are implications for the four Group Managers, which positions are no longer in the structure. The new Executive Director positions will be advertised externally. The current Group Managers are eligible to apply.
- The initial implications for most staff will be minimal.
- There are implications for staff involved in customer service that may involve changes to job roles and expectations. All changes will be fully discussed and staff will be consulted for input. At all times, the Workplace Change provisions of the Local Government Award will be followed.

Feedback from staff

- There have been several formal communications to all staff over the last four months flagging the changes. Feedback has been positive. Some informal responses have indicated support for the restructure to proceed. The fact that any new structure needs to be approved by the Council has meant that formal input from staff will be sought following Council's decision.
- Changes to the customer relations functions proposed in the restructure have not been discussed with staff and hence this aspect of the proposal is conceptual and reliant on substantial staff input, in due course.
- A staff survey 6, 12 and 24 months after the restructure will be used for evaluation purposes.

Implementation

Implementation of a new organisational structure is a task which will require significant resources and whilst the recruitment process for two Executive Directors will be of special interest to Councillors, it is my intention to proceed concurrently with other aspects of the restructure with internal implications. I refer particularly to the recruiting for the new positions at Program Manager level, as well as bringing forward the matter of examining the customer service relations operation in anticipation of the four group structure not being retained after 1st July 2005.

As for recruiting the Executive Directors, Section 337 of the Local Government Act provides: -

“The general manager may appoint or dismiss senior staff only after consultation with the council.”

I propose to consult with the Council through the Mayor who I would wish to have on a Recruitment Panel. This Panel will be assisted by an external recruitment professional who will be supported by Council's Human Resources Department. I propose to also invite a suitably experienced independent

female to participate on this Panel. I will keep the Mayor fully informed, negotiate with him on issues of Councillor interest and arrange for regular progress updates through the Mayor to all Councillors.

Pending input from the recruitment consultant the selection criteria for the Executive Directors will include: -

- Local Government experience
- Post graduate management qualifications
- Change leader credentials
- Superior communication skills
- Strategic vision
- Customer service focus
- Proven negotiation skills

A more searching schedule of position requirements is shown on Attachment #6.

A preliminary timetable indicates that once the Council re-determines its organisation structure, the recruitment of senior staff can commence by advertising in the first week of June. Thereafter, a shortlisting exercise will be complete early July with the first round interviews in the third week of July. This will allow for offers of appointment to be made by the end of August.

Recommendation

1. That in response to the obligations contained in Section 333 of the Local Government Act, 1993 (the Act) Council re-determine the organisation structure as shown on Attachment #2.
2. That the re-determined organisation structure be made effective from 1st July 2005.
3. That the positions of Executive Director – Infrastructure Services and Executive Director – Development and Governance be determined to be senior staff positions within the meaning of Section 332 of the Act.
4. That Council acknowledge that the consultation process required under Section 337 of the Act shall be reported through the Mayor, who shall also be a member of the Recruitment Panel to be formed by the General Manager.

Report

Subject	Amendment to Lismore City Local Environmental Plan 2000 to allow building works within the floodway.
File No	DA04/1048
Prepared by	Development Assessment Planner
Reason	Council resolved to have a report presented on this matter.
Objective	To seek a section 54 resolution to amend the LEP
Strategic Plan Link	Quality of Life
Management Plan Activity	Strategic Planning

Overview of Report

It was identified by planning staff that there was an anomaly within the LEP and the EP & A Act 1979 that prohibited any building work within the floodway. It was previously assumed that this prohibition applied only to new buildings, however it applies to all building works. This report quantifies the number of buildings that this prohibition applies to (141) and discusses the implications of allowing alterations to these buildings. It is not recommended to allow alterations to the dwelling houses within the floodway as these will eventually be purchased under the voluntary acquisition scheme. It is also not recommended to allow additional residential uses to be established within existing buildings in the floodway due to the potential risk to life involved. It is proposed to allow for building works on existing buildings within the floodway subject to the following criteria:

- No expansion of the building footprint; and
- All work to be internal or above the 1 in 100 ARI flood level; and
- Any new materials below the 1 in 100 ARI flood level shall be compatible with immersion; and
- A certificate from a suitably qualified engineer that states that the building (including foundations) when modified will be able to withstand the impacts of the floodwaters and debris in the floodway for floods up to the 1 in 500 ARI flood event; and
- No residential use is allowed for the modified building.

Background

The NSW Floodplain Management Manual (2001) sets out the strategic basis for the evaluation of floodplain risk. The Lismore Floodplain Management Committee developed the Lismore Floodplain Management Plan using the principles set out in the manual. The manual advocates a merit approach at both the strategic level and at the site specific level for the management of risk in the floodplain. The merit approach at the strategic level has been used to consider the social, economic and ecological impacts of flooding and to develop the provisions in the Lismore City Local Environmental Plan 2000 and DCP 7 Floodprone land.

DCP 7 and clause 22 of the LEP identify two relevant categories of flood hazard. These are "floodway" and "high risk flood" area. These categories are derived from the Floodplain Management Plan.

Floodway is that area of the floodplain where a significant discharge of water occurs during

floods and hence velocities and depths are high. Floodways are usually aligned with naturally defined channels, and include areas that even if partially blocked, would cause a significant redistribution of flood flow or a significant increase in flood levels.

Adopted criteria: A depth greater than 0.5 metres and a velocity greater than 0.5ms^{-1} .

High Flood Risk Area is the area in which there is a potential for flooding to cause danger to personal safety and/or loss or damage to light structures. Able bodied adults could have difficulty wading to safety. The adopted criteria for High Flood Risk Area has been defined in terms of two types of risk category for the 1 in 100 year ARI flood:

a) Human Risk Categories where there is potential for flood waters to create danger to personal safety;

- 1 0m to 0.5m deep with a velocity equal to or greater than 1ms^{-1}
- 2 0.5m to 1.5m deep with a velocity equal to or greater than 0.5ms^{-1}
- 3 1.0m to 1.5m deep with a velocity equal to or greater than 0.3ms^{-1}

and

b) Property Risk Categories where there is potential for flood waters to create danger to light structures such as residential buildings.

- 4 1.0m to 1.5m deep with a $V \times D$ greater than 1.5 (see figure 2)
- 5 Greater than 3m depth

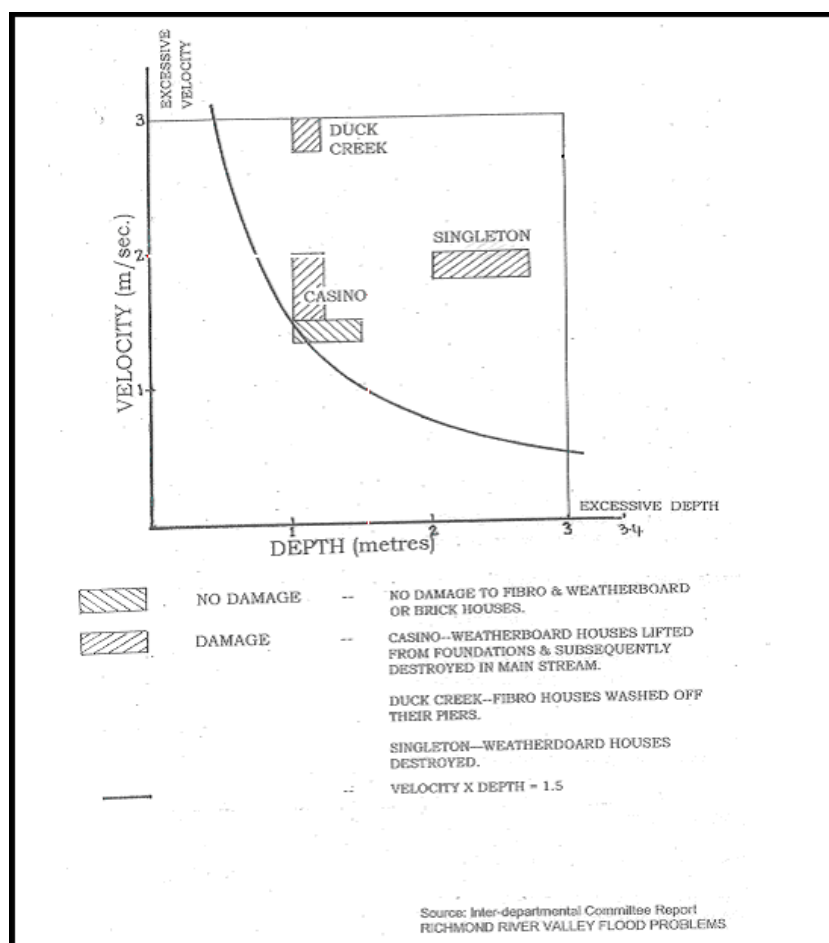


Figure 2 - Velocity Depth ratios and structural damage. The $V \times D$ curve of 1.5 indicates at what point damage to light structures occurs.

Clause 22 of the LEP controls development on flood affected land. Clause 22 is set out as follows:

22 Development on flood affected land

(1) *The consent authority, when considering a development application involving the subdivision of, or the erection or alteration of buildings on, land shown as floodway, high flood risk area, flood fringe area or CBD flood liable on Map 1 (Lismore Flood Hazard Categories) of the Lismore Floodplain Management Plan, must consider the following:*

- (a) *the need for the floor level of the development to be at or above the flood planning level,*
- (b) *the degree of flood-proofing and the need for flood-free storage,*
- (c) *the need for access to the development when the land is flooded,*
- (d) *the cumulative effect of carrying out the development on the functioning of the floodway,*
- (e) *whether the development will increase the risk to life and property and the need for an evacuation plan.*

(2) *Despite the provisions of Part 3, the consent authority must not grant consent to the erection of a building on land shown as floodway on Map 1 of the Lismore Floodplain Management Plan unless:*

- (a) *the building is for the purpose of providing utility installations or community facilities, or*
- (b) *the building is located within 10 metres of the boundary of the floodway and a hydraulic study has been carried out for the site which shows, to the consent authority's satisfaction, that the flood impact of the development (including any associated works) will not adversely affect the flood behaviour of, or increase the flooding impacts on, any other land, or*
- (c) *the building is located within the general aviation area of Lismore Regional Airport, as indicated on the map marked "Lismore Regional Airport" in the Lismore Regional Airport Business Strategy Plan dated June 2002, and the development is consistent with that Plan and maintains the cross sectional integrity of the floodway, or*
- (d) *the building is located on an allotment forming part of the concept plan for the airport industrial estate, as indicated on Map 2 (Concept for Development of Airport Land) of the Lismore Floodplain Management Plan.*

(5) *In this clause:*

flood planning level *means the level equivalent to the 1 in 100 year ARI flood level plus freeboard of 300 millimetres. (The 1 in 100 year ARI flood levels for the Lismore urban area are shown on Map 2 of Development Control Plan No 7—Flood Prone Lands dated November 2003. The freeboard adopted by that Plan is 300 millimetres. So the flood planning level may be calculated by adding 300 millimetres to the 1 in 100 year ARI flood level for the relevant area shown on Map 2 of that Plan.)*

Lismore Floodplain Management Plan *means the Lismore Floodplain Management Plan dated October 2002, deposited in the office of the Council.*

Clause 22 (2) prohibits the erection of a building within the floodway subject to four exceptions (a-d).

Section 4 of the *Environmental Planning and Assessment Act 1979* defines a building as:

building includes part of a building and any structure or part of a structure, but does not include:
 (a) a manufactured home, a moveable dwelling or associated structure or part of a manufactured home, a moveable dwelling or associated structure, or
 (b) a temporary structure within the meaning of the *Local Government Act 1993*.

