

## Ordinary Meeting

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An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the **CLUNES CORONATION HALL** on **TUESDAY, NOVEMBER 8, 2005** at 6.30pm and members of Council are requested to attend.

***Residents are invited to attend at 6.00pm to meet informally with Councillors.***

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

November 1, 2005



# Agenda

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Opening of Meeting and Prayer (Mayor)

Apologies and Leave of Absence  
Councillor Hampton

Confirmation of Minutes  
Ordinary Meeting – October 11, 2005

Public Access Session

Public Question Time

Condolences

Disclosure of Interest

Mayoral Minutes

Notice of Rescission Motions

Notice of Motions ..... 1

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

## Notice of Motion

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

- 1 That Council condemn the Howard Government's proposed Industrial Relations Bill as anti-Australian and anti-family.**
  - 2 That Council convey these views to the local Member for Page, Federal Industrial Relations Minister and the Prime Minister.**
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**Comment:**

The centralisation of Industrial Relations powers with the Federal Government will have far reaching consequences on the standard of living of not only our constituents but all working Australians.

This attack on the working conditions of Australians must be resisted and challenged. What is not stated in the \$40 million propaganda should be a cause of concern. It states that the working week will be no more than 38 hours. It is deathly quiet on the minimum working week. In other words, more and more Australians will join the casualised workforce and not even have a guaranteed permanent job.

(05-11515: S252)

# Report

<b>Subject</b>	Development Application No. 2005/740 for Conversion of a Newsagent to Refreshment Room
<b>File No</b>	DA 05/740
<b>Prepared by</b>	Development Assessment Planner
<b>Reason</b>	Two Councillors called the application to Council for determination
<b>Objective</b>	Determination of the development application
<b>Strategic Plan Link</b>	Economic Development
<b>Management Plan Activity</b>	Assessment of land use development applications

## Overview of Report

This report is to assess a development application for the conversion of an existing shop (newsagents) to a refreshment room (café). All relevant planning considerations can be dealt with by conditions of consent. The development does not generate the need for any additional carparking or payment of S94 contributions. It is recommended that Council approve the application.

## Background

### Proposal:

The proposal is for the conversion of an existing shop (newsagents) to a refreshment room (café). A copy of the plans and statement of environmental effects is provided in the attachments. The development involves the removal of the internal partition wall, replacement of a roller door with a glass panel, installation of a disabled access ramp, removal of magazine shelves, upgrading of the existing kitchen and provision of a disabled toilet.

**Applicant:** Pilati Brothers

**Location:** The site is Lot A DP 152684 known as 29 Keen Street Lismore. Map 1 shows the location of the site.

**Owner:** G Pilati & A Pilati & J Pilati

**Zoning:** The site is zoned 3(a) (Business Zone).

**Key Issues:** There are no issues of significance associated with this application.

**Site History:** The building on the site has a continuing use right as a shop and dwelling and is used as such. The following list of consents, some never acted upon, provides a history of changes approved by Council.

DA 81/3192 Shopping Centre (approved but lapsed)

DA 85/3179 Complex of 3 Shops (approved but lapsed)

DA 95/109 Change of use Shop (newsagent) to refreshment room (café) (approved and acted upon)



DA 95/310	Kerbside dining (approved but lapsed)
DA 96/289	Kerbside dining (approved and acted upon)
DA 02/108	Amenities (approved and acted upon)
DA 04/162	Demolition of existing building and construction of offices, shop and café. (approved and still valid).



Map 1 Locality Plan

## Assessment

### 79C Evaluation

- (1) **Matters for consideration—general** In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

#### 79C (1) (a) (i) the provisions of any environmental planning instrument:

This is a minor alteration to an existing building for a change of use from a shop to a refreshment room. These uses are defined as follows:

**shop** means a building or place used for the purpose of selling, exposing or offering for sale by retail, goods, merchandise or materials, but does not include a building or place elsewhere specifically defined in this Schedule or a building or place used for a purpose elsewhere specifically defined in this Schedule.

**refreshment room** means a restaurant, café, tea room, eating house or the like.

The use is permissible with consent within the 3(a) Zone and meets the zone objectives.

**Visual Considerations:** Clauses 12 and 13 of the LEP require council to consider the impacts on heritage items and heritage conservation areas. The building is not listed in Schedule 1 (Heritage items) of the LEP, nor is it contained within a Heritage Conservation Area. Therefore it is not considered to be a heritage item under the Environmental Planning and Assessment Act.

The building has been altered several times in the past and very little of the building fabric remains in original condition. The northern wall and the top of the facade (parapet) of the eastern wall (fronting Keen Street) appear to be the only parts in original condition. While it may have been assessed in the 1995 Lismore Heritage Study it has not been considered by previous Councils and consultants to have heritage significance and therefore was not included in the Lismore LEP.

Notwithstanding the preceding Heritage comments, the extent to which the alterations may impact on the streetscape is a valid consideration in the assessment of the proposal: in terms of the visual impact these changes will not significantly impact on the streetscape and have no adverse aesthetic impacts. This external change would not have any impact on the limited heritage value of the building.

It should be noted that Council has previously approved the demolition of this building in two separate development applications, DA 95/3179 and DA 04/162.

**Flooding Considerations:** Clause 22 Development on Flood Affected Land requires that Council when considering a development application involving the alteration of buildings on land shown as flood fringe 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) *(not relevant)*,
- (e) whether the development will increase the risk to life and property and the need for an evacuation plan.

DCP 7 also provides further guidance on consideration of these issues. The alterations to the building are not significant and there is no proposed alteration to the floor level. It is unreasonable and impractical to require the floor level to be raised. All materials below the adopted flood standard will need to be flood compatible and the applicant has proposed additional flood storage at the rear of the building. Standard conditions of consent can be imposed to satisfy these requirements. There should be no need to access the building when it is flooded and the change of use will not increase the risk to life and property. The SES and Council have an evacuation plan for the CBD.

**S79C (1) (a) (iii): the provisions of any development control plan:**

The following development control plans apply to the development:

DCP 7 Flood Prone Land  
 DCP 16 Building Line Setbacks;  
 DCP 18 Carparking;  
 DCP 41 Notification and Advertising of Development Applications;  
 DCP 42 Guidelines for Urban Design and Weather Protection in the CBD

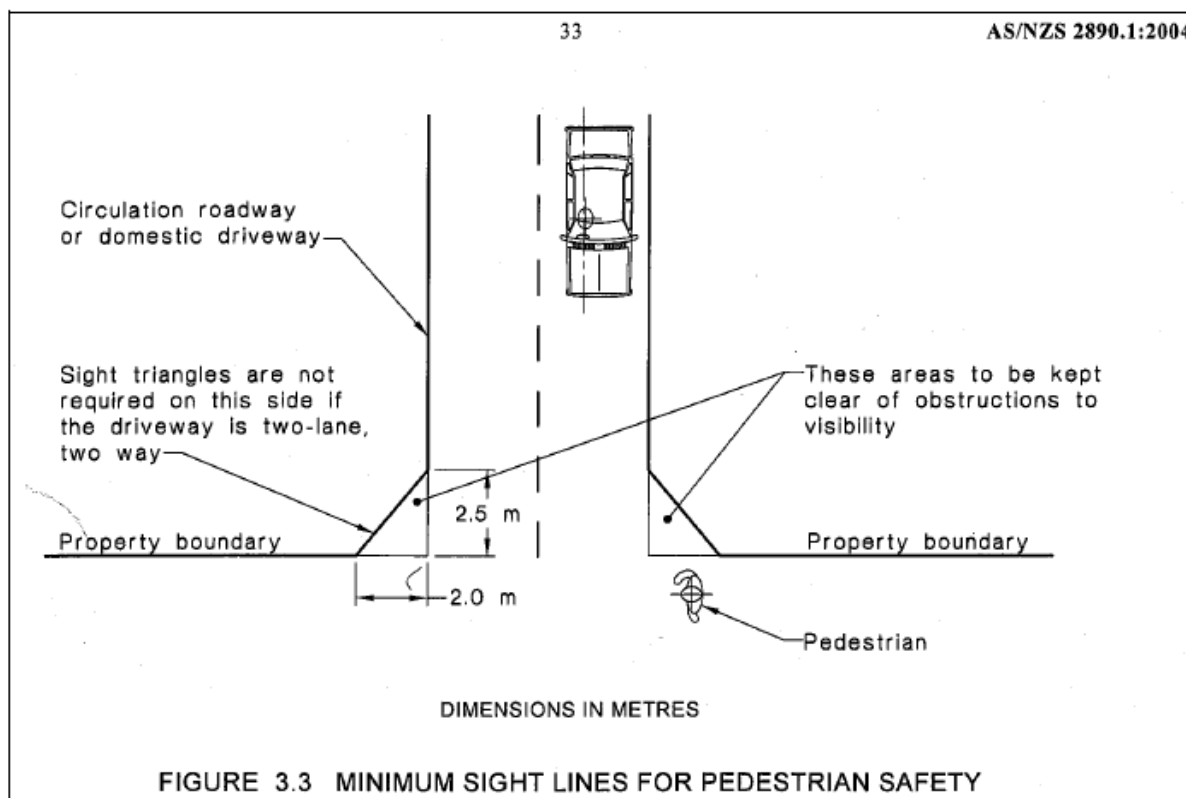


DCP 43 Crime Prevention through environmental design;  
DCP 47 Waste Minimisation.

Only where there is an area of non-compliance, or where there is an issue as raised by a submission letter, will these DCPs be addressed in detail.

**Carparking:** The developer originally proposed to provide six additional car spaces at the rear of the property. These would have been accessed by the right of carriageway on the northern side of the property. Provision of these car spaces would have required compliance with AS 2890 Carparking. The right of carriageway is located too close to the building and does not comply with the sight line requirements of the standard (refer figure 3.3).

However no additional car parking is required to be provided and the application has been amended to delete this. DCP 18 requires the provision of 4.4 spaces per 100m<sup>2</sup> of gross floor area (GFA) and a café is required to provide 1 space per 25m<sup>2</sup> (or 4 spaces per 100m<sup>2</sup> of GFA). As there is no increase in GFA there is no increase in parking demand and the developer is not required to provide additional car spaces. To avoid the requirement to cut the corner off the building for sight triangles the plans were amended and the carparking deleted.



**S79C (1) (iv) the regulations:**

The changes to the building have been assessed by Council's building surveyor with respect to compliance with the BCA and clauses 93 and 94 of the Environmental Planning and Assessment Regulation. Appropriate conditions of consent can be applied regarding the fire upgrading of the building.

Standard health conditions relating to food preparation areas can be applied to the development.

**S79 (1) (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality:**

There are no significant impacts on the environment, nor are there any adverse social impacts caused by the development.

**S79 (1) (c) *the suitability of the site for the development:***

It is considered that the proposal is appropriate in the locality and it is a suitable reuse of the building. The changes to the façade of the building are an improvement and do not adversely impact on the streetscape.