Further section 4 (2) (b) of the act expands on the interpretation of the words erection of a building:

4 2) A reference in this Act to:

(a) the use of land includes a reference to a change of building use, and

(b) the erection of a building includes a reference to:

(i) **the rebuilding of, the making of alterations to, or the enlargement or extension of, a building, or**

(ii) the placing or relocating of a building on land, or

(iii) enclosing a public place in connection with the construction of a building, or

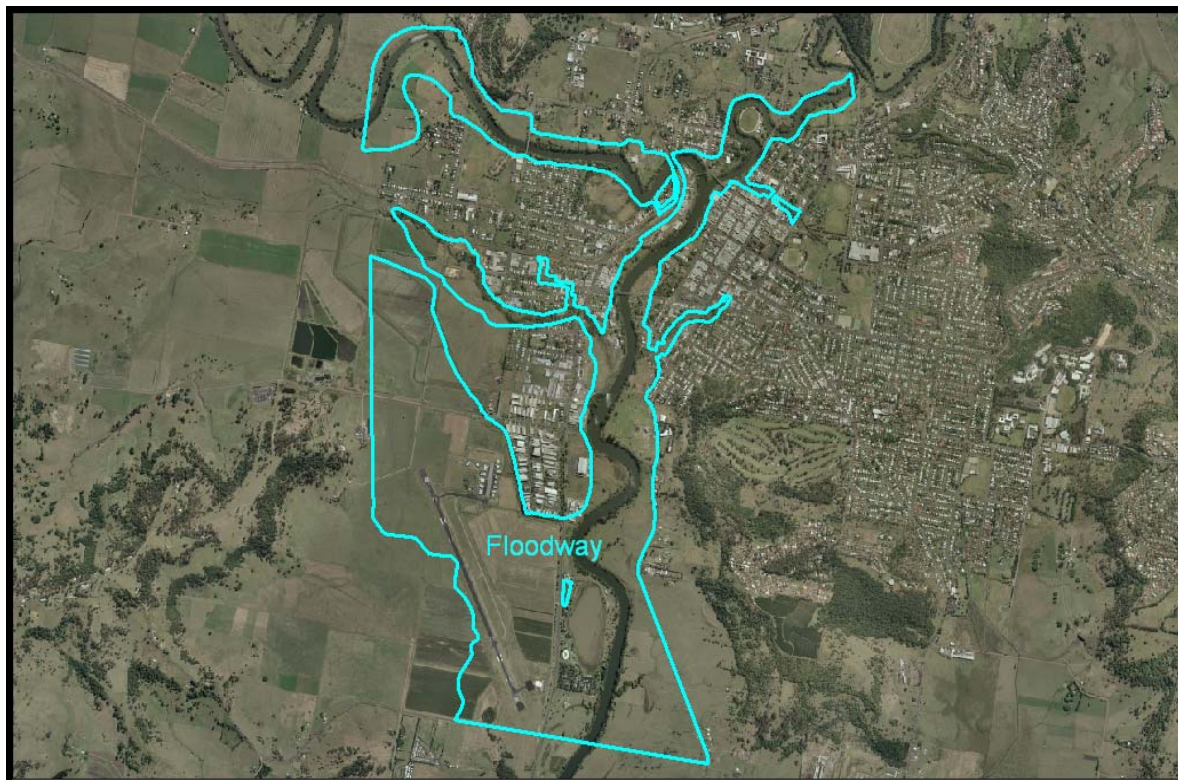
(iv) erecting an advertising structure over a public road, or

(v) extending a balcony, awning, sunshade or similar structure or an essential service pipe beyond the alignment of a public road, and

An unintended consequence of these definitions is that Clause 22 prohibits the alteration, internal or otherwise, of an existing building in the floodway.

The area affected by clause 22 is shown in Map 1. There are approximately 164 buildings within the floodway that are affected by clause 22. This information was garnered from aerial photographs and Council's property information system. 23 of these buildings are covered by the existing exemptions in clause 22 i.e. they are community facilities, utility installations, or part of the airport operations. The remaining 141 buildings can be broken down as follows:

- 46 Houses
- 36 Domestic sheds / garages (associated with the houses)
- 59 Industrial buildings / commercial buildings / ancillary sheds to these uses.



Map 1 Aerial Photograph with the Floodway shown.

All of the properties containing houses and associated domestic sheds within the floodway are subject to Council's voluntary acquisition scheme. These houses are generally older buildings of timber frame / weatherboard construction and as such would be categorised as light structures under the Floodplain Risk Management plan. **Figure 2 - Velocity Depth ratios and structural damage** graphically shows at what velocities / depth ratios damage to these light structures occurs and provides historical examples. Because there is a high likelihood that these buildings may be significantly damaged in the 1 in 100 ARI flood event (or greater event) further building works to these buildings is not recommended. There is also little utility in allowing for additional building works to occur on these dwellings when these buildings may eventually be purchased and removed.

If further building work were allowed on these houses /sheds then there is also a potential to increase the market value. Such an increase in value could have cost implications for the voluntary acquisition scheme.

The remaining 59 buildings are commercial or industrial buildings. Some are light structures (timber frame with a corrugated iron skin) and others are heavy masonry / concrete structures such as the old NORCO buildings in Taylors Road. The light commercial / industrial structures are at risk of damage or destruction in the 1 in 100 ARI flood event (or greater event).

Some of the heavy structures have withstood both the 1954 and 1974 flood events. These events are 1 in 70 year events but this does not mean that these buildings are immune from damage. High velocity flows around these heavy structures can cause scouring and exposure / damage to the foundations of these buildings.

It is considered reasonable to allow building works to occur in existing buildings subject to:

- No expansion of the building footprint; and
- All work to be internal or above the 1 in 100 ARI flood level; and
- Any new materials below the 1 in 100 ARI flood level shall be compatible with immersion; and
- A certificate from a suitably qualified engineer that states that the building (including foundations)

when modified will be able to withstand the impacts of the floodwaters and debris in the floodway for floods up to the 1 in 500 ARI flood event; and

- No residential use is allowed for the modified building.

No residential use should be allowed within the floodway as there is a significant threat to life posed. Council has already determined that new residential use is not acceptable in the High Risk areas of the floodplain. The Floodway poses a greater threat to life and property than the high risk areas and no new residential development is allowed in the high risk area. Council is also in the process of clarifying the position with respect to residential uses in the floodway in L.E.P amendment 23. This amendment explicitly prohibits residential development in the floodway has been through the consultation process with the government departments (section 62) and will shortly be exhibited under section 65.

Verbal comment was sought from the local SES. As there is unlikely to be a viable exit from these new dwellings during a 1:100 flood event, the State Emergency Service (SES) must be relied upon to extract the occupants from these dwellings in the case of an emergency. This involves an SES flood boat crossing the main channel and holding a stationary position in high velocity flows adjacent to the building as the occupants are lowered into the boat. Such a rescue is risky and places both the boat crew and the occupants in a life threatening situation. Due to the velocities in the floodway evacuation / rescue other than by flood boat is not a viable option quite early in the flood event. This situation is foreseeable and should be avoided with appropriate planning. The SES do not support vertical evacuation (retreat into the dwellings).

Comment was also sought from DIPNR on the proposed changes with particular reference to placing new dwellings in the floodway. DIPNR's comments are set out as follows:

DEVELOPMENT IN FLOODWAY

Issue

Proposal to allow new residential development in 'floodways' in Lismore.

Background

- The Lismore community has witnessed the power of large floods like the 1954, 1974 (1 in 70 year recurrence flood) and 1989 (1 in 20 year recurrence flood).
- Protection against flooding has always been high on the agenda on community issues in Lismore.
- The Lismore Floodplain Management Committee was established in the early 1980s to assist Lismore City Council in the development and implementation of a Floodplain Management Plan.
- The Department of Infrastructure Planning and Natural Resources (DIPNR) has provided technical advice and financial assistance to Council in the development and implementation of the plan.

NSW Government Flood Prone Land Policy (1984)

- The objective of the policy is to reduce the impact of flooding and flood liability on individual owners and occupiers, and to reduce private and public losses resulting from flooding.
- The policy places an onus on Council to consider the consequences of floods greater than the 1 in 100 year flood. Council has a duty of care to consider the risk to life and property associated with these floods.

Flood Behaviour in Lismore

- Lismore has not experience a 1 in 100 year or rarer flood. The extreme risk to life associated with severe to extreme floods in Lismore has not been recognised.
- In 1999 Patterson Britton & Partners (PBP), a specialist consulting firm in floodplain management, was engaged to assist in the preparation of the plan. The study found that *"Floods which exceed the 1 in 100 year and approaching the extreme are likely to destroy many buildings, ie residential, commercial and industrial. It is doubtful that there would be many buildings still standing after an extreme flood. The risk to life would be extreme"*.

Lismore Floodplain Management Plan

- A Floodplain Management Plan is a holistic approach to reducing the risks to the current floodplain community and preventing more people from being exposed to extreme flood hazards.
- Council adopted the Floodplain Management Plan in November 2002 which comprises the following elements:
 - Lismore Levee Scheme
 - Voluntary House Purchase Scheme
 - House Raising
 - Flood Awareness
 - Flood Warning and Evacuation Planning
 - Floodplain Development Control
- The use of detailed fine scale 2-dimensional hydraulic modelling to define floodways and other flood risk categories was also undertaken by PBP. Importantly, these categories of flood prone land were ground-truthed by Council officers.

Voluntary House Purchase Scheme and Floodplain Development Control

- The Plan will continue to use the Voluntary House Purchase Scheme to reduce, over time, the number of persons exposed to extreme hazard and prevent further residential development in floodways through revised land use and development controls.

DIPNR's Position

- The proposal to allow new residential development in 'floodways' in Lismore contravenes Council's Floodplain Management Plan and the NSW Government Flood Prone Land Policy.
- DIPNR would not support the proposal to allow new residential development in 'floodways' in Lismore.

Staff Comment: Planning staff concur with the comments from DIPNR and on this basis the proposed change to the LEP will be to allow building works, subject to certain criteria, but not new residential uses within the floodway.

Comments

Financial Services

Not required.

Other staff comments

Not required.

Public consultation

Not required at this point.

Conclusion

It is considered reasonable to allow for building works to occur on buildings being used for industrial / commercial purposes in the floodway where there is no detrimental impacts on the flow of floodwaters and the buildings are structurally capable of withstanding the impacts of the flood. No new residential uses should be allowed and no alteration of existing dwelling houses should be allowed. An amendment to Lismore City Local Environmental Plan 2000 should be prepared to implement the changes discussed above.

Recommendation (PLA01)

In accordance with section 54 of the Environmental Planning and Assessment Act 1979 Council prepares an amending Local Environmental Plan to:

Allow building works to occur on existing non residential buildings in the floodway subject to:

- No expansion of the building footprint; and
- All work to be internal or above the 1 in 100 ARI flood level; and
- Any new materials below the 1 in 100 ARI flood level shall be compatible with immersion; and
- A certificate from a suitably qualified engineer that states that the building (including foundations) when modified will be able to withstand the impacts of the floodwaters and debris in the floodway for floods up to the 1 in 500 ARI flood event; and
- No residential use is allowed for the modified building.

Report

Subject	Liquid Trade Waste Local Approvals Policy for the Discharge of Liquid Trade Waste to Sewer and Wastewater Usage Charging Strategy
File No	S518
Prepared by	Manager Lismore Water
Reason	Reviewing the existing Local Approvals Policy No. 4
Objective	To update the Trade Waste policy
Strategic Plan Link	Water and Waste Cycle
Management Plan Activity	Wastewater

Overview of Report

The Department of Energy, Utilities and Sustainability (DEUS) has issued a revised generic trade waste policy and pricing strategy to be used by councils. This report proposes to amend Council's policy to be consistent with the revised DEUS policy.

Background

Council has an adopted Trade Waste Disposal Policy for the discharge of trade (commercial) waste to the sewer system, whereupon they are treated by Council through the sewerage treatment plants (STPs). The aim of the policy is part of the user pays system that ensures those businesses that place the greatest burden on the system contribute equitably to the cost of treatment. The Policy also requires that dischargers of waste must also take reasonable steps to limit the load on STPs through the introduction of pre-treatment devices, which reduce the strength and volume.

The Department of Energy, Utilities and Sustainability (DEUS) has issued a revised generic trade waste policy and pricing strategy that can be suitably amended and used by councils. The DEUS policy is a significant improvement on previous versions and it is recommended that it forms the basis for Council's trade waste policy as well.

Continuation of retaining a Council policy consistent with the State Government policy will assist towards Council's compliance with the DEUS Best Practice Guidelines.

A copy of the new policy and charging strategy is given in Attachment A and a copy of the old policy and charging strategy is given in Attachment B.

The policy needs to be on display for 28 days to seek public comments, before being adopted by Council with any amendments (if required). The following highlights the key changes between the two versions of the policy:

Changes to the Trade Waste Policy (please refer to attachment A)

Amendments to Part 1 of the Policy

A Table of Exemptions has been added. This table lists activities for which the Director-General, Department of Energy, Utilities and Sustainability (DEUS) has consented to Council electing to exempt some trades/ processes from requiring Council's approval.

Amendments to Part 2 of the Policy

The following new sections have been added to the policy.

- **2.5 Food waste disposal units** and
- **2.6 Devices that macerate or pulverise waste**
- A new clause has been added, prohibiting the use of such devices.

Amendments to Part 3 of the Policy

The following new sections have been added:

- **3.4 Liquid Trade waste charging categories.** Council previously referred to the charging categories as Basic, Agreed and Established Strength. This terminology has been replaced with Category 1, 2 and 3, in line with DEUS requirements.
- **3.5 Liquid trade waste fees and charges** – This section sets out the criteria for fees and charges.
- **3.9 Modification or Revocation of Approvals** – This section sets out how modifications or revocation of the approval can be carried out.
- **3.10 Prevention of Waste of Water** – Reinforces the importance of water conservation.

Changes to the Usage Charging Strategy

An essential part of the trade waste policy is the “waste water usage charging strategy”. Lismore Water has been using two key documents for establishing its charging strategy, namely the business plan/financial model and the Sewerage Services Charging Strategy prepared by consultants CMPS&F in 1997.

The DEUS policy make extensive reference to the “*Water Supply, Sewerage and Trade Waste Pricing Guidelines of December 2002*” issued by the Department of Land and Water Conservation (DLWC) (as it was known at that time). A council may choose to adopt these pricing strategies if it so wishes. However, given that Lismore's pricing strategy is well established, it is recommended that no substantial changes are made, however the following changes be adopted:

- If pre-treatment devices are required but have not been installed or the pre-treatment device is inadequate or is not properly managed, non-compliance penalty charges on a per kilo litre shall be imposed as per Appendix E of “Water Supply Sewerage and Trade Waste Pricing Guidelines”, Department of Land and Water Conservation (2002). This is in lieu of the current penalty charges, which are based on Equivalent Tenement Charges (ET).

- For category 3 customers, Council already charges for Biological Oxygen Demand (BOD), Suspended Solids (SS) and Oils and Greases (O&G). It is recommended that, where pH, Phosphorus and Nitrogen are required to be monitored as per a trade waste approval, the charges recommended in Appendix E of “Water Supply Sewerage and Trade Waste Pricing Guidelines” Department of Land and Water Conservation (2002), be applied.

The actual charges will be detailed in Council’s “Fees and Charges” annually and are unlikely to have a significant impact on category 3 businesses, as none of the existing customers are required to monitor for Phosphorus and Nitrogen, except the leachate treatment system at the waste facility, which is a new installation.

Comments

Financial Services

Not required.

Other staff comments

Not required.

Public consultation

The policy needs to be on display for a minimum of 28 days to seek public comments, before being adopted by Council with any amendments (if required).

Conclusion

The revision of the existing trade waste discharge policy and the usage charging strategy is important to retain consistency with the DEUS approach and to continue substantial compliance with this element of best practice guidelines. The changes are broadly of a minor nature and are consistent with DEUS requirements.

Recommendation (ENT04)

That the revised Trade Waste Policy for the discharge of Liquid Trade Waste to Sewer and the Usage Charging Strategy be exhibited for a minimum of 28 days, with a view to adopting it after seeking and considering public comments.

Report

Subject	Tenders for the construction of 150mm diameter water mains and 30kL concrete tank, Nimbin Water Supply
File No	T25018, S304
Prepared by	Contracts Engineer - Lismore Water
Reason	To inform Council of tenders received for the construction of 150mm diameter water mains and 30kL concrete tank, Nimbin Water Supply
Objective	To obtain Council approval to award the Contract
Strategic Plan Link	Water and Waste Cycle
Management Plan Activity	Water Supply

Overview of Report

This report outlines the response of the Department of Energy, Utilities and Sustainability (DEUS) to the subsidy request, for the construction of additional infrastructure for the Nimbin Water Supply and the recommendation to proceed with Council fully funding the construction works and award of the tender.

Background

At the Council Meeting held on August 10, 2004, Council resolved that:

1. Note the increase in price for the construction activities.
2. Write to the Minister requesting approval for calling of tenders for the \$424,000 construction activities.
3. Accept the Minister's offer only if the preconstruction activities are treated separately.

In September 2004, Council received a letter from the Department of Energy, Utilities and Sustainability (DEUS) that Nimbin Water Supply Augmentation – Construction was given the priority ranking 5 (one being the highest and ten being the lowest). A copy of this letter is attached (Attachment A). Subsequent to the receipt of this ranking, Council wrote to the Department expressing disappointment at this ranking (funding was only allocated to projects with ranking 1 and 2) and requesting availability of funding for the Nimbin Water supply scheme. No reply has been received to this letter and discussions with the DEUS staff indicate that the likelihood of obtaining subsidy for the construction of the Nimbin Water Supply scheme is remote.

Subsequently Council called tenders for the most essential components, which were the construction of the 150 mm mains and the construction of 30 kL concrete tank. These were, at that time, estimated to cost \$265,000. The tenders for these works came well under budget at \$157,892. (The original estimate of \$424,000 included an aeration system, bore, contingency and other miscellaneous items. These works might need to be considered in the future.)

Impact of not receiving DEUS funding

If Council were to receive funding from DEUS for construction, Council would only receive at most \$39,000 (20% of the sum of \$157,892 for construction + \$10,000 for easements + \$28,000 for design, supervision and management). To receive this amount, Council would also need to comply with DEUS administrative requirements that will add additional costs to the scheme. Because of the above reasons and to avoid deferral of these works, it is recommended that Council fully fund these essential works.

Tender Process

The rest of the report deals with the tender process and recommendations.

The tender documents were prepared for the construction of these works and the request for tender was advertised in the Sydney Morning Herald, the Weekend Star and the Courier Mail.

Tender documents were issued to eight organisations and four tenders were received by the close of tender on 2.00pm, Thursday April 07, 2005.

Tender Examination:

The tenders received are summarised below:

TENDERER	TENDER PRICE
Eire Contractors Pty Ltd PO Box 5633 PORT MACQUARIE NSW 2430	\$157,892
Camglade Pty Ltd PO Box 4054 GOONELLABAH NSW 2480	\$ 229,929
Ballina Shire Council PO Box 171 BALLINA NSW 2478	\$ 236,900
QMC group Ground Floor, Suite 2 28 Burwood Road BURWOOD NSW 2134	\$ 386,208

The prices shown above are **exclusive** of GST.

This tender is a schedule of rates tender. The "tender price" is the estimated price of the works, as inserted in the tender form by the tenderers using their respective rates.

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

The tender documentation (Clause B7) defined four areas by which each tender would be assessed:

- i Total Price,
- ii Capability and Past Experience,
- iii Quality, Safety and Environmental Management,
- iv References.

No further consideration has been given to the tender submitted by QMC Group, as the price is much higher than the other three tenders.

Attachment B shows the weighted result for each criterion.

The lowest tender (Eire Contractors Pty Ltd) is \$72,034 lower than the second lowest tender (Camglade Pty Ltd). During the tender evaluation period, Council staff conducted an extensive interview with Mr Tom Kelliher, the Managing Director of Eire Contractors Pty Ltd. In this interview, the items with lower rates were discussed and Mr Kelliher stated that he would be able to complete the works at the given rates. He would be undertaking the majority of the works with his own machinery. He also mentioned that he was trying to re-establish himself in this area. (About 12 years ago, Eire Contractors Pty Ltd had constructed the Nimbin sewer reticulation system under a contract with the Department of Public Works.) These could be the reasons for the lower tender price.

As with any tender, there is a risk with engaging a contractor especially with a large price difference. It is believed that the construction works involved in this particular case are of low risk. (Construction of water pipelines mainly through open fields with minimum cover and the construction of a 30 kL concrete tank). Taking all these factors into account, Eire Contractors Pty. Ltd. still provides the best proposal when compared to the other tenders.

Referee Check:

The NSW Department of Commerce and Coffs Harbour City Council have contracted Eire Contractors Pty Ltd for projects of a similar nature. Council staff contacted the respective supervising officers and they confirmed that Eire Contractors Pty Ltd had performed these works satisfactorily.

Comments by Principal Accountant

There are sufficient reserves available within the Water Fund to undertake the proposed works, based on the recommended tender price.

Other staff comments

Not required.

Public consultation

These works form part of the recommendations of the Nimbin Water Supply Committee.

Conclusion

Since the possibility of receipt of subsidy for the construction of the 150mm mains and 30kL concrete tank is remote, it is considered prudent that Council fully fund this construction from Council's funds.

Eire Contractors Pty Ltd is considered to have the ability to complete the work satisfactorily. It is recommended that the contract for the construction of 150mm diameter water mains and 30kL concrete tank at Nimbin be awarded to Eire Contractors Pty Ltd at the rates submitted.

Recommendations (ENT03)

- 1 The contract for the construction of 150mm diameter water mains and 30kL concrete tank at Nimbin be awarded to Eire Contractors Pty Ltd at the rates submitted. (The estimated price of the works is \$ 157,892 plus GST.)
- 2 The Mayor and General Manager be authorised to execute the Contract on Council's behalf and attach the Common Seal of the Council.
- 3 The works be fully funded by Council.

Report

Subject	Management Plan Review 2003-2006 – quarter ending March 2005
File No	S4
Prepared by	General Manager
Reason	Requirement of the Local Government Act
Objective	Information of Councillors
Strategic Plan Link	Leadership by Innovation
Management Plan Activity	General Manager

Overview of Report

This report relates to the performance of programmes and activities highlighted in the 2004/05-07 Management Plan during the quarter ended March 2005

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.

GROUP: GENERAL MANAGER
 Management Plan Review
 Period ending March 2004

Review of items across each functional area of the General Manager's Group.

Communications and Community Relations

- **Strategic Planning:-** Ensured Strategic Planning is incorporated into the Management Plan 2005/06-2008.
- **Improve Council Reputation**
 - Issue management - maintained daily pro-active media schedule via staff management.
 - Regular liaison with media outlets.
 - Began review of Council publications and branding to inform new Communications Strategy, including new 'city brand'.
 - Review of Community Link conducted.
- **Improve Community Relations**
 - Internet – Published Autumn edition of website.
 - Published Community Link March 2005.
 - Awarded Mayor of Lismore Scholarship.
- **Events - Community Relations:** Held Flood Safe Week 2005.
- **Staff training :** Communications planning held for 04/05.