**S79 (1) (d) *any submissions made in accordance with this Act or the regulations:***

The application was exhibited and adjoining owners were notified in accordance with DCP 41. Two submission letters were received both objecting to the expansion of the café. These submissions are from the same objector, RP & DF Parker who lease the existing café in the building. RP & DF Parker are the owner the premises adjoining (27 Keen) and have an approval (DA 03-781) to redevelop this site for a café and office space. Copies of their submissions are provided in the attachments. A précis of the main points of objection is as follows:

- The proposal is for a licensed restaurant (refer newspaper article as evidence);
- DCP 18 Carparking should apply to the development;
- The proposal alterations do not comply with the provisions of the BCA regarding fire safety;
- The plans for the DA do not conform to what the applicants plan to use the building for;
- The existing café does not comply with the provisions of the BCA;
- Supporting the development to bring new life to the north end of Keen Street;
- The development is for a wine bar;
- Disabled access provisions do not conform to the provisions of the Disability Discrimination Act;
- Flood storage is not adequate;
- The outdoor dining lease in the Parkers name will be cancelled or transferred to 27 Keen Street.

**Planner's Comment on the Submission:**

The issue of licensing is irrelevant to the classification of the proposed use as a refreshment room. Licensing the premises would not change the traffic generation or carparking requirements. If the developer does apply for a liquor license then that application would be forwarded to Council for comment. Hours of operation, harm minimisation, noise impacts and crime prevention and anti-social behaviour would be considered as part of Council's response. Licensing of a refreshment room would not alter the demand for carparking.

Similarly any claims that the developer is going to use the premises for an alternate or different use are not pertinent to the assessment of this application for a change of use from a shop to a refreshment room.

Council's Development Assessment Planner and Building Surveyor are satisfied that the building can comply with the disabled access provisions and the fire safety provisions of the BCA. Flood storage has been also been provided by the developer.

The kerbside dining lease relates to development consent DA 96-289 and is associated with the café approved in DA 95-109. The lease would be transferred or renewed with the new operator of this café. It is not transferable to the kerbside dining approved next door at 27 Keen Street (DA03/781). A new lease would be required for 27 Keen Street.

**S79 (1) (e) *the public interest:***

The proposal is not contrary to the public interest.

Financial Services

Not required.

## Other staff comments

Not required

## Public consultation

Refer section S79C assessment above.

## Conclusion

This is a minor development that has no external impacts. Matters such as fire safety can be mitigated by conditions requiring compliance with the BCA.

## Recommendation (PLA1)

A That Council grant delegated authority to the General Manager - subject to the concurrence of the Development Assessment Panel, to approve variations of a minor nature and/or arithmetic nature to conditions of consent applied to this application except where a particular condition has been specifically identified as requiring Council consent if it is to be varied.

B That Council, as the consent authority, approve Development Application 2005/740 for the alteration of an existing building and for a change of use from a shop (newsagent) to a refreshment room (café) and flood storage subject to the consent conditions as set out in schedule 1.

The conditions of consent are set out as follows:

1 In granting this development consent, Council requires:

- All proposed buildings be constructed in accordance with any amendment or modification outlined in these conditions
- All proposed works be carried out in accordance with any amendment or modification outlined in these conditions
- Any proposed use of buildings or land be in accordance with any amendment or modification outlined in these conditions

and be substantially in accordance with the stamped approved plan(s) No. 05/740 dated 26/10/05 and/or supporting documents submitted with the application. A copy/copies of the approved plan is/are attached to this consent.

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

### FLOODING

2 All materials used in the building, fixtures and power outlets below the adopted standard flood level of 12.67 m (AHD), shall be flood compatible.

**Reason:** *To ensure adequate protection from frequent flooding. (EPA Act Section 79C(c))*

3 In accordance with this development consent and in the event of flood waters entering the building, reasonable action shall be taken to minimise damage to machinery, equipment, goods or other property stored in the building upon the land.

**Reason:** *To ensure adequate protection from frequent flooding. (EPA Act Section 79C(c))*

4 The floor level of the flood storage shall be not less than 12.67m AHD.

**Reason:** *To ensure adequate protection from frequent flooding. (EPA Act Section 79C(c))*

5 A registered surveyor shall certify that the floor level of the flood storage is at or above the flood planning level of 12.67m AHD. This certificate shall be submitted to Council prior to the issue of an

Occupation Certificate.

**Reason:** *To ensure adequate protection from frequent flooding. (EPA Act Section 79C(c))*

#### AMENITY

6 All unsightly matter shall be stored out of sight from any adjacent premises or public place.

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

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

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

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

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

#### ENVIRONMENTAL HEALTH

9 The premises fitout and operations shall comply with AS 4674 – 2004 Design, construction and fit-out of food premises, the Food Act 2003, the Australia and New Zealand Food Standards Code and associated legislation. In this respect detailed plans and specifications must be submitted to Council and approved prior to release of the Construction Certificate.

**Reason:** *To comply with the relevant legislative requirements and to ensure public health and safety.*

10 **Prior to operation** and at the completion of works an inspection by Environmental Health Services is required.

**Reason:** *To assess compliance with AS 4674 – 2004 Design, construction and fit-out of food premises, the Food Act 2003, the Food Standards Code and associated legislation.*

11 Prior to operation, the food business must be registered with Council as a commercial premise (a form is attached).

**Reason:** *To comply with Council's statutory requirements.*

#### BUILDING

12 The following building works are to be inspected and certified by Council or by an Accredited Certifier in the form of a Compliance Certificate.

- (a) **Commencement of building work.**
- (b) **Footings** - the foundation trenches are open and the steel reinforcement is in position, prior to concrete being placed.
- (c) **Slab** - the slab reinforcement is in position, prior to concrete being placed.
- (d) **Framework** - the framework is completed, wet area flashing in place, waterpiping and electrical wiring in place, external brickwork erected (where applicable) and the roof covering in position, prior to fixing the internal linings.
- (e) **Waterproofing in any wet areas** for a minimum of 10% of rooms with wet areas within a building prior to covering.
- (f) **Stormwater drainage connections** prior to covering.
- (g) **Occupation** - the building is completed or an Occupation Certificate is required.

In the event that Council is the Principal Certifying Authority, you are required to notify Council at least 24 hours prior to the inspection.

**Reason:** *To assess compliance with this approval.*

13 Glazing to doors and windows must comply with AS 1288-1994 "Glass in Buildings". For external glazing the design wind speed must be provided to the glazier.

**Reason:** To ensure compliance with glazing and wind loading standards.

- 14 Where the design wind speed for the building is W41N or greater, the glazier must provide a certificate to Council prior to occupation of the building, that the glazing complies with AS 1288-1994 "Glass in Buildings".

**Reason:** To ensure compliance with glazing and wind loading standards and this approval.

- 15 Provide notices displaying the words "Danger ! Demolition in Progress", in appropriate places to the fencing or hoarding.

**Reason:** To warn the public of site dangers.

- 16 Provide suitable portable fire extinguishers where the demolition area is not protected by other fire services.

**Reason:** Required by the Environmental Planning and Assessment Act 1979.

- 17 The effects of vibration, dust, noise and concussion on adjoining buildings and their occupants must be minimised, by selecting appropriate demolition methods and equipment.

**Reason:** Required by the Environmental Planning and Assessment Act 1979.

- 18 Demolition of the structure must be carried out in accordance with the applicable provisions of Australian Standard AS 2601-2001. The "Demolition of Structures", as in force at July 1, 1993.

**Reason:** To ensure the demolition is conducted in a safe manner.

- 19 Any asbestos cement products to be removed and disposed of to an approved tipping station in accordance with Worksafe Australia - Code of Practice for the safe removal of asbestos.

**Reason:** To prevent any exposure to a hazardous material.

- 20 All excavations and backfilling are to be executed safely and in accordance with appropriate professional standards and to be properly guarded and protected to preserve life and property.

**Reason:** Required by the Environmental Planning and Assessment Act 1979.

- 21 Structural Engineering details for the footings and slab must be submitted and approved by the Principal Certifying Authority prior to commencement of the work.

**Reason:** To ensure the adequate structural design of the building components.

- 22 The design wind load classification for the site is W41 N m/s (N3). All building materials, tie downs and bracing systems must meet the requirements for this wind speed.

**Reason:** To provide information on the design wind speed assessed for the site.

- 23 The primary building elements must be protected against attack by subterranean termites by physical barriers in accordance with AS 3660.1-1995 "Protection of Buildings from Subterranean Termites".

**Reason:** Required by Clause B1.1 of the Building Code of Australia.

- 24 The primary building elements must be protected against attack by subterranean termites. This can be achieved by:

- i) soil treatment in accordance with AS 3660.1-1995 of the subsoil area beneath all on ground concrete slabs forming part of the building, including attached garages, patios and the like. Including, on completion of the building, an external barrier, consisting of at least a 300mm wide horizontal barrier around the perimeter circumferencing all pipes and service facilities, and adjoining a minimum 150mm wide vertical barrier, to the depth of the underslab barrier; or
- ii) other chemical or physical measures which meet the objective of protecting the primary building elements against subterranean termite attack. If this option is chosen, full details are required to be submitted for Council's consideration. Examples of current initiatives in this area are, stainless steel mesh, accredited crushed granite barrier, permanent underslab irrigation systems, CCA treated framing and steel framing.

**NOTE 1: The approved chemical for underslab spraying does not provide protection**

against termites over the economic life of the building.

**NOTE 2: Depending on the slab construction a vertical 150 mm wide chemical barrier may be required to the external perimeter of the slab.**

**NOTE 3: Landscaping and Gardens - Most termite barriers require the area immediately adjoining an external wall to be kept clear of any landscaping or gardens. This is necessary either to prevent the bridging of the termite barrier or to ensure the area is visible for inspection.**

*Reason: Required by Clause B1.3 of the Building Code of Australia.*

- 25 Provide a durable sign, detailing the type of termite protection provided to the building and the measures necessary to maintain the protection. In the case of an elevated floor the sign must be affixed adjacent the crawl space opening and in all other cases, in the meter box.

*Reason: Required by Clause B1.3 of the Building Code of Australia.*

- 26 On completion of the termite treatment, other than ant-capping, a certificate from a qualified operator, must be supplied to Council.

*Reason: Required by Clause B1.3 of the Building Code of Australia.*

- 27 All "Wet area" floors must be flashed to walls with approved material, so as to provide effective damp-proofing. A certificate from the installer being submitted to the Principle Certifying Authority verifying compliance with AS3740.

*Reason: Required by Clause 3.8.1.0 of the Building Code of Australia Housing Provisions.*

- 28 Provide 6/3 litre dual flush toilet suites to all water closets.

*Reason: To conserve water.*

- 29 A tempering valve shall be installed so as to deliver hot water at the outlet of all sanitary fixtures, such as baths, basins and showers, at a temperature not exceeding 43.5°C for all childhood centres, primary and secondary schools and nursing homes or similar facilities for aged, sick persons or persons with disabilities; and 50°C in all other classes of buildings.