Special Projects and Properties

- **Land register** - the collating of leases and licences are continuing. In addition it has been recognised that Councils legal documents register and store required review. This has also been undertaken and is 50% complete.
- **Spinks Park and Riviera** - The Lands Department has agreed to the construction of the rowing club wharf and the DA has been lodged with Council.
- **Cultural Precinct,** 'C' block is being made available to the Conservatorium to assist with their problems. Problems with emergency exit access and signage have been addressed, and further building modifications may be necessary to meet regulatory requirements.
- **Reclassification and rezoning** - the initial sites went before Council in December and several will now be reclassified. This will free up Councils ability to consider other uses for these sites.
- In addition to the above and under the general mandate of "Special Projects" the following is briefly reported;
 - The Memorial Baths project continues on schedule.
 - Council has negotiated land sales in Snow Street and Oliver Ave.
 - Council has lodged a DA for the subdivision of the extension of Krauss Ave.
 - The negotiations for the design and construct contract for Goonellabah Leisure Centre continues. Bennett Constructions has been asked to amend their concept drawings to project team specifications and provide advanced drawings to enable the project team to advance the tender process to the sign-off stage.

Workshop , Fleet Management and Sign Shop

- Completion and delivery of 4 Roadworks ganger's trucks, 3 truck bodies to be completed.
- Completion and delivery of Roadworks / Line markers tabletop truck complete with service body and crane. Fleet No. 125.
- Recommendation adopted for the purchase of Richmond Tweed Regional Library's new tandem axle articulated mobile library trailer. LCC to negotiate with RTRL for possible purchase of trailer being replaced to use as promotional / information centre at special functions, etc. Orders placed for replacement of 2 tipping trucks. Fleet No. 115, 116, new trucks to be delivered before end May 05.
- Orders placed and delivery of 2 new replacement 4 wheel steer backhoes for Roadworks

section. Fleet No. 227 and 228.

- Tenders advertised for replacement 2 Roadworks compaction rollers. Fleet No.307/351.
- Tender advertised for additional excavator (33 tonnes approximate operating weight) for Council quarry operations, evaluations completed and recommendation to April Council meeting for approval to purchase.

Signs:-

- Special signs and banners for:- Lismore Water, Lismore Visitor Centre, Norpa, Musica Viva, Public Transport promotion, Reclaim The Night, Oaks Oval seat numbers and fitting to seats, Rural Fire Service vehicles and fire stations, Kirkland's Car Park, Kadina Park, Land Power, Wilson's Park school, Masters Games, Clarence Valley banner, Woodburn RRCC depot, Rous Water – Peridenya, North Coast Tree Lopping, Heritage Park, LCC Waste Education, Upgrade of Keen Street, Anzac day banner, Crematorium / Lawn Cemetery garden layout sign, Courage to care banner.
- Upgrade of signage on roundabouts.
- LCC Fleet logos
- Replacement street signs due to age or increased vandalism.
- LCC Temporary Warning Signs for road construction, Lismore Water, Waste Water Treatment Works, etc., and other activities (Grass cutting, etc.)

Economic Development / Tourism

- Business Development Planning for Showground in preparation for June Council report
- Project management and preparation for launch of 'Cafe and Culture Trail'
- Wilsons River Redevelopment Project - Boating facilities; historic pagoda commenced
- Contribution to Sustainable Regions Funding Submission for Memorial Baths upgrade
- Discussions held on City Branding strategies and alignment with other plans
- Lismore Tourism upgrade and link from LCC website completed for mid-year launch
- Event management and planning - Parramatta v Cronulla NRL; Northern Stars Under the Big Top; Health and Herb Festival; Masters Games
- Health and Herb Festival Event Coordinators commenced
- Continued to assist Council in the Nimbin safety campaign and funding opportunities for the Nimbin Community Development Officer position
- Nimbin Visitor Centre operation review and proposal from Community Technology Centre
- Issue 1/2005 'Lismore Leader' brochure commenced
- Developer liaison indicates health level of interest in Lismore
- A/Mgr attended LGSA Tourism Conference in Forbes and promoted Lismore as venue for ALGWA State Conference in 2007 to delegates at Albury Conference (successful)
- Strong visitor numbers indicated by Visitor Information Centre statistics
- Design and publishing support for Regional City Plan

Human Resources

- Assisted GM in establishing organizational restructure timeline, rationale report and associated job descriptions.
- Finalised HR management plan and budget for 2005/2006.
- Sourced information on other council's approaches to organizational development and developed approaches to cultural change.
- Facilitated Regional HR Group Strategic Direction Day.
- Aurion implementation timeline established – data entry and training updates sessions scheduled.
- Began discussions with staff regarding performance management. Sourced information from other councils in region.
- Ongoing risk assessments and site visits by OH and S committee.

GROUP: CORPORATE and COMMUNITY SERVICES

Management Plan Review

Period ending March 04

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

Community Services

- *Child Care Centres* – Gingerbread House Director resigned and Margaret Cassidy appointed as replacement, the Department of Community Services has approved funding for the 05/06 financial year for wage subsidies for the Koala Long Day Care Centre, the average daily attendance for After School Hours Care is 59 (licensed for 60), however, the planned parent and community advisory group has not been formed to date.
- *Lake Gates* – construction of the islands has been completed and the EnVite Work for the Dole Team has completed extensive native plantings around the lake and water testing at the lake will be scaled back to quarterly tests over the cooler months.
- *Community Development* – organised and co-hosted a successful Harmony Day in February to celebrate the diverse communities in Lismore and supported a funding submission by the Lismore Neighbourhood Centre to assist a multicultural group with funding for transport and other resources.
- National Community Crime Prevention Program saw the two trainees attend Certificate 3 General Welfare (Youth Work) at TAFE as well as participate in other community projects, the Vocational Pathways Newsletter was designed and distributed to all stakeholders in March and the development of an Aboriginal Employment Strategy including consultations with Aboriginal groups and services (presented to the April meeting of LUO).
- *Aboriginal Community Development* – assisted with the recruitment of the two trainees and also assisted with the Freedom Ride stop-over including a very successful BBQ attended by approximately 350 persons and met with the board of Shared Vision to discuss the AAS funded 'Bundjalung Elders' Stories ' project.

Information Services

- *General* – review of the Information Services Strategic Plan including support to continue the implementation of strategies outlined in the plan with the major one being a review of Council's current land and financial information systems.
- *Records Management* – continue to work co-operatively with Clarence Valley, Richmond Valley Council's and Rous Water to select a Records and Information Management System solution. Two products were identified following the tender process for further evaluation, including product demonstrations and site visits by members of the evaluation team. A report to Council is targeted for June.
- *Computer Network and Website* – installation of e-mail management software (Aftermail) and development of a tourism website.

Finance and Administration

- *Rating Structure Review* – a workshop was held on February 1 to consider options based on the (new) July 2004 valuations. A letter was then issued to all ratepayers detailing the impact of these options, followed by a series of public workshops during March/April to allow direct ratepayer feedback to Councillors.
- *Sale of Land for Overdue Rates* – auction held on March 5 with three properties sold with the owners of the other eight properties originally listed having either paid in full, or made satisfactory arrangements to pay by instalments.
- *Insurance/Risk Management* – the GMCCS attended his first meeting of the Board of Statewide Mutual following his election to represent the interests of the council's of the Far North Coast (Tweed to the Clarence). Statewide provides public liability, professional indemnity and property cover, as well as risk management services/advice for some 130 + council's in NSW.
- *Code of Conduct* – a new Code of Conduct was adopted in February that incorporates new arrangements regarding the discipline of councillors, staff and delegates. A new Conduct Committee comprising the mayor, general manager and Mr Tony Pagotto (independent person) was formed to ensure a fair and transparent review of the process for allegations of breaches of the Code.

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

Review of items across each functional area of Planning and Development.

Planning Services

1. Corporate Relations: Customer Service

Provision of planning advice: phone/counter enquiries – January 558, February 728, March 597.

Participation in Government (State/regional) initiatives:-

- Northern Rivers Regional Strategy
- Northern Rivers Farmland Protection Project

2. Development Integration: Assessment of Development Applications

Number planning DAs
 46 DAs lodged
 61 determined

Average DA Assessment times for the quarter

Integrated/Designated/Concurrence: 57.2 days (statutory time – 60 days)
 Other (local) DAs: 37.6 days (statutory time – 40 days)

Residential Subdivision statistics: 2 DAs lodged proposing creation of 3 lots. 27 lots released.

Other approvals: 21 Subdivision Certificates issued
 38 miscellaneous (modifications of consent, dwelling entitlement searches, etc.)

3. Development Integration: Monitor and review current planning controls

Amendment 12 (Review of land zoned 6(a) Recreation): awaiting Gazettal.

Amendment 16 (Airport Industrial Estate): made by Minister and gazetted 11 March.

Amendment 21 (alteration to date of adopted of DCPs for Exempt and Complying Development): made by Minister and gazetted 11 February.

DCPs 18 (Off-street Car parking) and 28 (Subdivision): draft generation rates for DCP 18 finalised but further progress stalled due to priority of DA assessment. DCP 28 - Review of Part One completed but awaiting input from City Works and Lismore Water.

Draft DCP 48 land at Invercauld Road: 2-month public exhibition period completed 21 March.

4. Development Integration: Implement adopted land use strategies

Amendment 15: Rezoning of land at Trinity Drive Awaiting signing of Planning Agreement by applicant.

Rural Housing Strategy:

Amendment 17 Rural Res, Minshul Cres. Tullera: Parliamentary Counsel opinion received, S69 submission to Minister in preparation.

Amendment 19 Creation of 3 lots at 18 Dougan Road Caniaba and Rural Residential proposal, Stoney Chute Road Applicant to submit proposal for road upgrading for inclusion in Planning Agreement. Dougan Rd proposal to be subject to separate LEP amendment to speed up process.

Amendment 20: Cameron Road, McLeans Ridges: GeoLink engaged to assess; concluded that proposal should not proceed in its submitted form and requires further discussions with applicants.

Amendment 22: LEP amendment exhibited and subsequently adopted at March Council meeting.

Amendment 24: 9 Livotto Drive, Richmond Hill: exhibition documentation prepared and on public exhibition until 4 April.

5. Enforcement

49 matters were investigated during the quarter. All were as a result of complaints received from the public.

Environmental Health Services

1. Environmental Protection and Enhancement - Assess Development Applications

46 DA's were referred to Environmental Health Unit for comment/assessment during quarter.

2. Environmental Protection and Enhancement - Commercial Premises Management

Inspections of 19 high risk, 5 medium and 3 low risk food premises were undertaken during quarter. 19 additional inspections were carried out for new food premises, re-inspections and complaints.

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

Following 2-month exhibition, Comprehensive State of the Environment report was approved at March Council meeting. Recommendations in report were forwarded to relevant managers for consideration in preparation of draft management plan and budget submissions.

4. Environmental Protection and Enhancement - Conduct Clean Up Australia Day

Clean Up Australia Day was conducted successfully in March.

5. Environmental Protection and Enhancement - Stormwater Management Plan

Review of Stormwater management plan continued.

\$39k grant application successfully obtained under Estuary Management Catchment Education program submitted for WSUD initiatives at Goonellabah Leisure Centre.

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

Regional meetings was held in February.

First internal WSUD working group held in March.

7. Environmental Protection and Enhancement - Sun Protection

Sun shading delivered to Nimbin skatepark and to be erected shortly.