*Reason: required by Cl. NSW 1.10.2 of the NSW Code of Practice Plumbing and Drainage.*

- 30 Access for people with disabilities in accordance with AS1428.1 is to be provided to the main entrance of the building and within the building. Ramp details being submitted to Council for approval PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE.

*Reason: Required by Clause D3.2 of the Building Code of Australia.*

- 31 Facilities for the use of people with disabilities must be provided as specified in Clause F2.4 Building Code of Australia and shall be constructed to the requirements of AS 1428.1-1998 "Design for Access and Mobility".

*Reason: Required by Clause F2.4 of the Building Code of Australia.*

- 32 Disabled toilet facilities must be unisex.

*Reason: Required by Policy 05.02.10 of the Lismore City Council.*

- 33 Windows in external walls, within three metres of the boundary, to be eliminated or fire protected in accordance with Clause C3.4 Building Code of Australia by means of internal or external automatic wallwetting sprinklers (used in conjunction with windows that are automatically or permanently fixed closed), or -/60/- fire windows (automatically or permanently fixed closed) or -/60/- automatic fire shutters.

*Reason: Required by Clause C3.2 of the Building Code of Australia.*

- 34 All materials used in the building must comply with the smoke developed and spread of flame indices specified in Specification C1.10, Building Code of Australia.

*Reason: Required by Clause C1.10 of the Building Code of Australia.*

- 35 All fire door frames and doors must be installed and labelled in accordance with AS 1905.1-1990 "Fire Door Code".



**Reason:** Required by Clause 2, Specification C3.4 of the Building Code of Australia.

- 36 The divisional wall between units must extend to the underside of the roof covering and may only be crossed by battens, a maximum of 75 mm x 50 mm. The space between the battens to be packed with mineral fibre or other suitable fire resisting material.

**Reason:** Required by Clause 4.1(d) of Specification C1.1 of the Building Code of Australia.

- 37 The construction of the building is to meet the following minimum requirements:

- (a) External loadbearing walls and columns/beams 90/90/90 FRL to the entire building from internal inside of building where external access is not available
- (b) Fire walls 90/90/90 FRL separating residence from cafe

**Reason:** Required by Clause 3.1, 4.1 or 5.1 of Specification C1.1 of the Building Code of Australia.

- 38 In the residence provide interconnected, automatic smoke alarms wired into the electrical mains and having a stand-by battery power supply, in accordance with Clause E2.2 of the Building Code of Australia.

**Reason:** To comply with Clause E2.2 of the Building Code of Australia.

- 39 A certificate from a licensed electrician must be provided upon completion of the installation of the smoke alarms, certifying that the smoke alarm installation complies with AS 3786 "Smoke Alarms".

**Reason:** To ensure compliance with this building approval.

- 40 The space beneath non-fire isolated stairways when enclosed must have walls and ceilings of a minimum fire resistance level of 60/60/60 and have a self-closing access door having a fire resistance level of not less than -/60/30.

**Reason:** Required by Clause D2.8 of the Building Code of Australia.

- 41 Electrical meters, distribution boards or ducts, installed in a required non-fire isolated exit, or any corridor, hallway or lobby, leading to a required exit, are to be enclosed by non-combustible construction or a fire-protective covering, so as to prevent smoke spreading from the enclosure.

**Reason:** Required by Clause D2.7 of the Building Code of Australia.

- 42 The mechanical ventilation system must comply with AS1668.2-2002 "Mechanical Ventilation for Acceptable Indoor Air Quality". Full details from the mechanical services engineer must be submitted to the Principal Certifying Authority for approval together with a certificate stating that the whole system complies with the relevant standards, and the provision of the required air changes.

**Reason:** Required by Clause F4.5 of the Building Code of Australia.

- 43 Provide portable fire extinguisher/s and fire blankets, suitable to address the relevant risk, in accordance with AS2444.

**Reason:** Required by Clause E1.6 Building Code of Australia.

- 44 All required egress doors are to at all times be openable from within the building by single handed lever or push action on a single device without recourse to a key. No barrel bolts are to be fitted.

**Reason:** Required by Clause D2.21 of the Building Code of Australia.

- 45 The maximum gap between stair treads must be 125 mm.

**Reason:** Required by Clause D2.13 of the Building Code of Australia.

- 46 Doors forming exits, paths of travel to exits and parts of exits must comply with the relevant provisions of Clause D2.19, D2.20 and D2.21, Building Code of Australia in respect of the type of door, direction of swing and method of latching.

**Reason:** Required by Section D of the Building Code of Australia.

- 47 Provide a continuous balustrade a minimum of 865 mm high to stairs and a minimum of 1 metre high to decks or landings. The maximum permissible balustrade opening is 125 mm.

**Reason:** Required by Clause D2.16 of the Building Code of Australia.

- 48 An illuminated exit sign must be provided to required exits.

**Reason:** Required by Clause E4.5 of the Building Code of Australia.

- 49 Cool rooms must be provided with:-

- (a) a door a minimum of 600mm wide by 1.5m high, which can at all times be opened from inside without a key; and  
 (b) an approved alarm device located outside but controllable only from within the cool room.

**Reason:** Required by Clause G1.2 of the Building Code of Australia.

## **WATER & SEWER**

- 50 The water supply connection shall be designed, installed and maintained to prevent contaminants from being introduced into Lismore City Council's potable water supply system.

Full details of the proposed backflow method and cross connection controls shall be designed and installed in accordance with Australian Standard 3500.1 and submitted and approved prior to the **release of the Construction Certificate**.

**Reason:** Required by NSW Code of Practice "Plumbing and Drainage".

- 51 An application to discharge trade waste, including a plan that contains all details of the proposed trade waste installation, shall be submitted to Lismore City Council.

The trade waste application must be approved prior to the release of the Construction Certificate. Designs are to be in accordance with Australian Standard 3500, the NSW Code of Practice-Plumbing and Drainage and the Department of Energy, Utilities and Sustainability guidelines for the On-site Pre-treatment of Trade Waste Discharges to Sewer.

**Reason:** To ensure adequate protection of utility services and to ensure compliance with the Trade Waste Approval. (EPA Act Sec 79C(b))

- 52 All plumbing and drainage work associated with the Trade Waste installation are to be inspected and approved by Council's Water and Wastewater Section. A works-as-executed Drainage Diagram shall be submitted to Council on completion of works.

**Reason:** To ensure adequate protection of utility services and to ensure compliance with the Trade Waste Approval. (EPA Act Sec 79C(b))

- 53 The proponent shall pay to Council all Water and Sewerage Headworks Levies deemed necessary by Council and in accordance with Section 64 of the Local Government Act 1993. The rates and amounts applying at the date of this notice, are set out in the schedule for your information. Such levies shall be paid as required by Council, prior to release of the **Construction Certificate**.

Should levies set out in the attached schedule not be paid within twelve (12) months of the date of this consent, the rates shall be increased in accordance with the listing of rates applicable for the financial year in which payment is made. This listing of rates reflects the adjustment made for the Consumer Price Index (CPI, Sydney) on an annual basis.

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

## **INFORMATION TO APPLICANTS**

### **ADVISORY NOTES**

**NOTE 1:** Water and/or Sewerage Headworks levies totalling **\$7,830** are stated in the attached Schedule.

**NOTE 2:** An application fee is payable on the submission of a Trade Waste Application to Council. The current application fee can be obtained by contacting Council.

**NOTE 3:** Prior to commencing any construction works, the following provisions of the Environmental Planning and Assessment act, 1979, are to be complied with:

- (i) A Construction Certificate is to be obtained from the Consent Authority or an Accredited Certifier in accordance with Section 81A(2)(a) of the Act.
- (ii) A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
- (iii) Council is to be given at least two (2) days notice of the persons intention to commence building works, in accordance with Section 81A(2)(c) of the Act.

**NOTE 4:** The applicant may apply to the Council or an Accredited Certifier for the issuing of a Construction Certificate and to be the Principal Certifying Authority to monitor compliance with the approval and issue any relevant documentary evidence or certificates.

**NOTE 5:** In accordance with clause 98(1) of the Environmental Planning and Assessment Regulation, it is a condition of Development Consent for development that involves any building work, that the work must be carried out in accordance with the requirements of the Building Code of Australia.

**NOTE 6:** If the provision of services or the construction of any infrastructure or any other thing required by this consent occurs, and a GST is payable by Council, the applicant will pay to the Council the GST (as defined below) which is payable by the Council in respect of this consent.

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

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

**NOTE 7:** This development approval does not guarantee compliance with the Disability Discrimination Act and the developer should therefore investigate their liability under the Act. Council can assist developers by directing them to Parts 2, 3 and 4 of Australian Standard 1428 - Design for Access and Mobility (Part 1 is mandatory in the BCA).

LISMORE CITY COUNCIL

**DEVELOPMENT CONSENT NO:** 2005/740

**ADDRESS:** 29 Keen Street, Lismore

**IMPORTANT TO NOTE**

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

To be read in conjunction with advice of development consent.

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

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

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

Levy Area	Account No.	No. of ET's	Cost Per ET	Amount Payable
Water and Sewerage Headworks Levies are charged under Section 306 of the Water Management Act 2000 and amounts payable are set out below.				
<b>Water Headworks</b>				
- Central	8175.1	1.2	848	\$1,017
<b>Rous County Council</b> (Except Nimbin)	9200.2	1.2	3275	\$3,930
<b>Sewerage Headworks</b>				
South Lismore Treatment Plant	7175.1	1.2	2403	\$2,883
<b>Total</b>				<b>\$7,830</b>

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

The cost per ET is in accordance with the relevant Lismore Contributions Plan and/or Section 64 Plan applicable, as at the date of development application approval.

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

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

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

**COUNCIL USE ONLY**

**Cashier to Note:**

This section must be completed by a Financial Services Officer prior to receipt.

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

the Consumer Price Index has been applied to the schedule of Section 94 fees and Section 64 fees, where the period between the date of consent and the date of payment is in excess of twelve (12) months.

...../...../.....

# Report

<b>Subject</b>	<b>Draft LEP Amendment No. 26 – Building Works Within the Floodway.</b>
<b>File No</b>	S918
<b>Prepared by</b>	Senior Strategic Planner
<b>Reason</b>	Close of exhibition period
<b>Objective</b>	Adoption of LEP Amendment No. 26 with modifications
<b>Strategic Plan Link</b>	Economic Development
<b>Management Plan Activity</b>	Review and update planning controls

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## Overview of Report

This report outlines the result of the public exhibition of draft LEP Amendment No. 26 and recommends that Council proceed with the amendment but without the provision that would permit new dwellings in existing buildings in the floodway.

## Background

At its meeting of May 10, 2005 Council considered a report that recommended an amendment to the Lismore LEP to permit certain building works within existing buildings located in the defined floodway. On June 14, 2005 Council resolved to prepare and exhibit a draft amendment to the Lismore Local Environmental Plan to allow building works to occur on existing 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 flood compatible; 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 other than existing dwelling houses or dwellings used in conjunction with an approved industrial or commercial use.

Staff had originally recommended that clause 22 of the LEP be amended to allow building works to occur on existing non-residential buildings in the floodway subject to certain conditions. The recommendation arose from legal advice that, in prohibiting new “buildings” in the floodway, clause 22 also prohibited new “building works”. This was not the original intention of the clause and modifications to existing industrial and commercial buildings located in the floodway that do expand the building footprint are supported.

However amending clause 22 to allow new residential uses in the floodway is not supported by staff. Allowing people to live in the floodway puts them at significant risk in a major flood, as well as the emergency personnel who may have to evacuate them for safety or health reasons.

## Comments

Financial Services

Not required

## Other staff comments

Not required

## Public consultation

The draft amendment was exhibited from September 12 to October 10, 2005. One submission was received in response to the exhibition (see separate attachment).

The submission makes the following claims:

1. There is no way of certifying the foundations of buildings built some time ago.
2. There is considerable ambiguity as to what the flow rates would be in a 1 in 500 year flood event.
3. No engineer would be willing to accept responsibility that a building could withstand the impact from a debris load in a 1 in 500 year event.

### **Comment:**

*With respect to point 2 above, the Floodplain Management Study contains modelling of peak water depths and velocities for the 1 in 100 year and PMF events but not for the 1 in 500 year event. Patterson Britton have advised that, while they have not modelled the 1 in 500 year event, they have the necessary data to do this and it would not be a major task to run the model to generate depth and velocity information for the 1 in 500 year flood. They have also advised that a structural engineer in receipt of modelled information on depth and approach velocities for a site in the 1 in 500 year event should be able to make an assessment of a buildings capability of withstanding that event. Where plans or records no longer exist, a reasonable assessment of the extent and adequacy of an existing building's foundations could be made using techniques such as core drilling.*

*If Council has no restrictions on buildings being converted to residential use, in terms of their structural adequacy to withstand floods, people would be exposed to even greater risks. There are an estimated 141 existing structures located within the defined floodway of which 59 are commercial or industrial buildings. Some of these buildings are light structures (i.e. timber framed) while others are of heavier masonry/brick construction. A number of the heavy structures have withstood the 1954 and 1974 floods. However these floods were 1 in 70 year flood events and it does not necessarily mean that such structures would withstand the impact of bigger floods. Some of the light commercial/industrial buildings in the floodway may be at severe risk even in a 1 in 100 year flood event. It would be irresponsible to allow residential development in buildings in the floodway without any assessment of that buildings capacity to withstand a major flood.*

## Other Relevant Matters

The Minister for Planning issued new directions to Council's under Section 117 of the Act on September 30, 2005. Direction No. 15 applies to flood prone land and states that:

*A draft LEP shall not contain provisions that apply to the flood planning areas which:*

- (a) *permit development in floodway areas*

Clause 45A of the North Coast Regional Environmental Plan requires that a draft LEP should zone land identified in accordance with the principles contained in the Floodplain Development Manual as high hazard flood liable or as floodway so as to reflect its potential for flooding, and provide that the erection of new buildings on any such land be restricted.

Draft LEP No.26 in its current form is inconsistent with the abovementioned State Government directives and consequently Council is unable to use its delegations to refer the Amendment to the Minister under section 69 of the Act. If Council wishes to proceed with the Amendment in its exhibited form, the



Amendment will need to be referred to the Minister's office through the Department's regional office in Grafton.

## Conclusion

The original recommendation, as put to Council at its meeting of May 10, 2005, to permit certain works within existing buildings in the floodway is supported on the basis that it is considered reasonable to allow internal modifications to existing buildings where an approved or permissible use is proposed within that building. However the amendment to also permit new dwellings to be located in existing buildings in the floodway (where used in conjunction with an industrial or commercial use) is not supported because of the increased potential risks that allowing new dwellings in the floodway is likely to pose to human life.

The Lismore Floodplain Management Study (2000) was prepared by Patterson Britton & Partners as a precursor to the Lismore Floodplain Management Plan. The Study uses fine scale 2D flood modelling to predict flood behaviour for the 1 in 10, 1 in 20, 1 in 100 and Probable Maximum Flood (PMF) flood events. The results indicate that the flood hazard in North and South Lismore for floods exceeding the 1 in 100 year event and approaching the PMF is extreme.

In reference to South Lismore the Study states:

*Floods which exceed the 1 in 100 annual chance flood and approach PMF, are likely therefore, 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. There would be very little chance of any persons isolated in South Lismore surviving such floods.*

Not only are the lives of residents at risk but also the lives of personnel involved in emergency rescue operations. The Floodplain Management Study states that because of past practice of focussing on floods up to the flood standard (ie 1 in 100 annual chance flood) there can be a tendency to regard floods between the flood standard and the PMF as being so rare as to not need consideration. However recent world-wide experience with floods much greater than the 1 in 100 year event has demonstrated that they do occur and with devastating effect. This situation could be exacerbated if global warming predictions are realised. In relation to the 1974 flood, the Patterson Britton report states that:

*Had cyclonic downpouring occurred over the catchment during the 1974 floods, Lismore would have experienced the full fury of a severe to extreme flood.*

Council has a voluntary acquisition policy that applies to dwellings located in the floodway. The policy's objective is to remove residential buildings from areas exposed to the high flooding risk. It would be poor planning practice to permit new dwellings to be located in such areas and it is recommended that Council adopt draft LEP Amendment No. 26 as exhibited, but excluding the provision to permit new dwellings in the floodway (see Appendix 1).

## Recommendation (PLA4)

That Council:

- 1 Adopt draft LEP Amendment No.26 to allow building works to occur on existing 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 flood compatible; 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.

But excluding the provision to allow new dwellings in the floodway where used in conjunction with an approved industrial or commercial use.

2. Refer the Amendment to the Department of Planning with a request that it be forwarded to the Minister.

Appendix 1

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**Lismore Local Environmental Plan 2000  
(Amendment No. 26)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

FRANK SARTOR, M.P.,  
Minister for Planning

**Lismore Local Environmental Plan 2000  
(Amendment No. 26)****1. Name of plan**

This plan is *Lismore Local Environmental Plan 2000 (Amendment No. 26)*.

**2. Aims of plan**

This plan aims to amend clause 22 of the *Lismore Local Environmental Plan 2000* to enable certain building works in the floodway.

**3. Land to which plan applies**

This plan applies to all land shown as floodway on Map 1 of the *Lismore Floodplain Management Plan*.

**4. Amendment of Lismore Local Environmental Plan 2000**

*Lismore Local Environmental Plan 2000* is amended as set out in Schedule 1.

## Schedule 1 Amendments

### [1] Clause 22 Development on flood affected land

Insert in clause 22(2) at the end of paragraph (d):

, or

- (e) the building comprises works to an existing building and there is no expansion of the building footprint, and all building work is internal or above the 1 in 100 ARI flood level, and any new materials below the 1 in 100 ARI flood level are flood compatible, 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.
-

# Report

<b>Subject</b>	<b>Lismore Floodplain Management Plan</b>
<b>File No</b>	S106
<b>Prepared by</b>	Senior Strategic Planner
<b>Reason</b>	Close of exhibition for amendments to the Floodplain Management Plan
<b>Objective</b>	Adoption of the draft amendment to the Floodplain Management Plan and preparation of an amendment to DCP No.26 – Industrial Development
<b>Strategic Plan Link</b>	Economic Development
<b>Management Plan Activity</b>	Review and update planning controls

## Overview of Report

This report outlines the outcome of the public exhibition of a draft amendment to the Lismore Floodplain Management Plan. The purpose of the amendment was to update the concept plan that specifies limits on the amount of fill that can be placed on Council's Airport Industrial Estate without having an adverse effect on flood behaviour. The amendment is recommended for Council's adoption along with a further amendment to DCP No. 26.

## Background

At its meeting of August 9, 2005 Council resolved to amend the Lismore Floodplain Management Plan (LFMP) and to exhibit the amendment for a period of one month. The draft amendment related to Map 2 of the LFMP which shows the proposed subdivision layout and limitations to filling on Council's Airport Industrial estate. The changes were the result of refinements to the original design using the Patterson Britton flood model.

Because both the Lismore LEP and DCP No. 7 make reference to plans in the LFMP, it was seen as desirable that the LFMP contained the most up to date plan to ensure that future Development Applications are consistent with Council's latest planning controls. The updated plan is also included in the site specific DCP for the Airport Industrial Estate which forms Appendix 2 to DCP No.26 – Industrial Development and the draft amendment to the LFMP would make it consistent with that DCP.

## Comments

Financial Services

Not required

## Other staff comments

Not required

## Public consultation

The Amendment was placed on public exhibition from August 22 to September 26, 2005. During that time several concept proposals for development on various lots within the Airport Industrial Estate were received from prospective purchasers of those lots.



The concepts relate specifically to the southern most lots being Lots 4 to 8 inclusive. These proposals have been considered as submissions to the draft LFMP amendment.

The first proposal involves a single development spanning Lots 4 & 5 with the building pads on those lots reconfigured into an “L” shape to suit the layout of the proposal. A second proposal relates to Lots 7 & 8 and also involves a single development spanning both lots with the building pads also reconfigured into an “L” shape. A prospective purchaser of Lot 6 is also seeking a variation which involves an increase in the building pad area above that which would otherwise be permitted under the exhibited plan. The proposals for Lots 4 & 5 and Lots 7 & 8 were assessed individually by Patterson Britton using their 2D flood model to determine what effects they would have on flood behaviour in the area. Council then commissioned Patterson Britton to model all three proposals to take into account any cumulative effects.

The modelling indicated that, for the 1 in 100 year flood event, there would be an increase in water levels of 0.05m in the immediate vicinity of Lots 4, 5 & 6, rapidly reducing to 0.02m next to Lot 3 (to the north). Water level increases reduce to zero approximately 300m from the development. The peak total velocity increases by 0.3m/s to the west of Lots 6, 7 & 8 and by 0.3m/s to the east of Lots 4 & 5 (next to the Bruxner Hwy) causing an increase in velocity in this area from 1.2m/s to 1.5m/s.

## Conclusion

Any further amendments to Map 2 of the LFMP will need to be re-exhibited. However this will cause problems if one or more of the current purchasers decide not to proceed and future purchasers want further changes. Rather than make continual amendments to the LFMP map, it is recommended that the relevant section of Development Control Plan No. 26 applying to the Airport Industrial Estate be amended to include a provision that:

- Building pads are generally to be contained within the horizontal limits to fill as indicated on Fig 1.
- Any application for variation to the location or shape of the building pads as shown on Fig 1 must be accompanied by a report demonstrating that flood modelling of the proposal indicates that any effects on flood depths or velocities in the vicinity of the site will be negligible.
- The flood modelling is to take into account the cumulative effects of any other changes (actual or proposed) to the configuration of building pads within the estate.