8. Environmental Protection and Enhancement: - Emergency Management

Emergency Management and Rescue Committees met in March.

Council administration staff attended emergency management training day in Coraki in March.

9. Environmental Protection and Enhancement - On-Site Sewage Management (OSSM)

76 OSSM inspections conducted during quarter.

Reed bed Guidelines finalised in draft form.

10. Environmental Protection and Enhancement - Environmental Monitoring

SCU intern student undertook sampling of three drainage systems in Lismore. Subsequent Project report indicated poor water quality results from drainage systems. Further projects will be initiated as result of report.

11. Protection of the Environment Initiatives

WSUD SE Queensland Stormwater Group meeting attended by LCC EHO.

Public Health Regional coordinating group meeting at Kyogle attended by LCC EHOs.

12. Environmental Protection and Enhancement - Cities for Climate Protection

Stage 1 has been completed. Report from this stage is imminent but delayed due to CCP computer breakdown.

Building Services

1. Development and Integration - Fire safety audit

Inspections of premises identified in December, 2004 Fire Safety Audit report continue to be conducted.

2. Assessment of Development Applications and Construction Certificates.

Number building DAs
 165 DAs lodged
 154 determined

Average DA Assessment times for the quarter – 21.54 days

Value of Construction Certificates issued - \$7.35M.

3. Public Safety - Swimming Pool fencing

Minimum 25 new and existing pool inspections conducted each month of quarter.

4. Public Safety – Essential Services

Program continues to be conducted with all rural halls and caravan parks inspected.

5. Public safety – Places of Public Entertainment

Database reviewed on monthly basis, with follow-up of annual certificates earmarked for 2005/06 financial year.

6. Corporate Relations - Professional Development

During the quarter staff attended Bushfire course, changes to plumbing code and briefing on introduction of BASIX.

GROUP: BUSINESS AND ENTERPRISE
 Management Plan Review
 Period ending March 2005

Review of items across each functional area of the Business and Enterprise Group

Lismore Water

- Clunes Wastewater Committee – commencement of revision of options for the reconstituted committee.
- Completion of Keen Street upgrade works.
- Design of works for Uralba Street upgrade.
- Completed acquisition of East Lismore property in conjunction with Northern Rivers Waste.
- Updated the existing financial model for Lismore Water as part of budget setting process.
- Commence review of Lismore Water existing strategic plans for presentation to Council.

Northern Rivers Quarry and Asphalt

- Successful trial of pugmill on site for Keen Street and other road base.
- Continued liaison with shortlisted ROI respondents for NRQandA business development.
- Liaison with business valuation professionals for the NRQandA business.
- Completed upgrade of new conveyor three.
- Tender for excavator determined at April 2005 Council meeting.
- Completed noise assessment of operations for the EPA.

Lismore Memorial Gardens

- Review of overall performance following feedback on gardens appearance over the Christmas period.
- Chapel changes to replace existing catafalque.
- Investigate replacement of existing plant to improve work process.

Northern Rivers Waste

- Completed in accordance with requirements of the EPA the leachate collection, treatment and transfer works.
- Advertised for recruitment of the Manager of Northern Rivers Waste.
- Landfill compactor delivery delayed until April 2005.
- Relined the composting pad within Tryton area to comply with landfilling guidelines (as this area is a former landfill cell).
- Commence process for the design and approval of new landfill cell.
- Called for expressions of interest for the harvest and distillation of tea tree oil. This harvest is co-ordinated with the process of land development.

Lismore Regional Airport

- Called for registrations of interest for the supply of general aviation fuel at the airport.
- Geospatial facility hangar construction commenced.
- REX continue to record strong passenger numbers with volumes up approximately 10% compared to last year and generally in line with other regional ports.
- Federal Government approved the aviation security risk assessment and Airport Security Plan. Council will make a funding submission for the approved works.
- Completed sale of new hangar site and investigating a further hangar lease.
- Airport Master Plan is deferred to commit resources to statutory risk assessments and plan.

Commercial Properties

- Continuation of industrial development of airport land in South Lismore.

GROUP: CITY WORKS
 Management Plan Review
 Period ending March 2004

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

Parks and Recreation:

- Ongoing inspections and maintenance to playgrounds and assets, grass cutting maintenance, sportsgrounds preparation and maintenance, garden maintenance, CBD footpath and cleaning, weed spraying.
- Completed development of public and tree removal procedure - awaiting VMO (Development Control Plan No. 17) review by Planning and Development Group.
- Successfully held the following events - NRL trial between Parramatta and Cronulla; Australian Country Cricket Championship; U/12 Cricket Carnival; and U/16 Australian Baseball Championships.
- Installation of grease trap for the south canteen at Oakes Oval.
- Completed December 2004 storm event cleanup.
- Ordered all materials required for Keen Street project.
- Developed portable soccer goalpost procedure (internal parks procedure).
- Developed new form for nature strip grass cutting to improve internal parks procedures.

Urban Works:

- Footpath maintenance: All sections nominated for replacement have been done and the footpath maintenance programme continues.
- Oliver Avenue roadworks and construction of retaining wall complete.
- Uralba Street – Excavation for new pavement well underway with pre-planning for water main replacement complete.
- Kadina Street – Construction of drainage, new road pavement and installation of roundabout complete. Minor landscaping required to complete works.
- Keen Street – Reconstruction and beautification of Keen Street 90% complete. Minor landscaping works to be completed.
- Keen Street Carparks – Construction of two new sections in the Clyde Campbell Carpark have produced approximately 70 new car spaces. Works currently being programmed for construction of diversion walls as part of the works.
- Reseal programme 70% complete.
- Stage 2 of heavy patching on local roads due to commence in May.
- Stage 6 of Oliver Avenue street lighting project complete.

Bridges:

- Knights Bridge construction on Quilty Road - Ongoing.

Traffic and Enforcement:

- Onstreet/off-street parking enforcement continued.
- 12 abandoned vehicles impounded.
- 51 incidents recorded by safety cameras.
- Nimbin safety camera investigations complete.
- Two (2) new mini dome safety cameras installed in Keen Street.
- Public transport media promotion.
- Discussion resumed with Animal Rights and Rescue regarding the provision of land for animal shelter.
- Pound facilities connected to sewer system.
- Telstra provided two additional optic fibre connections in Keen Street for cameras.

Rural Works:

- Reconstruction of MR306 (Dunoon Road), Modanville – complete.
- Commenced roundabout construction at intersection of SH16 / Holland Street, Goonellabah.
- Heavy patching completed on the following roads: Stony Chute Road, Rosehill Road, Wyrallah Road, Bridge Street (Wyrallah), Tregeagle Road.
- Completed bus bay at intersection of Tregeagle Road / Wybelena Road, Wyrallah.
- Drainage maintenance carried out in Modanville area, Borton Road.
- Guidepost maintenance carried out on Eltham Road.
- Shoulder maintenance works: Doroughby Road, Whian Whian Road, Broadwater Road.
- Side-arm slashing: Tucki Road, Grennan Road, Caniaba Road.
- Gravel maintenance completed in the following areas: Skyline Road, Sheehan Road, Swan Bay Road, Pinchin Road, Fathers Road, Boorie Creek Road, Boyle Road, Parmenter Road, Martin Road, Stony Chute Road, Ashlin Road, Lillian Rock Road, Gungas Road, Munro Road, Anderson Road, Kirkland Road, Upper Tuntable Falls Road, Tuntable Creek Road, Rose Road, Arkinstall Road, Wallace Road, Terania Creek area.

Road Safety:

- Drink Driving and Alcohol Related Crime – Introduce and trial Lismore Late Nighter Bus Service to provide alternate transport for people socialising in the CBD on Thursday, Friday, Saturday nights.
- Speed – Advisory speed checks conducted throughout the LGA with follow-up from the Richmond Local Area Command to address speeding on local roads.
- Safety Around Schools – Dummies used to help slow speeding motorists outside schools.
- Operation Southtracks – RSO co-ordinated Council and RTA support of Richmond Highway Patrol road safety operation.
- Facilitate workshops for supervisors of learner drivers.

Community Consultation -

- Keen Street – Weekly walk around and general goodwill discussion with key business people. Bi-weekly bulletin hand delivered to all business owners and operators of Keen Street to keep them informed of progress of upgrade and beautification.

Survey, Design and Subdivision Control:

- Rehabilitation survey/designs completed for:
 - Blue Knob Road, Blue Knob - 3.3km-4.0km north of Nimbin
 - Nimbin Road, Bishops Creek - 23.21km-23.83km north of Lismore
 - Broadwater Road, Dungarubba - Wyrallah to Kilgin Roads.
- Drainage Construction – survey/design completed for – Diadem and Hunter Streets.
- Kerb and gutter, drainage and road widening survey/designs carried out for Bruxner Highway, South Lismore – Three Chain Road to the flood drain.
- Roundabout detailed designs for intersections of:
 - Uralba and Brewster Streets
 - Uralba and Diadem Streets.
- Traffic signals detailed design for intersection of Ballina and Diadem Streets.
- Airport Industrial Development, South Lismore – Krauss Avenue extension.

Development Control:

Design Plans Assessed:

- Residential subdivisions – retaining wall – Regatta Estate, Leone Court, Lismore Heights
- Rural residential subdivisions – McInnes Road, McKees Hill, Roy Place, Richmond Hill
- Commercial developments – Elliott Road, Clunes, Ewing and Short Streets, Lismore.

Jobs Under Construction:

- Residential subdivisions – Bristol Court (Stage 3), Goonellabah, Hillcrest Avenue, Heather Avenue, Millar Street, Barham Street, 165 Invercauld Road, First Avenue, Olley Estate (Stage 13), Wanda Drive, Dudley Drive
- Rural residential subdivisions – Floreat Estate, Cowlong Road, McLeans Ridges, Perradenya Estate roundabout.

Completed Jobs:

- Residential subdivisions – 317 Ballina Road, Palmvale Drive, Cedar Drive, Dunoon, 3 Millar Street, Cavendish Road (Ubrihien Estate), Koala Drive, Tullera (Stage 3), Perradenya Estate (Stage 3)
- Residential subdivisions – Perradenya Estate entry reconstruction, Cowlong Road DA – intersection
- Commercial development – Holland Street, Nimbin Hospital.

Emergency Services:

- Flood levee construction on schedule. Keen Street buildings located in the floodway were removed, creating additional parking spaces in the Clyde Campbell and Crowther Carparks.
- Flood levee – Club Lane to Police Station – Complete.
- Browns Creek Floodway upgraded and widened.
- Flood pamphlets distributed to floodprone properties in Lismore.

Comments

Financial Services

Not required.

Other staff comments

Incorporated in report.

Public consultation

Not required.

Recommendation

That the report be received and its contents noted.

Report

Subject	March 2005 Quarterly Budget Review Statement
File No	S880
Prepared by	Principal Accountant
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.
Strategic Plan Link	N/A
Management Plan Activity	N/A

Overview of Report

Council's budget has moved from a surplus of \$50,000 to a deficit of \$102,000. Included in this deficit is the transfer to reserves of \$313,6000 as adopted by Council on the 8th March 2005 – resolution 34/05.

Revenues are in line with expectations.

Expenses are overall in line with expectations, however there have been additional allocations included in relation to the preparation of fields for major events held (\$86,000), additional loan repayments (\$52,000) on loan borrowings as per Council resolution 220/04 for the Memorial Baths development, and increased working expenses for SES services (\$10,000).

The revenue and expenses adjustments generated an operating deficit for the March quarter of \$152,000.

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 review is to ensure that the 2004/05 Budget reflects the actual and anticipated results, as it will be compared to the proposed budget during the 2005/06 Management Plan process.

General Fund

The 2004/05 Management Plan provided for a \$133,300 surplus. The September 2004 review reported an accumulated annual surplus of \$77,700, with the December review reporting an accumulated surplus of \$50,000 (this includes the transfer of \$313,600 to reserves as per Council resolution 34/05).

The March 2005 review period details a deficit of \$152,000 with the accumulated annual deficit at March 31, 2005 being \$102,000.

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

Budget Balance Movements for Quarter	Amount \$
Opening Surplus Balance at January 1, 2005	50,000
Less - SES additional operational expenses	(10,000)
Less - Additional interest and principal on additional borrowings in relation Memorial Baths development as per Council resolution 220/04	(52,000)
Less - City V Country additional ground preparation costs	(36,000)
Less - Country Cricket championships additional ground preparation costs	(20,000)
Less - Parramatta V Cronulla additional ground preparation costs	(30,000)
Less - Nimbin Promotion Program	(1,800)
Less - Canteen improvements Oakes Oval	(1,500)
Less - Road Safety Officer adjustment to program	(700)
Closing Deficit Balance at March 31, 2005.	(102,000)

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.

General Manager Support Services

The market research project programmed for 2004/05 (\$12,900) has been carried over to 2005/2006. The unexpended funds have been transferred to reserves, having no impact on the general operating surplus.

Human Resources

Additional allocations have been made for the provision of staff health programmes (\$5,000), risk management (\$5,000) and recruitment expenses (\$10,000), these have been funded from existing allocations with no impact on the general fund surplus.

Employee Leave Entitlement reserves of (\$63,000) have been utilised to fund the installation of Security Cameras within the Nimbin Business area. The total cost of the project has been estimated at (\$70,000), with funding to come from the current Nimbin business levy (\$7,000) and by a loan from Employee Leave Entitlements reserves (\$63,000). The loan is to be repaid from the Nimbin Promotion program allocation (\$7,000 pa) over a 15-year period, with interest charged at 5.50%. There has been no impact on the general fund surplus.

Swimming Pools

Additional loan funds (\$1,046,000) were drawn in accordance with Council resolution 220/04. The additional funds have resulted in an increase in principal loan repayments of (\$47,000) in 2004/05, being the first repayment in April 2005 and interest costs of (\$5,000).

Unused loan funds (\$2,913,000) from 2003/04 have been applied to the Memorial Bath baths project, to complement the current loan funding. The total vote allocation is now \$8,750,000 and is in line with the approved allocation as adopted in resolution 220/04. There is no impact on the general fund surplus.

Information Services

There has been a transfer from Information Service reserves (\$69,000) to increase the allocation in relation to the Electronic Document Imaging project (\$44,000) and for aerial photography (\$25,000); there is no impact on the general fund surplus.

Community Services

The Goonellabah Leisure Centre project (\$2,010,000) will not be finalised within in the 2004/05 Management Plan, the allocated budget expenditure has been carried forward to 2005/06. Program funding was from Section 94 funds of (\$1,080,000) and from reserves (\$930,000). There has been no impact on the general fund surplus.

Traffic, Enforcement and Lighting

An allocation was provided for the installation of security cameras for the Nimbin business district. The total project has been estimated to be (\$70,000) with funding to be sourced from existing allocations - Nimbin Development program (\$7,000) and (\$63,000) from an internal loan from the Employee Leave Entitlements reserve. The loan has been calculated over 15 years and interest charged at 5.50%. Repayments will be made from the Nimbin Business Levy (\$7,000) per year and is in line with current allocations. There is no impact on the general operating surplus.

Emergency Services

The new SES building (\$210,000) included under the 2004/05 Management Plan has been incorporated within the Flood Levee work allocation and therefore a separate allocation is not required. There is no impact to the general operating surplus as the capital expense was offset by expected capital income contribution, which has also been deleted. There is no impact to the general operating surplus.

Parks

Additional amounts have been included for the capital projects Shade Strategy - Riverview (\$11,000) and Peace Park development (\$18,000) with funding from Parks Reserves and Sec 94 Open Space reserves respectively. The capital allocation for the 24hr Public toilet (\$58,200) has been transferred to reserves for incorporation in the 2005/06 Management Plan, as a suitable site has not been sourced.

An allocation has been included for bushland regeneration (\$10,000) with funding from section 94 contributions.

A contribution of (\$17,000) has been received from the SES in relation to emergency works undertaken as a result of the storm on the 13 December 2004. This has been allocated to the operational budgets of Parks (which has incurred the costs), there being no impact on the general fund surplus.

Urban and Rural Roads

The following additional capital programmes have been included: Oliver Avenue (\$54,000), funding from reserves (\$15,000) and additional capital revenue (\$39,000); Dalley Street cycleway (\$100,000), funding from additional capital contributions received (\$50,000) and existing vote allocations; sealing of Muller/Willis Road (\$228,000), funding from reserves (\$114,000) and resident contributions (\$114,000).

The Road Safety programme has received additional funding of (\$18,000), and has been allocated to projects of (\$18,000), there being no impact on the general operating surplus.

RTA -Works

We have received notification that the 2004/2005 funding for Single Invitation Maintenance contracts has been reduced by (\$19,000), this has resulted in a reduction in the programme maintenance of (\$19,000) and therefore has no impact on the general operating surplus.

Lismore Memorial Gardens

An allocation for the development of the Chapel Casket upgrade (\$29,000) has been included with funding from crematorium reserves, having no impact on the general operating surplus.

Lismore Regional Airport

There was a transfer from reserves of (\$26,000) being for the capital works - indicator lights on the runway.

The capital works in relation to the Aspect North development (\$70,000) have been carried over from the 2004/05 Management Plan for inclusion in 2005/06. As these projects are funded from reserves there is no impact on the operating surplus.

Water Fund

Capital works totalling (\$50,000) for mains renewal have been included with funding from reserves (\$50,000). There is no impact on the operating surplus.

Change in Net Assets

The 2004/05 Management Plan showed a surplus in the "Change in Net Assets" of \$4,136,000. The September review decreased the surplus by \$406,000 to \$3,730,000 with the December review increasing this position by \$310,000 to \$4,040,000.

The March 2005 review has increased the net assets position by (\$30,000) to \$4,070,000.

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.

Other staff comments

Not required.

Public consultation

Not Required

Conclusion

Council's budget has moved from a surplus of \$50,000 to an operational deficit of \$(102,000). This includes the transfer to reserves of \$313,600 as per Council resolution 34/05, 8th March 2005.

Generally it would appear that actual results for expenditure allocations are in line with original estimates. There have been some additional allocations for increased cost in relation to events held in the March 2005 review period that have increased operational costs of Parks (\$86,000); increased loan repayments (\$52,000) for the Memorial Baths development as per Council resolution 220/04 and operational cost for the SES operations has required an increase (\$10,000).

Revenues are in line with expectations.

The transfer to reserves at December 31, 2004 of \$313,600 has placed the 2004/05 Management Plan into a deficit situation. It is recommended that this transfer be reduced by (\$152,000) to ensure that the Management Plan is in line with Council Policy 1.5.3 "Council's Financial Position" and that a surplus of \$50,000 is achieved. The adjusted reserve will be (\$ 161,600), however it is proposed that the operating position be reviewed over the June 2005 quarter and that additional funds may be reserved and used within 2005/06. This position will be finalised as part of the 2004/05 Financial Report and reported to Council at the completion of the Financial Reports process.

Recommendation (COR10)

- 1 The amount transferred to reserve in accordance with resolution 34/05 be reduced by (\$152,000) and utilised to offset the operating deficit, the transfer to result in an overall operating surplus of \$50,000.
- 2 Council adopt the March 2005 Budget Review Statement for General, Water and Sewerage Funds incorporating recommendation 1.
- 3 This information is submitted to Council's Auditor.

Report

Subject	April 2005 – Investments held by Council
File No	S178
Prepared by	Principal Accountant
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
Strategic Plan Link	N/A
Management Plan Activity	Financial Services

Overview of Report

Council investments as at the 29th April 2005 total \$34,484,528 subject to the final values of funds held under Managed Funds being advised shortly.

Interest rates reported over the period of April 2005 are 6.11% in comparison to 6.12% for March 2004.

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

- *Confirmation of Investments – 31st March 2005* \$36,424,159

The amount is higher than the estimate reported for March 2005 due to additional valuation movements in funds held under Managed Funds.

- *Estimate of Investments – 29th April 2005* \$34,484,528

Some variation is expected on the final balance of Managed Funds. The final valuation of these funds is not made until after the end of the month. The current rate of return on investments for April 2005 was 6.11% compared to 6.12% for the same period last year. Indications are that general rates will remain steady in May 2005.

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

Comments

Financial Services – included in the body of the report

Other staff comments

N/A

Public consultation

N/A

Conclusion

The investments held by Council with various financial institutions, have been made in accordance with the Local Government Act 1993, Local Government (Financial Management) Regulation 1999 and Council's investment policies.

Recommendation

The report be received and noted

**MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING
HELD ON APRIL 20, 2005, AT 9.00 AM.**

- Present** Councillors Merv King (*Chairperson*) and John Hampton, Mrs Bronwyn Mitchell (*on behalf of Mr Thomas George, MP*), Mr Michael Baldwin (*RTA*), Snr Const Steve Hilder (*Lismore Police*), together with Mrs Wendy Johnson (*Road Safety Officer*), Mr Bill Moorhouse (*Group Manager–City Works*) and Mrs Carolyn Moynihan (*Customer Services Officer*).
- In Attendance** Mr Peter Lawrence (*Goolmangar General Store*) for Clause TAC29/05, Mr Reg Mills and Ms Tracey Mills (*Mills Transport*) for Clause TAC30/05.
- TAC26/05 **Apologies** Apologies for non-attendance on behalf of Councillor Jenny Dowell, Messrs John Daley (*Lismore Unlimited Opportunities*), and Bill MacDonald (*Co-Ordinator-Traffic & Law Enforcement*) were received and accepted and leave of absence granted.
- TAC27/05 **Minutes** The Minutes of the Traffic Advisory Committee Meeting held on March 16, 2005 were confirmed by Council on April 12, 2005, excluding Clauses TAC18/05 and TAC19/05.
-

Disclosure of Interest

Nil

Business Arising

Nil

Correspondence / Reports

Blue Hills College; drawing attention to the need for a bus turnaround and drop-off area with shelters to be provided at the end of Blue Hills Avenue.

Due to the school holidays, Blue Hills College was closed. However, it was noted that there were substantial works being carried out onsite which indicated the school may be considering further development. Clearly early planning for future growth would be an advantage.

- TAC28/05 **RECOMMENDED** that a letter be written to Blue Hills College suggesting a meeting onsite to discuss the current problems being experienced and possible solutions in the short and long term. (05-2676:S352,R6609)

Goolmangar General Store; expressing concern for the increase in traffic volumes, heavy vehicle usage, excessive traffic speeds and frequency of vehicles overtaking at high speeds on Nimbin Road within the Goolmangar village and requesting these issues be addressed.

W & Mrs D Watson; also drawing attention to the excessive speed of vehicles on Nimbin Road through the Goolmangar village and requesting a speed camera be installed.

Mr Moorhouse advised that an inspection of the approach to Goolmangar village revealed there was no adequate signage or suggestion of entering a small village. Mr Lawrence presented to the Committee concerns for the speed of vehicles through the village. He suggested speed cameras, double lines or speed bumps be installed. Mr Baldwin advised that for the installation of a speed camera, a stringent criteria needed to be met and that double lines have a sight distance criteria, which needs to be met as well. A suggestion was made that a roundabout at the intersection of Jiggi and Nimbin Roads may slow traffic. Members were advised that the Richmond Area Local Command was aware of the problem and would target the area more often with speed detection equipment.