## Recommendation (PLA5)

That Council:

1. Adopt the amendment to Map 2 of the Lismore Floodplain Management Plan as exhibited.
2. Prepare a draft amendment to Development Control Plan No. 26 relating to the section on the Airport Industrial Estate to include a provision that:
  - Building pads are generally to be contained within the horizontal limits to fill as indicated on Fig 1.
  - Any application for variation to the location or shape of the building pads as shown on Fig 1 must be accompanied by a report demonstrating that flood modelling of the proposal indicates that any effects on flood depths or velocities in the vicinity of the site will be negligible.
  - The flood modelling is to take into account the cumulative effects of any other changes (actual or proposed) to the configuration of building pads within the estate.
3. Place the draft amendment to DCP No.26 on exhibition for public comment for a period of 28 days.

# Report

<b>Subject</b>	<b>Draft DCP No.49 – Lismore Cultural Precinct</b>
<b>File No</b>	S857 & S921
<b>Prepared by</b>	Senior Strategic Planner
<b>Reason</b>	Close of DCP exhibition period
<b>Objective</b>	Council's adoption of DCP No. 49
<b>Strategic Plan Link</b>	Quality of Life
<b>Management Plan Activity</b>	Review and update planning controls

## Overview of Report

This report outlines the outcome of the public exhibition of draft DCP No. 49 – Lismore Cultural Precinct and recommends that Council adopt the draft DCP with amendments.

## Background

At its meeting of September 13, 2005 Council resolved to endorse the master plan concept prepared by EDAW gillespies for the Lismore Cultural Precinct and to incorporate the concepts into a draft Development Control Plan for the site. The master plan was the outcome of discussions between the Project Team and the consultants in addressing the key objectives of the precinct, as well as the needs of stakeholders and others who had raised issues in previous submissions.

Council resolved to exhibit the draft DCP for a twenty eight day period and to concurrently exhibit supplementary architectural plans prepared by EDAW gillespies. The architectural plans represented a possible design response for the site that would be possible under the DCP. Copies of the draft DCP and architectural plans were attached to the September Council report.

## Comments

Financial Services

Not required

## Other staff comments

Not required

## Public consultation

Draft DCP No. 49 and the accompanying architectural plans were exhibited from September 26 to October 24, 2005. A total of four submissions were received (attached separately). The submissions are summarised as follows:

**Staff of Lismore Public Library**

1. Issue of inadequate lighting which causes safety concerns for staff working night shift.

**Comment:**

*A fundamental principle of crime prevention through environmental design (CPTED) involves the provision of adequate lighting to create a safe night time environment for pedestrians. It is important that all car parks and pedestrian pathways to the car parks are adequately lit and designed in accordance with CPTED guidelines. These requirements should be clearly stated in clauses 4.0 and 5.0 of the DCP relating to pedestrian circulation and car parking.*

**Northern Rivers Conservatorium Arts Centre**

1. Requests vehicular access be provided at rear of site to facilitate unloading of heavy equipment.

**Comment:**

*The DCP identifies a dedicated loading zone in Keen Street located directly adjacent to the front access of the Conservatorium. This should provide adequate provision for the unloading of heavy equipment. A second loading area at the rear of the building would require an access road through proposed open space and outdoor stage areas and would be inconsistent with the overall objective of creating a pedestrian free environment.*

2. Requests well lit parking for staff and students leaving building after dark.

**Comment:**

*Agreed – this issue is discussed in relation to the submission from library staff.*

3. Requests clarification about the nature of proposed outdoor stage at rear of building.

**Comment:**

*The Conservatorium has now acquired a demountable stage which can be erected in the location where the outdoor stage is shown on the DCP map. The area will be landscaped so that the space is serviceable when the stage is in use and when it has been dismantled.*

4. Requests provision for a performance venue with capacity for 250 to 400 people, for music, drama and dance performances.

**Comment:**

*The DCP provides for an outdoor performance stage and seating area at the rear of the Conservatorium building. Unfortunately there is insufficient space within the proposed art gallery/museum building to accommodate another venue of this size and type. If an additional indoor venue is required, the Conservatorium would need negotiate with the Department of Education for the provision of an alternative space.*

**Barry Davidson**

There is inadequate parking provided in proximity to the Library to serve the needs of patrons and staff of the Library and staff and students of the Conservatorium.

**Comment:**

*The DCP provides for a 20 space car park immediately adjacent to the library for the exclusive use of library patrons while another 400 spaces will be provided in the multi-level car park located just 70 metres from the library. Additional short term parking will also be provided in Magellan Street directly in front of the Library due to a proposed re-design of the parking and traffic circulation in Magellan Street as shown in the DCP.*

**Lorraine & Rick Vass**

Supports the draft Plan. It appears to address the major issues considered by the Art in the Heart Advisory Committee over these many years.

## Other Relevant Matters

Since Council's resolution to prepare and exhibit draft DCP No.49, amendments to the Environmental Planning and Assessment Act and Regulation have affected the way in which Councils are able to make DCPs. The amendments include a provision that only one Development Control Plan may apply in respect of the same land. Consequently the provisions of any other relevant DCPs that are applicable to the site need to be incorporated into this DCP. This may be done by reference in the DCP to other relevant DCPs.

## Conclusion

Adoption of the Cultural Precinct DCP will provide an impetus for future funding and investment opportunities for the site and will signify to the community that development of the Cultural Precinct is progressing.

Certain amendments to the draft DCP as exhibited are proposed as a result of issues raised in submissions and because of recent changes to the EP&A Act and Regulation. The recommended amendments are as follows:

1. Include in clause 4.0 (Pedestrian Circulation) a statement requiring that all pedestrian routes be adequately lit in accordance with CPTED guidelines.
2. Include in clause 4.0 (Vehicle Circulation and Car Parking) a statement requiring that all car parking areas be adequately lit in accordance with CPTED guidelines.
3. Make reference in clause 1.5 to the following additional DCPs:
  - DCP 17 – Tree Preservation
  - DCP 28 - Subdivisions
  - DCP 36 – Outdoor Advertising Structures
  - DCP 39 – Exempt Development
  - DCP 40 – Complying Development
  - DCP 41 – Notification and Advertising of Development Applications
  - DCP 42 – Urban Design and Weather Protection in Lismore CBD
  - DCP 47 – Waste Minimisation

## Recommendation (PLA3)

That Council:

- 1 Adopt Development Control Plan No. 49 – Lismore Cultural Precinct as exhibited but incorporating such amendments as are recommended in this report, and
- 2 Give public notification of Council's adoption of the DCP.

# Report

<b>Subject</b>	<b>Goonellabah Leisure Centre</b>
<b>File No</b>	S736
<b>Prepared by</b>	Executive Director – Development and Governance
<b>Reason</b>	Compulsory acquisition requires a resolution of the Council
<b>Objective</b>	To seek Council resolution to acquire land
<b>Strategic Plan Link</b>	Quality of Life
<b>Management Plan Activity</b>	Community Services

## Overview of Report

Following the failure of a negotiated transfer of land for the construction of the Goonellabah Leisure Centre Council will resolve to compulsory acquire the required land.

## Background

As reported to Council in March 2005 the Project Steering Committee had as one of its six recommendations *“That Council continue to pursue Consolidated Properties to get legal tenure of that part of their land that is required for the project to proceed. This includes the dedication of an 18m wide road corridor.”*

Since that time, Council continued to have both written and verbal negotiations with Consolidated Properties. These negotiations initially presumed that Consolidated Properties would honour its previous commitment to gift the required land to Council, but when it became obvious this was conditional upon Council providing planning concessions to Consolidated Properties Council sought to purchase the required land. This also failed and Council sought to enter into negotiations for the purchase of the whole of the Consolidate Properties land.

Council made it clear to the principals of Consolidated Properties that if negotiations became intractable Council would commence “Compulsory Acquisition” proceedings to allow the construction of the Leisure Centre to proceed.

As no desirable progress was being made Walters Solicitors were engaged to commence the compulsory acquisition process in July 2005.

Since that time a plan defining the relevant areas to be acquired has been prepared and is attached to this report, as “Attachment A”.

In addition the Land and Property Information office and Department of Lands have been consulted in this matter.

To allow the process to continue, Council is required to formally resolve to undertake the compulsory acquisitions as shown on the plan marked “A” and the recommendations accompanying this report are consistent with this statutory responsibility.

## Compensation

The initiation of compulsory acquisition allows claims for compensation by affected parties.

Council's commitment to the Goonellabah Leisure Centre and the range of facilities planned for the facility make it imperative that additional land is acquired if the preferred development is to proceed on the current site. As the required land is no longer available by either gift or private treaty it will be necessary to proceed with compulsory acquisition.

## Comments

Financial Services

Not required.

## Other staff comments

Manager Community Services

The best outcome for the community is for a Leisure Centre to be built in the immediate future, on land which provides good position, access and outlook. Alternative options for locating the Centre provide significantly decreased amenity, and despite the potential addition to the project timeframe and budget, the acquisition of land will provide the best outcome available for the Goonellabah community.

## Public consultation

Not required.

## Conclusion

Council has previously resolved to endorse the plans prepared for the Goonellabah Leisure Centre on Lot 630 in Deposited Plan 810600. For this project to proceed it will be necessary to acquire additional adjoining land. As the land is not available by negotiated transfer the area is recommended for compulsory acquisition.

## Recommendation

- a) Acquire Lots 2, 3 and 4 shown in the plan prepared by Newton Denny Chapelle annexed hereto and marked "A" ("the plan") by compulsory process.
- b) Acquire Lots 3 and 4 for road purposes pursuant to the Roads Act 1993 and Lot 2 for Community/Public purposes pursuant to the Local Government Act.
- c) Make the acquisitions in such a way that all easements, restrictions on use and encumbrances are extinguished.
- d) Make all necessary applications to the Minister and/or the Governor in respect of the proposed compulsory acquisitions.
- e) That an application to close that part of Gordon Blair Drive, shown as Lot 1 in the plan marked "A" be endorsed by Council and forwarded to the Department of Lands.
- f) That the General Manager and Mayor be authorised to sign and seal any and all documentation necessary to give affect to this recommendation.

# Report

<b>Subject</b>	<b>Cities for Climate Protection</b>
<b>File No</b>	S232
<b>Prepared by</b>	Environmental Compliance and Projects Officer
<b>Reason</b>	To complete Milestone 2 of the Cities for Climate Protection Program.
<b>Objective</b>	To obtain Council endorsement of the proposed ' <i>Corporate and Community Greenhouse Gas Emissions Reduction Goal</i> ' for completion of Milestone 2 of the Cities for Climate Protection program.
<b>Strategic Plan Link</b>	Natural Environment
<b>Management Plan Activity</b>	Environmental Health

## Overview of Report

Council completed **Milestone 1**: Conduct an inventory and forecast for Community and Corporate (Council) greenhouse gas emissions in June 2005. The next step is to complete **Milestone 2**: Establish an Emissions Reduction Goal. The completion of Milestone 2 of the CCP program is identified as a project in Council's Environmental Health Services Management Plan for the 2005/2006 financial year.

This report seeks Council's consideration and endorsement of the proposed **Milestone 2** Emission Reduction Goal.

Proposed Reduction Goals:

*'Corporate Greenhouse Gas Emissions Reduction Goal of 20% of the Base Year 2002 by 2012'*

*'Community Greenhouse Gas Emissions Reduction Goal of 20% of the Base Year 2001 by 2012'*.

## Background

In 2004 Council resolved to participate in the Cities for Climate Protection (CCP) Program and endorsed the Programs **5 formal Milestones**, (minute 12/04 of Council meeting 13 July 2004). Lismore City Council joins over 200 local councils who are a member of the Program. The CCP program was developed by the ICLEI A/NZ (International Council for Local Environmental Initiatives), in close relationship with the Australian

Greenhouse Office, to assist local Councils to deal with greenhouse gas issues within their locality.

**Milestone 1:** Establish an Inventory and Forecast for key sources of greenhouse emissions for Council operations and the Community.

**Milestone 2:** Set an Emissions Reduction Goal.

**Milestone 3:** Develop and adopt a Local Greenhouse Action Plan to achieve those reductions.

**Milestone 4:** Implement the Local Greenhouse Action Plan.

**Milestone 5:** Monitor and report on greenhouse gas emissions and the implementation of actions and measures.

### Milestone 1

Council completed Milestone 1 of the CCP Program in June 2005 utilising a \$4,000 grant from the Australian Greenhouse Office to employ an assistant. Milestone 1 involved conducting an extensive inventory and forecast to evaluate current and future Greenhouse Gas Emissions of the Lismore Local

Government Area (Council corporate operations and the community). Council received an award at an ICLEI recognition ceremony in Sydney in recognition of achieving Milestone 1 of the Program.

Environmental Health Services coordinated the establishment of the inventory, which required input from many departments of Council through the provision of data and assistance with forecasts, including Finance, Fleet Services, Lismore Water and Waste Services.

The base years selected for the Milestone 1 emissions inventory were the year 2001 for Community and the financial year 2002-2003 for Corporate Operations. This was due to the availability of data necessary for the completion of the inventory. The forecast year is 2012 for both categories, which is the year recommended by ICLEI based on past experience with participating Councils which has shown that a 10-year period gives practical time frame to successfully implement actions and to achieve significant reductions.

Councils corporate operation emissions were calculated for the sectors of Buildings, Fleet, Street Lighting, Waste, and Water. Community emissions were calculated for the sectors Residential, Commercial, Transport, Industrial and Waste. The data was converted into 'carbon dioxide equivalent' tonnes (CO<sub>2</sub>e tonnes).

The inventory identified that the greenhouse gas emissions of Councils Corporate operations in the 2002-2003 financial year were in excess of ten (10) thousand tonnes of CO<sub>2</sub>e due mainly to energy consumption that involves the burning of fossil fuels. The greenhouse gas emissions of the Lismore City Community in 2001 were in excess of six (6) hundred thousand tonnes of CO<sub>2</sub>e. The primary source of over 50% of emissions within the Community was from electricity consumption.

The forecast predicts that Councils corporate operation emissions will increase by more than one thousand CO<sub>2</sub>e tonnes (10% increase), and community emissions in excess of sixty nine (69) thousand tonnes (14% increase) by the year 2012 in a 'business as usual scenario' ie if no action is taken to reduce these emissions.

### **Milestone 2 & 3**

The next stages of the program require Council to set an emission reduction goal (Milestone 2), and develop a Local Action Plan (Milestone 3) to work towards these goals by the year 2012.

The reduction goal is a quantitative objective for the Local Action Plan. It demonstrates leadership and a strong commitment from Council, will raise community awareness, and gives a response to community concerns about greenhouse gas issues.

A 20% reduction goal is recommended for Corporate and Community emissions. The majority of CCP participant Councils supports a 20% reduction goal as a minimum starting point and their experience demonstrates that this goal is achievable. The following is a few examples of Councils that have adopted a 20% emission reduction goal and have already implemented Local Action Plans: Coffs Harbour, Hastings, Tamworth, Cessnock, and Maitland. In development of the Local Action Plan Council will utilise the numerous examples of successful measures already complete or underway by participating Councils.

The Local Action Plan will have strong links to Council's existing Strategic Plan, Management Objectives and the SOE report. Therefore, it is recommended that an inter-departmental Energy Group be established with representatives from throughout Council. The group would contribute to developing the Local Action Plan, and future stages of the CCP program, as well as streamlining of energy use records to facilitate monitoring of councils energy consumption.

Lismore City Council already has a number of greenhouse gas reduction measures in place, such as an ongoing commitment to purchasing a component of green power for council operations, sensor lights in the administration building, implementation of water efficient measures for new developments and Council operations ie Goonellabah Leisure Centre and effluent re-use at **South and East Lismore**



Sewage Treatment Works, and the kerbside organics waste service which results in Council making significant savings in methane gas generation (21 times more potent than carbon dioxide as a greenhouse gas) by diverting tonnes of organic material from the landfill.

As a result of such initiatives and Councils commitment to sustainability, Lismore City Council is one of 10 Australian/NZ Councils who have been invited to provide our profile to showcase our initiatives in sustainability. The profile is for the three (3) yearly publication *Local Initiatives: ICLEI Members in Action*. The publication will be showcased at the **World Congress** in South Africa in 2006.

### **The Energy Administration Amendment (Water and Energy Savings) Act 2005**

In addition to Council's move to implement energy savings measures as a result of the CCP Program, recent new legislation - the *Energy Administration Amendment (Water and Energy Savings) Act 2005* requires large and medium councils to complete an annual *Energy Savings Action Plan*. Data for the Plan is collected in a similar, more detailed and ongoing manner to that of the CCP program. Lismore City Council has been earmarked to comply with this requirement by July 2006.

## Comments

### Financial Services

The Local Action Plan developed by the inter-departmental Energy Group as required by Milestone 3 is more than likely to have a financial impact in the implementation stage. Submissions for those actions which require funding will need to be made to the annual management plan process for consideration.

In regards to the requirements of the *Energy Administration Amendment (Water and Energy Savings) Act 2005*, there will be a compliance cost in collecting information not previously collected such as for electricity consumption. While this is expected to be minimal and therefore manageable within existing budgets, it is another task legislatively required to be completed by staff without supporting financial resources.

## Other staff comments

### Executive Director Infrastructure Services

Infrastructure Services is supportive of this proposal and will participate in the development of the Action Plan.

## Conclusion

The CCP Emissions Reduction Goal will demonstrate a strong commitment from Council, and will raise community awareness about greenhouse gas issues. The Local Action Plan (Milestone 3) will detail the appropriate measures/actions to achieve the reduction goal. The majority of the actions that are usually in Local Action Plans are for Council to implement in its own operations. Reduction of Community emissions may be achieved through education and continuance of partnerships with other government agencies and authorities.

It is proposed that future actions will include development of an inter-departmental Energy Group with representatives from throughout Council the group which will contribute to developing the Local Action Plan and future stages of the CCP program and streamlining of energy use records to facilitate monitoring of councils energy consumption.

Lismore Council's participation in the CCP program further supports Council's continuing commitment to sustainability. The whole of Council approach and practical actions of the CCP program give a positive commitment to key elements of our Management Plan, Strategic Plan and Councils Mission Statement to strive to achieve an equitable and sustainable environment for future generations. In addition, there are proven long term economic benefits for Council beyond the initial financial impact during the implementation stage of the Local Action Plan through ensuring efficient energy management of its operations.

Attachment: Excerpt of Milestone 1 report showing statistical analyses.

### Recommendation (PLA6)

1. That Council adopt the goals of:
  - reducing corporate greenhouse gas emissions to 20% below 2001-2002 levels by 2012.
  - reducing community greenhouse gas emissions per capita to 20% below 2001-2002 levels by 2012.
2. That staff Prepare a Local Action Plan to meet the Milestone 3 requirements of the CCP Program.
3. That staff investigate current energy consumption record keeping methods to facilitate further stages of the CCP program and the future legislative requirement of implementation of an Energy Savings Action Plan under the *Energy Administration Amendment (Water and Energy Savings) Act 2005*.

## Milestone 1: Summary of results Lismore City Council Corporate and Community Emissions Inventory

This report details a summary of the preliminary data analyses of Milestone 1 of the CCP Program. A comprehensive Milestone 1 report is currently in progress.

### Corporate Sector Inventory

The corporate inventory identified that Council's activities contributed greenhouse gas emissions (GHG) into the atmosphere totalling ten thousand, six hundred and seventy (10,670) equivalent tonnes of carbon dioxide \*(CO<sub>2</sub>e) in the 2002 base year (Table 1). The sub sectors Waste, Water/Sewage, and Buildings are the main contributors to greenhouse gas emissions in the corporate sector.

Council's total corporate energy use in the base year of 2002 was over forty eight thousand (48,054) gigajoules (GJ) and cost in excess of one million, two hundred and forty thousand dollars (\$1,241,158). The corporate sub sectors Water/Sewage, Buildings, Streetlighting and Fleet contribute to this energy use.

Table 1: Corporate emissions in CO<sub>2</sub>e tonnes, GJ of energy consumed and percentages by sector. Base year 2002.

Sector	CO <sub>2</sub> e (tonnes)	CO <sub>2</sub> e (%)	Energy (GJ)	Cost (\$)
Buildings	2122	20%	7444	\$164,428
Vehicle fleet	1796	17%	25866	\$639,753
Streetlights	1964	18%	6709	\$222,562
Water/sewage	2352	22%	8035	\$214,415
Waste	2435	23%	-	0
<b>TOTAL</b>	<b>10,670</b>	<b>100</b>	<b>48,054</b>	<b>\$1,241,158</b>

Electricity consumption is the primary source of emissions across Council's corporate operations at six thousand four hundred and thirty nine (6,439) CO<sub>2</sub>e tonnes, which forms sixty percent (60%) of the total corporate emissions. Water/sewage, Buildings, and Streetlighting are the greatest contributors to electricity consumption. The next highest source of emissions is Waste activities comprising of paper products, food waste, plant debris and textiles at 2,435 CO<sub>2</sub>e tonnes (24%), and Diesel at 1,512 tonnes (14%) (Figure 1 and Table 2).

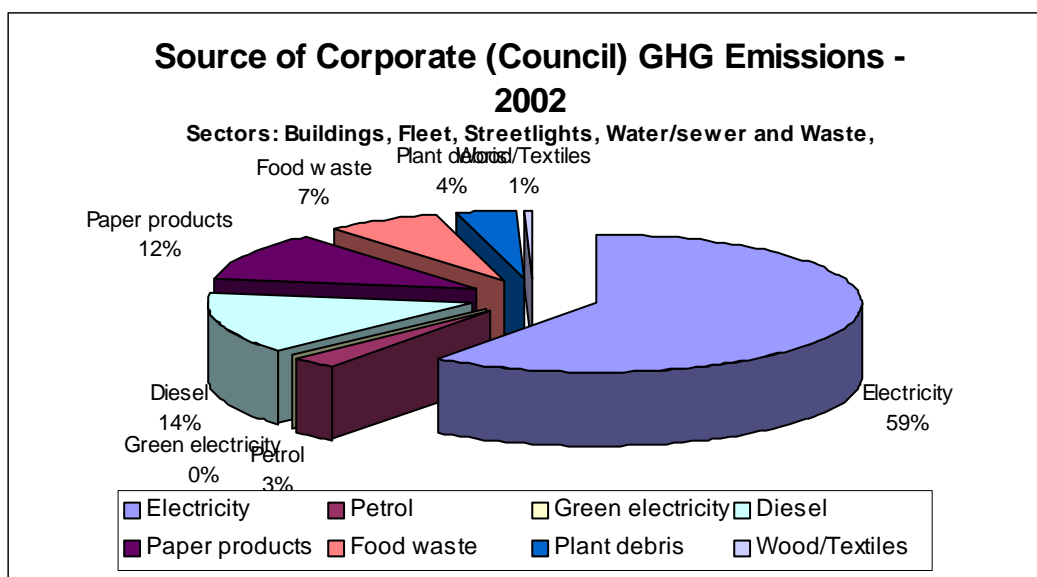


Figure 1: Source of Corporate emissions in percentage of CO<sub>2</sub>e tonnes by sector. Base year 2002

\* CO<sub>2</sub>e is a metric measure used to compare the emissions from various greenhouse gases based upon the global warming potential (GWP) (NSW DEC).

Table 2: Source of Corporate emissions in CO<sub>2</sub>e tonnes, GJ and percentage. Base year 2002

Emission Source	CO <sub>2</sub> e (tonnes)	CO <sub>2</sub> e (%)	Energy (GJ)	Cost (\$)
Electricity	6439	60.3	21992	597,362
Petrol	284	2.7	4160	97566
Green Electricity	0	0	197	4043
Diesel	1512	14.2	21705	542186
Paper products	1257	11.8	-	-
Food Waste	723	6.8	-	-
Plant debris	392	3.7	-	-
Wood/textiles	63	0.6	-	-
<b>TOTAL</b>	<b>10670</b>	<b>100</b>	<b>48054</b>	<b>1,241,158</b>

### Corporate Emissions Forecast

A forecast of emissions from the base year 2002 to the forecast year 2012 was generated for all corporate sub sectors using the projected percentage of population growth. Corporate emissions are expected to increase from ten thousand, six hundred and seventy (10,670) tonnes of CO<sub>2</sub>e in 2002 to eleven thousand seven hundred and sixty eight (11,768) tonnes of CO<sub>2</sub>e in 2012 with a 'business as usual' scenario, unless action is taken to control this. The greatest growth in emissions is expected to occur in Water/Sewage (15%), Vehicle fleet (9%) and Waste (9%) sub sectors (Table 3).

Table 3: Corporate emissions forecast 2002 – 2012 'business as usual' scenario.

Corporate Sector	Base Year 2001 CO <sub>2</sub> e (tonnes)	Forecast Year 2012 CO <sub>2</sub> e (tonnes)	Increase in CO <sub>2</sub> e (tonnes)	% Increase
Building	2122	2306	184	8%
Vehicle Fleet	1796	1962	166	9%
Streelights	1964	2137	173	8.8%
Water/sewage	2352	2697	345	15%
Waste	2435	2666	231	9%
<b>TOTAL</b>	<b>10669</b>	<b>11768</b>	<b>1099</b>	

### Community Sector Inventory

The Community inventory identified that in the 2001 base year the greenhouse gas emissions of the Lismore community were in excess of six hundred thousand tonnes of CO<sub>2</sub>e and almost five million GJ of energy was consumed. Industrial, Transportation, and Residential activities retrospectively are the main sub sectors contributing to greenhouse gas emissions in the community (Table 4).

Table 4: Community emissions in CO<sub>2</sub>e tonnes, GJ of energy consumed and percentage by sector. Base year 2001.

Community Sector	CO <sub>2</sub> e (tonnes)	CO <sub>2</sub> e (%)	Energy (GJ)
Residential	139,034	23%	625,178
Commercial	104,124	17%	515,731
Industrial	184,302	29%	1,397,508
Transportation	157,484	26%	2,349,047
Waste	30,629	5%	0
Other	1478	0%	0
<b>TOTAL</b>	<b>617,051</b>	<b>100</b>	<b>4,887,464</b>

The primary source of CO<sub>2</sub>e emissions for the Lismore Community is electricity consumption. In the 2001 year the Lismore community produced in excess of three hundred and twenty eight thousand tonnes (328,789) of CO<sub>2</sub>e emissions from the use of electricity. This forms fifty-three percent (53%) of the total community emissions. The next highest source of emissions is Petrol at 94,115 tonnes (15.3%)

and Diesel at 41,833 tonnes (6.8%) (Table 5, Figure 2).

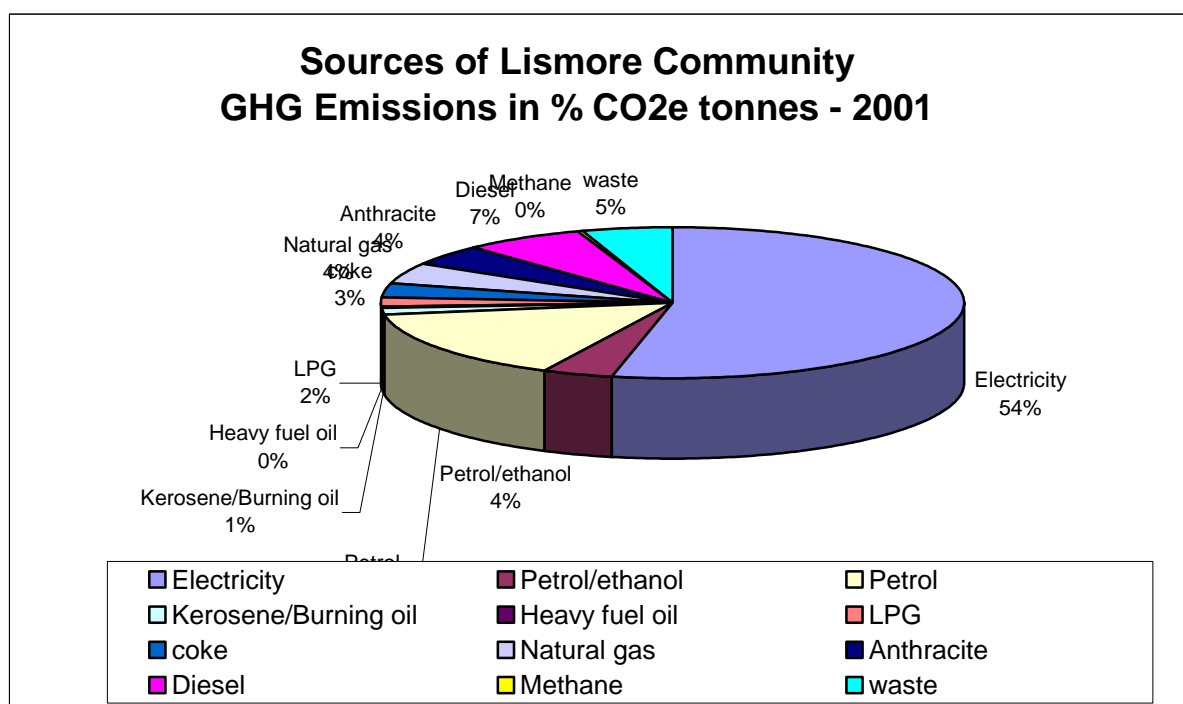


Figure 2: Source of Community emissions in percentage of CO<sub>2</sub>e tonnes by sector. Base year 2001

Table 5: Source of Community emissions in CO<sub>2</sub>e tonnes, GJ and percentage. Base year 2001

Emission Source	CO <sub>2</sub> e (tonnes)	CO <sub>2</sub> e (%)	Energy (GJ)
Electricity	328,789	53.3	1,169,604
Petrol/ethanol	24,603	4	400,000
Petrol	94,115	15.3	1,377,108
Kerosene/Burning oil	9,239	1.5	133,135
Heavy fuel oil	200	0	2,743
LPG	12,706	2.1	212,488
coke	18,512	3	156,525
Natural gas	27,283	4.4	525,676
Anthracite	27,663	4.5	309,545
Diesel	41,833	6.8	600,630
Methane	1,478	0.2	
waste	30,630	5	
<b>TOTAL</b>	<b>617,051</b>	<b>100</b>	<b>4,887,464</b>

**Community Emissions Forecast**

A forecast of emissions from the base year 2001 to the forecast year 2012 was generated for all community sub sectors. The forecast was calculated using the projected population growth. The forecast identified that emissions are expected to increase across all Community sub sectors between 8% and 14% unless action is taken to control this rise. The greatest growth in emissions is predicted to occur in the Commercial (14%), Residential (13%) and Industrial sub sectors (11.5%) (Table 6).

Table 6: Community emissions forecast 2001 – 2012 'business as usual' scenario.

Sector	2001 Base Year (CO2e tonnes)	2012 Forecast Year (CO2e tonnes)	Increase (CO2e tonnes)	% Increase
Residential	139,034	157,287	18253	13%
<b>Commercial</b>	104,124	117,650	13526	14%
<b>Industrial</b>	184,302	205,369	21067	11.5%
<b>Transportation</b>	157,484	171,497	14013	9%
<b>Waste</b>	30,629	33,351	2722	9%
Other	1478	1610	132	9%
<b>TOTAL</b>	<b>617,051</b>	<b>686,765</b>	<b>69713</b>	

**Emission Reduction Goals**

The proposed goal for the Corporate and Community sectors is a twenty percent (20%) reduction on the base year emissions. Figures 3 and 4 graphically illustrate the base year emissions, projected emissions growth, and reduction in emissions for the Lismore City Council and the community if measures to achieve the goals are successfully implemented through further stages of the CCP program.

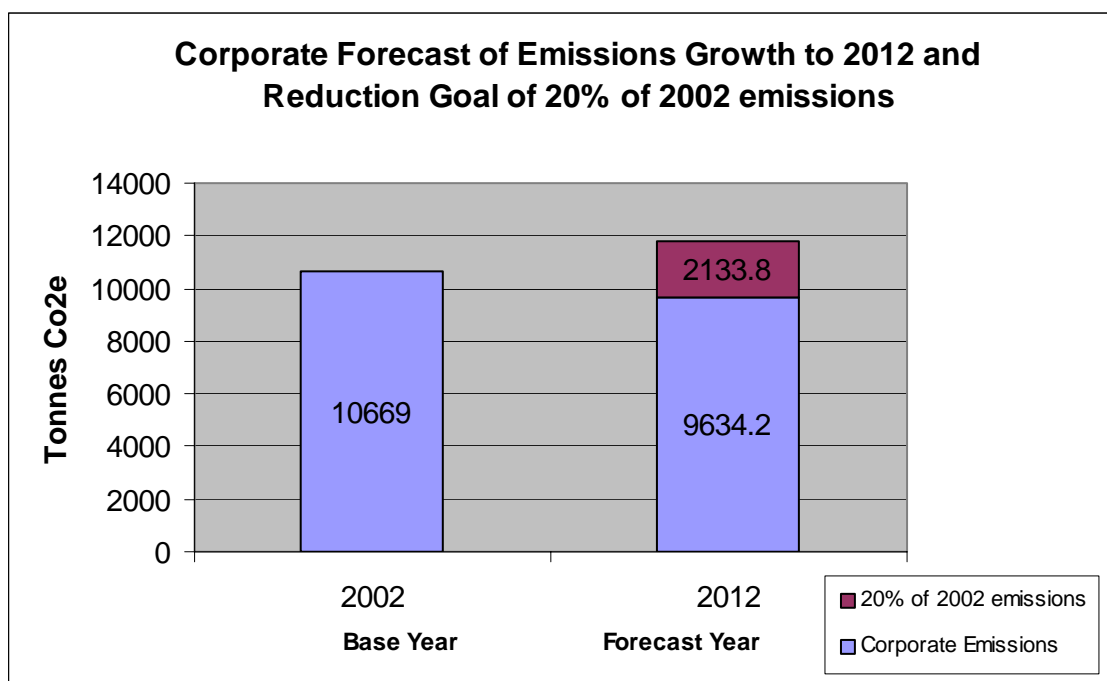


Figure 3: Corporate forecast of emissions growth to 2012 and reduction goal of 20% of 2002 emissions.