TAC29/05 **RECOMMENDED** that Mr Baldwin investigate threshold treatments to reduce speed and variable height guideposts at both ends of the village. In addition, further investigation be made into an entrance statement for Goolmangar village. (05-2819,05-2846:R2801,S352)

AJ Mills & Sons Pty Limited; submitting application for B-double access on Bangalow Road (Bangalow to Lismore) and Lismore to Woodburn via roads through South Gundurimba, Wyrallah, Tucki and Tuckurimba.

Discussion was held over the proposal of B-doubles using Bangalow and Wyrallah Roads. Concerns were raised regarding the viaduct at Binna Burra being too low, the issue of passing lanes and the span and impact B-doubles would have on Wyrallah Ferry Bridge on Wyrallah Ferry Road. Mr Reg Mills presented to the Committee reasons for the proposal, which included reducing mileage for their trucks and exposure to other traffic for long hauls from Sydney to Brisbane. Mr Mills also pointed out they have secured a tender to haul macadamia nuts from Federal to Brisbane on a daily basis, which will require larger trucks to be used.

An application has been made to the RTA and Council and the process is underway.

TAC30/05 **RECOMMENDED** that, although the Committee acknowledges merit in the application, Council await the outcome of route inspections from the RTA and Council giving details of suggested upgrade works. (05-3118:S374)

Goanna Bakery & Café; seeking a review of the onstreet parking zones in the vicinity of No. 171 Keen Street.

The Committee was advised that all businesses along the western side of Keen Street, between Magellan Street and Lismore Central had been consulted and as a result it was proposed that 1-hour parking be introduced in this area to replace the current 2-hour restriction. It was also proposed to reduce the length of the existing No Parking zone by 4m. It was noted that there was consideration being given to the potential of providing a kerbside dining area in the vicinity of the bakery in the future.

Goanna Bakery & Café - Onstreet parking zones near No. 171 Keen Street.

- TAC31/05 **RECOMMENDED** that the parking time limit on the western side of Keen Street, between Magellan Street and Lismore Central be reduced from 2-hours to 1-hour. Further, that the existing No Parking zone be reduced in length by 4m with this being included in the 1-hour parking area. (05-3209:R7313,P5624)

M Thomas; drawing attention to the problems being experienced with motorists needing to access Deegan Drive from the inner lane after exiting the roundabout at the intersection of Ballina and Rous Roads, and requesting additional signage.

An inspection of the roundabout revealed that the double arrow markings are adequate for motorists and no further action was possible due to the location of existing road alignments and intersections.

- TAC32/05 **RECOMMENDED** that Mr Thomas be advised of the situation that no further action will be taken. (05-3211:S352)

Herbie Parade; providing the traffic management plan and route map for the Herbie Parade to be held on August 20, 2005.

The Committee noted that an acceptable traffic plan was in place. A suggestion was made by Mr Baldwin that a traffic controller be present as vehicles exited the Fredericks Carpark.

- TAC33/05 **RECOMMENDED** that approval be granted for the traffic plan as submitted. (S822)

General Business

Intersection of Corndale and Lockton Roads – Warning Sign

Ms Sue-Ellen Sharpe had raised concerns that motorists were still missing the intersection of Corndale and Lockton Roads when travelling along Lockton Road, colliding with her boundary fence on the eastern side of Corndale.

- TAC34/05 **RECOMMENDED** upgraded chevrons be installed, the sign at the T-intersection be replaced and white lines painted on Lockton Road to indicate the intersection ahead. (R4204)

Terania Street, The Channon – Community Carnival

The Committee was advised of the proposal to close Terania Street, The Channon, for celebrations to be held on April 23, 2005.

- TAC35/05 **RECOMMENDED** that approval be granted upon receipt of a traffic plan. (R1604)

Intersection of Ballina Road and William Blair Avenue, Goonellabah – Right-Turn Movements

Concerns were raised regarding motorists making right-turns across Ballina Road into William Blair Avenue.

TAC36/05 **RECOMMENDED** that a plan showing options be brought to the next Traffic Advisory Committee meeting for further discussion. (R6408,R6533)

Intersection of Ballina Road and Bruxner Crescent, Goonellabah – Right-Turn Movements

The Chairperson raised concern for motorists making right-turns into Bruxner Crescent across Ballina Road.

TAC37/05 **RECOMMENDED** that a plan showing possible options be brought to the next Traffic Advisory Committee meeting. (R6408,R6414)

Viaduct over Alexandra Parade, North Lismore

The Chairperson raised the issue of traffic travelling too fast to negotiate the sharp corner on Alexandra Parade under the viaduct.

TAC38/05 **RECOMMENDED** that three to four guideposts be placed along the bend on Alexandra Parade, beneath the railway viaduct, to indicate the sharp corner. (R6201)

Closure

This concluded the business and the meeting terminated at 10.45 am.

Chairperson

Customer Services Officer

Section 356 Donations

a) Representative Selection – Policy 1.4.10 (GL2033.6)

Budget: \$1,100 To date: \$1,288

Garon Clough, Jon Hudson and Michael Munro who have been selected to represent their country in the upcoming U19 World Softball Championships in Canada later this year.

In accordance with policy (\$328 each)

\$984.00

b) City Hall Reductions in Rental – Policy 8.4.2 (GL2033.2)

Budget: \$8,100 To date:\$4,681.15

Jehovah's Witnesses – Convention May 7 and 8, 2005

In accordance with policy.

\$439.50

c) Banners – Policy 1.4.14 (GL2033.8)

Budget: \$700 To date: \$965.00

Salvation Army Red Shield Appeal – Banner at Oakes Oval May 16-29, 2005.

(05-4176: S164)

One week in accordance with policy.

\$60.00

Recommendation

In accordance with Section 356(1) of the Local Government Act 1993, the donations to persons as listed above are hereby approved for distribution.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, APRIL 12, 2005 AT 6.00PM.

Present Mayor, Councillor King; Councillors Chant, Crimmins, Dowell, Ekins, Graham (from 6.09pm), Hampton, Henry, Irwin, Meineke, Swientek and Tomlinson, together with the General Manager; Group Managers-Corporate & Community Services, City Works, Planning & Development; Acting Manager-Business & Enterprise (A Atukorala), Manager-Finance & Administration, Manager-Communications & Community Relations, Manager-Planning Services, Fleet Manager, Strategic Planner (B Blackford) and Team Leader-Administrative Support.

**Apologies/
Leave of
Absence** Nil

48/05 **Minutes** The minutes of the Ordinary Meeting held on March 8, 2005, were confirmed.
(Councillors Irwin/Swientek)

Public Access Session
Nil

Disclosure of Interest
S459

Councillor Swientek declared an interest in report - DCP 48 Land at West Goonellabah (owns property in the area).

Notice of Motion

Changes to LEP - Floodway

49/05 Formal notice having been given by Councillor Hampton it was **RESOLVED** that officers prepare a report to the next Council meeting to identify changes to the Lismore Local Environmental Plan which would enable consideration of alteration and additions to existing buildings located in the floodway, as defined by the Floodplain Risk Management Plan.
(Councillors Hampton/Meineke) (05-3493: D04/1048)

Reports

Strategic Plan Steering Committee 22/3/05

51/05 **Minute No. SPS15/05 – Sport and Recreation PAG**
RESOLVED that membership include 3 councillors.
(Councillors King/Crimmins)

52/05 **RESOLVED** that the membership include 8 representatives from different local sports, recreation organisations and interested members of the public.
(Swientek/Chant)

- 53/05 **RESOLVED** that scope be adopted as submitted.
(Councillors King/Chant)
- 54/05 **RESOLVED** that the minutes be received and Council adopt the recommendations subject to the changes included above.
(Councillors Swientek/Irwin)

Committee Membership

Suspension of Standing Orders

- 55/05 **RESOLVED** that standing orders be suspended to discuss the Committee Membership report.
(Councillors Irwin/Tomlinson)
Voting Against: Councillors Graham and Hampton.

Resumption of Standing Orders

- 56/05 **RESOLVED** that standing orders be resumed.
(Councillors Irwin/Graham)

A MOTION WAS MOVED that Council adopt the scope and membership of the Public Transport Policy Advisory Group and Sustainable Environment Policy Advisory Group as outlined in the report subject to the Big Scrub Environment Centre representative being changed to other environmental organisations.
(Councillors Dowell/Hampton)

AN AMENDMENT WAS MOVED that membership of the Sustainable Environment PAG include 2 councillors, 6 industry representatives and 3 community members.
(Councillors Swientek)
The amendment lapsed for want of a seconder.

- 57/05 **RESOLVED** that Council adopt the scope and membership of the Public Transport Policy Advisory Group and Sustainable Environment Policy Advisory Group as outlined in this report subject to the Big Scrub Environment Centre representative being changed to other environmental organisations.
(Councillors Dowell/Hampton)

A MOTION WAS MOVED that the Strategic Plan Steering Committee be delegated a decision making role in line with the seven dot points on page 5 of the report.
(Councillors Irwin/Tomlinson)

AN AMENDMENT WAS MOVED that the Strategic Plan Steering Committee not be delegated a decision making role but report recommendations to the Council for determination.
(Councillors King/Meineke)

The voting being tied the Mayor declared the amendment APPROVED on his casting vote.
Voting Against: Councillors Irwin, Tomlinson, Ekins, Dowell, Swientek and Henry.

- 58/05 **RESOLVED** that the report be received and the Strategic Plan Steering Committee not be delegated a decision making role but report recommendations to the Council for determination.
(Councillors King/Meineke)
Voting Against: Councillors Irwin, Tomlinson, Ekins and Swientek.

- 59/05 **RESOLVED** that the report be received and Council confirm the membership proposals for Reference Groups and recognise the Access, Community Safety and Lismore Rainforest Botanic Gardens as Reference Groups.
(Councillors Dowell/Irwin)
Voting Against: Councillors Irwin, Tomlinson, Ekins, Swientek.
- 60/05 **RESOLVED** that Council adopt the administrative procedures for the Policy Advisory Groups and Reference Groups as detailed in the report subject to the wording of 6.2 being amended to "... through the General Manager to the groups that convene the meetings".
(Councillors Irwin/Tomlinson)
- 61/05 **RESOLVED** that Council commence the advertising process to select community representatives for the Policy Advisory Groups.
(Councillors Irwin/Tomlinson)
- 62/05 **RESOLVED** that -
a. Policy 1.2.3. remain unchanged
b. Policy 1.4.5 be deleted
c. Policy 1.2.5 be amended with the extra item added as follows:
Citizen members of Council are required to comply with Council's adopted Code of Conduct.
(Councillors Swientek/Chant)
- 63/05 **RESOLVED** that a report be prepared on the establishment of a Sister City Reference Group.
(Councillors Swientek/Dowell) (S36)

Lismore Urban Strategy – Response from DIPNR

A MOTION WAS MOVED that the report be received and Council –

- 1 Note the information in DIPNR's letter.
 - 2 Write to each of the landowners involved inviting them to submit an estimate of the minimum number of lots that would be viable for development to proceed in their area.
 - 3 Report back to Council at the July meeting the results of (2).
- (Councillors Swientek/Meineke)

AN AMENDMENT WAS MOVED that the report be received and –

- 1 Note the information in DIPNR's letter.
 - 2 Write to each of the landowners involved, including the owners of the Crawford land, inviting them to submit an estimate of the minimum number of lots that would be viable for development to proceed in their area.
 - 3 Report back to Council at the July meeting the results of (2).
 - 4 Council review any allocation of quota in cases where the rezoning has not been completed in 18 months.
 - 5 Council review the zoning on any significant (greater than 50 lot) residentially zoned land where the subdivision consent is not activated within the approved period.
- (Councillors Henry/Chant)

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

Voting Against: Councillor Swientek.