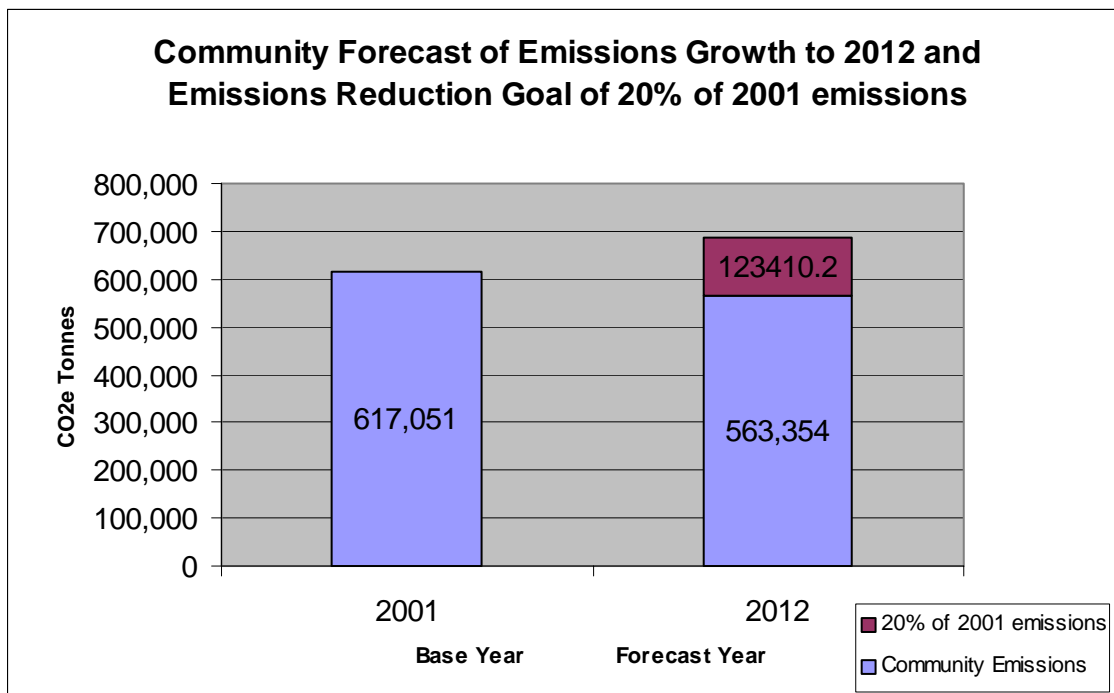


Figure 4: Corporate forecast of emissions Growth to 2012 and reduction goal of 20% of 2002 emissions.

# Report

<b>Subject</b>	<b>Lismore Lake Pool</b>
<b>File No</b>	S910
<b>Prepared by</b>	Manager – Finance
<b>Reason</b>	Required by resolution 131/05 – 8, June 21, 2005.
<b>Objective</b>	For Council to consider the information requested and determine a course of action.
<b>Strategic Plan Link</b>	Infrastructure
<b>Management Plan Activity</b>	Community Services

## Overview of Report

Council requested staff provide a report on possible funding sources for the retiling of the Lismore Lake Pool to ensure it remains open.

Staff gathered additional information in the form of a Swimming Pool Safety Assessment undertaken by the NSW Royal Life Saving Society Australia, an infrastructure assessment by an aquatic consultant, Geoff Lever and a risk management assessment based on readily available guidelines to assist Council in its considerations.

While the Lismore Lake Pool was planned to open during the 2005/06 season based on previous year's arrangements, the additional information received and the strong advocacy regarding the need for supervision, it is recommended that funds be provided to supervise both the Lismore Lake and Nimbin Pools during opening hours for the 2005/06 swim season.

In addition, it is clear that Council will need to determine its level of commitment to the facility beyond the short term. To facilitate this, a comprehensive paper on options for the pool in the future is to be prepared and presented to a workshop early in 2006.

## Background

When considering the 2005/06 - 2008 Management Plan, Council resolved in part that;  
131/05 8. Staff provide a report on possible funding sources for the retiling of the Lismore Lake Pool to ensure that it remains open.

This was in response to the non inclusion of a budget submission to undertake works at the Lismore Lake Pool totalling \$171,000.

The purpose of this report is to address Council's resolution and update Council on all the relevant and available information relating to this facility.

## Current Situation

The Lismore Lake Pool (pool) will be open for the 2005/06 season. To achieve this, maintenance works to the pool equipment and repair works to the shell have been completed. Also, a contractor has been engaged to operate and maintain the plant, maintain the pool and surrounds, and undertake a water testing and pool inspection regime. This is consistent with previous year arrangements.



While this outcome is acceptable in the short term, there are concerns about the longevity of these arrangements and hence additional information has been gathered and this requires further consideration by Council.

## Additional Information

NSW Royal Life Saving Society Australia

With the aim of highlighting the areas in which the pool requires attention and quantifying the level of commitment required to address those issues, NSW Royal Life Saving Society Australia (RLSSA), an acknowledged independent expert, was commissioned to provide a Swimming Pool Safety Assessment and Safety Improvement Plan for the pool.

The RLSSA assessment examined 5 categories of the facility (Administration, First Aid, Technical Operations, Facility Design and General Supervision). Each category contains a range of points that are individually examined for compliance. For each point, the facility either complies (c) or does not yet comply (nyc). The assessment is then followed by a recommended improvement plan with each recommendation given a priority rating reflective of the risk attributed to continued non-compliance. For this purpose, 4 levels of risk are provided (ie. High, Significant, Moderate and Low).

The RLSSA report demonstrates that the pool is non-compliant for 72% (48) of the 67 safety inspection points. Indeed, those items for which the pool is compliant are relatively minor items in terms of best practice pool management and visitor safety (the lake pool was not operating at the time of inspection consequently not all inspection points were able to be assessed)

The report recommends 47 actions to take place to address risks identified for the facility, 60% (28) are identified as being of a 'High' risk nature, while 36% (17) are considered to hold 'Significant' risk.

The Safety Improvement Plan (SIP) recommends actions for a range of aspects relating to the safety of the pool facility. Perhaps the most important recommendation from the RLSSA report is for the employment of lifeguards at the pool whenever it is open to the public. This is a position not only supported by RLSSA but also the Department of Local Government in its Practice Note 15 – 'Water Safety'; which strongly recommends the employment of at least two lifeguards at all Council managed swimming pools.

The Safety Improvement Plan also covers matters relating to:

- the preparation of an 'Operations Manual' and 'Emergency Action Plan',
- provision of a fully equipped 'First Aid Room' and rescue equipment,
- chemical storage,
- plant operations,
- signage,
- depth and gradient marking,
- trip hazards,
- change rooms and disabled access, and
- rescue equipment.

Additional budget allocations are required for the majority of these items to be addressed. However, those recommendations relating to the preparation of an Operations Manual and Emergency Action Plan can commence. Management will implement the recommendations where possible within current budget constraints for the pool.

The RLSSA report for the pool is an attachment to this business paper.

A similar report was prepared by RLSSA for the Nimbin Pool with similar outcomes and recommendations.

## Infrastructure

The pool was constructed in 1974 and the design allows for shallow or “beach style” entry of approximately 200mm depth around the entire perimeter of the pool and a gradual increase in the depth to approximately 2.0m in the centre. The pool floor was originally constructed using concrete pavers over a layer of asphalt and sand, with the treated water entering the pool from a piping system around the pool perimeter and the soiled water return being located in the centre of the pool itself.

Over the past five years the facility has been subject to an increasing number of breakdowns of the pumping and filtration equipment and vandalism attacks. The vandalism attacks have included damage to the building, fencing, toilets and several incidences where broken glass has been found in the bottom of the pool. In addition, the concrete pavers have been severely corroded by the chlorinated water and the base itself has been subject to considerable movement leading to severe cracking. Currently the pool loses a considerable amount of water through leakage.

Mr Geoff Leaver from Aquatic Consulting was engaged to report on the condition of the pool and offer suggestions for upgrading the facility. The following are the main points from the report:

- The entire pool surface has evidence of cracking resulting in considerable water loss and requires repair and re-surfacing
- The water turnover rate is approximately 12 hours, Department of Health “Guidelines for Public Swimming Pools” recommends a turnover rate of 1.5-2.0 hours;
- The filtration equipment is deficient in its operations and should be upgraded or replaced;
- The current sodium hypochlorite storage capacity is insufficient and non compliant.
- The recirculation pump and pre-strainer are beyond expected life and should be upgraded;
- The step down from the pool concourse to the pool is excessive and requires an intermediate step to be installed; and
- The perimeter fence requires upgrading to prevent out of hours access.

The report outlines various options for the facility including the works required to renovate/upgrade the pool. It is estimated that works to the pool shell to include an intermediate step, minimal changes to the pipe work and a new concrete surface are estimated at \$350,000. With regard to the filtration equipment, it is expected that these works would cost \$160,000. These works do not include replacement of the main pipe work and would only marginally increase the water turnover rates. To increase the turnover rates, all pipe work to and from the pool together with all the pipe work within the pool shell would need to be replaced. The extent of these works is such that the current facility would need to be demolished and rebuilt. No pricing has been obtained for this scale of work.

The report prepared by Geoff Leaver is an attachment to this business paper.

In regards to the Nimbin Pool, the infrastructure is to a higher standard and is performing to an acceptable standard.

## Risk Management

It is obvious that unsupervised pools are a significant public liability risk to Council. It is therefore incumbent upon Council to put in place sound risk management strategies to minimise this risk to the public and to maximise its own legal position using the protections that are available under the Civil Liability Amendment (Personal Responsibility) Act 2002.

The review undertaken by the NSW Royal Life Saving Society Australia provides a sound basis along with guidelines developed by StateWide Mutual and the Department of Local Government of Local Government's Proactive Note 15 to develop appropriate strategies.

The situation with respect to Risk Management and the Lake