- 64/05 **RESOLVED** that the report be received and Council –
1 Note the information in DIPNR's letter.

- 2 Write to each of the landowners involved, including the owners of the Crawford land, inviting them to submit an estimate of the minimum number of lots that would be viable for development to proceed in their area.
- 3 Report back to Council at the July meeting the results of (2).
- 4 Council review any allocation of quota in cases where the rezoning has not been completed in 18 months.
- 5 Council review the zoning on any significant (greater than 50 lot) residentially zoned land where the subdivision consent is not activated within the approved period.
(Councillors Henry/Chant) (S650)

Draft Lismore Regional City Plan

- 65/05 **RESOLVED** that the report be received and Council place the draft Regional City Plan on public exhibition for a period of three months.
(Councillors Irwin/Swientek) (S4)

Draft Development Control Plan No. 48 – Land at West Goonellabah

Section 459

Councillor Swientek left the meeting during discussion and determination of this matter (owns land in the area).

A MOTION WAS MOVED that the report be received and Council –

- 1 Adopt draft Development Control Plan No 48 as exhibited, but including the following:
 - a requirement that all roads are to incorporate traffic calming measures designed to restrict vehicle speeds to 50 kph.
- 2 Give public notification of its adoption in accordance with the Environmental Planning and Assessment Regulation 2000.

(Councillors Hampton/Chant)

AN AMENDMENT WAS MOVED that the report be received and –

- 1 Adopt draft Development Control Plan No 48 as exhibited, but including the following:
 - a prohibition on the keeping of dogs in future subdivisions and developments in the area, and
 - a requirement that all roads are to incorporate traffic calming measures designed to restrict vehicle speeds to 50 kph.
- 2 Give public notification of its adoption in accordance with the Environmental Planning and Assessment Regulation 2000.

(Councillors Irwin/Tomlinson)

On submission to the meeting the AMENDMENT was DEFEATED.

Voting Against: Councillors King, Chant, Crimmins, Graham, Hampton and Meineke.

- 66/05 **RESOLVED** that the report be received and Council –
- 1 Adopt draft Development Control Plan No 48 as exhibited, but including the following:
 - a requirement that all roads are to incorporate traffic calming measures designed to restrict vehicle speeds to 50 kph.
 - 2 Give public notification of its adoption in accordance with the Environmental Planning and Assessment Regulation 2000.

(Councillors Hampton/Chant)

Voting Against: Councillors Irwin, Tomlinson, Ekins and Henry.
(S897)

Draft Amendment No. 7 to DCP 26 – Industrial Development Standards

67/05

RESOLVED that the report be received and Council –

- 1 Adopt amendment No. 7 to DCP 26 as per the attachment.
- 2 Give public notification of its adoption in accordance with the Environmental Planning and Assessment Regulation 2000.

(Councillors Irwin/Chant) (S545)

Footpaths and Cycleways

A MOTION WAS MOVED that the report be received and –

- 1 That Council note that to bring our existing network up to a satisfactory standard, approximately \$1.5 Million is required, to expand the network to the desired standard over \$17.0 Million (2005 dollars), is required.
- 2 That during the next budget session Council examine ways to fund an additional \$350,000 per year for footpath works.

(Councillors Swientek/Meineke)

AN AMENDMENT WAS MOVED that the report be received and –

- 1 That Council note that to bring our existing network up to a satisfactory standard, approximately \$1.5 Million is required, to expand the network to the desired standard over \$17.0 Million (2005 dollars), is required.
- 2 That during the next budget session Council examine ways to fund more than an additional \$350,000 per year for footpath works.

(Councillor Irwin)

The amendment lapsed for want of a seconder.

AN AMENDMENT WAS MOVED that the report be received and –

- 1 That Council note that to bring our existing network up to a satisfactory standard, approximately \$1.5 Million is required, to expand the network to the desired standard over \$17.0 Million (2005 dollars), is required.
- 2 That during the next budget session Council examine ways to fund an additional \$350,000 per year for footpath works.
- 3 That Council develop a master plan for its footpath and cycleway network and investigate funding opportunities.

(Councillors Henry/Irwin)

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

68/05

RESOLVED that the report be received and –

- 1 That Council note that to bring our existing network up to a satisfactory standard, approximately \$1.5 Million is required, to expand the network to the desired standard over \$17.0 Million (2005 dollars), is required.
- 2 That during the next budget session Council examine ways to fund an additional \$350,000 per year for footpath works.
- 3 That Council develop a master plan for its footpath and cycleway network and investigate funding opportunities.

(Councillors Henry/Irwin) (S342)

Crime Prevention Plan

69/05

RESOLVED that the report be received and Council endorse the (amended) five year Crime Prevention Plan 2005/2009 and staff be commended on the report.

(Councillors Irwin/Dowell) (S717)

Application to close part of Gordon Blair Drive, Goonellabah – Goonellabah Leisure Centre

- 70/05 **RESOLVED** that the report be received and –
- 1 That the application to close the southern part of Gordon Blair Drive, the subject of this report, be endorsed by Council and lodged with the Crown for gazettal as operational land.
 - 2 That the General Manager and Mayor be authorised to sign and affix the Council seal to all documents necessary to give effect to the above resolution.
- (Councillors Hampton/Crimmins) (R6575,S736,T25005)

Proposed Renaming of part of Gordon Road, Koonorigan

- 71/05 **RESOLVED** that the report be received and –
- 1 Pursuant to Section 162 of the Roads Act 1993, Council rename that part of Gordon Road northerly from its intersection with Hayden Road northerly to, and including residence No. 133 as Gordon Road South.
 - 2 Relevant authorities and residents be notified accordingly together with a formal notice being placed in the NSW Government Gazette.
- (Councillors Graham/Tomlinson) (R3102)

Purchase of Council Plant – Excavator for Quarry

- 72/05 **RESOLVED** that the report be received and Council purchase one (1) only New Caterpillar excavator as tendered (T25013) from Westrac, Grafton NSW for the cost of \$362,780.00 including GST.
- (Councillors Irwin/Dowell) (T25013)

March 2005 – Investments held by Council

- 73/05 **RESOLVED** that the report be received and noted.
- (Councillors Dowell/Swientek) (S178)

Delegations under the Food Act 2003

- 74/05 **RESOLVED** that the report be received and -
- 1 Pursuant to Section 377(1) of the Local Government Act 1993, Council delegate to the General Manager the power to appoint authorised officers under Section 114 of the Food Act 2003.
 - 2 Pursuant to Section 377(1) of the Local Government Act 1993, Council delegate to the General Manager the power to serve Prohibition Orders under Section 60 of the Food Act 2003.
 - 3 Pursuant to Section 381(3) of the Local Government Act 1993, Council approve the NSW Food Authority's delegation to the General Manager to provide written approvals for dispensations and alternative methods of compliance in regard to the Food Standards Code's Standard 3.2.2 (clauses 15 and 17) and Standard 3.2.3 (clauses 10 and 14) and advise the Food Authority of Council's consent.
- (Councillors Hampton/Irwin) (S222)

Committee Recommendations

Traffic Advisory Committee 16/3/05

- 75/05 **RESOLVED** that the minutes be received and adopted and the recommendations contained therein be adopted, excluding Clauses 18/05,19/05 and 24/05.
- (Councillors Irwin/Dowell)

Clause TAC18/05 – J Stevens

- 76/05 **RESOLVED** that Mr Stevens be advised that the existing pedestrian refuges were considered the most appropriate device and that Council carry out a traffic pedestrian assessment on Rous Road.
(Councillors Swientek/Irwin)
(05-2253: S342,R6610)
- Clause TAC 19/05 – Luxury Paints Pty Ltd**
- 77/05 **RESOLVED** that four or five 2-hour parking spaces be marked and signposted in front of Luxury Paints as residences existed each side.
(Councillors Irwin/King) (05-2525: S343,R6017,P2982)
- Clause TAC24/05 – Country Buses in Crowther Carpark**
- 78/05 **RESOLVED** that the recommendation be received and noted.
(Councillors Irwin/Chant) (P9988)
(S352)

Documents for Signing and Sealing

- 79/05 **RESOLVED** that the following documents be executed under the Common Seal of Council:
- Licence Agreement – Council and Robyn Barrett (t/a Dairy Delite Café & Takeaway)**
Footpath restaurant licence – 1/53 Woodlark Street, Lismore for 2 years from 1/11/04 to 31/10/06.
(P10330)
- Lease Agreement – Council and Lismore & District Workers Club**
Lismore Heights Workers Bowling Club carpark on road reserve, High Street – 5 years from 1/10/04 to 30/9/09.
(P26780)
(Councillors Hampton/Irwin)

Section 356 Donations

- 80/05 **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.
- Mayor's Discretionary Fund (GL2033.26)**
Budget: \$2,700 To date: \$2,376.56
- | | |
|---|----------|
| 41RNSWR – support for soldier to travel to Gallipoli and France in September – 90 th anniversary of raising of 2 nd Division
(05-2484: S164) | \$100.00 |
| Women, Earth & Change Network – subsidise fees for women to attend Conference at Dorrroughby Environmental Education Centre
(05-3117: S164) | \$50.00 |
| Lismore Ministers' Fellowship – National day of thanksgiving – donation towards banners
(05-3261: S164) | \$50.00 |
| Paddle for Life – fundraising for The Buttery and Summerland Early Intervention – Signwriting.
(05-2913: S164,S704) | \$50.00 |

City Hall Reductions in Rental – Policy 8.4.2 (GL2033.2)

Budget: \$8,100 To date: \$4,681.15
Northern Rivers Writers' Centre – primary schools event 3/8/05
In accordance with policy. (Subject to increased fees & charges from July 1)
(05-2394: P6816) \$51.60

North Coast Institute of TAFE – Excellence awards 28/5/05
In accordance with policy. (05-2646: P6816) \$115.75

Banners – Policy 1.4.14 (GL2033.8)

Budget: \$700 To date: \$965.00
Australian Red Cross - March is Red Cross Calling – Uralba Street site –
7-13/3/05
In accordance with policy. \$145.00
(05-2086:S374)

Council Contributions to Charitable Organisations

Waste Facility – Policy 5.6.1 (GL2033.15)

Budget: \$6,000 To date: \$4,068.12

Animal Right & Rescue	\$17.91	
Challenge Foundation	\$74.55	
Five Loaves	\$59.36	
Friends of the Koala	\$26.18	
LifeLine	\$110.00	
Saint Vincent de Paul	\$45.45	
Salvation Army	\$91.00	
Westpac Life Saver Rescue Helicopter	<u>\$37.91</u>	\$462.36
St Vincent De Paul December 2004 - February 2005		\$158.36

Miscellaneous – (GL2033.3)

Budget: \$30,500 To date: \$26,106
Donation of computer to Richmond River Historical Society -
residual lease value \$330.00

Hardship Claims Lismore Water – Policy 6.1.2 (GL8201.13)

Budget: \$12,200 To date: \$6,088.81
S P Brokenshire & A K Mitchell – 16 Stevenson Street, Goonellabah
In accordance with policy. \$1,802.34
(Councillors Irwin/Graham)

Closure

This concluded the business and the meeting terminated at 9.12 pm.

CONFIRMED this 10TH day of MAY, 2005 at which meeting the signature herein was subscribed.

MAYOR

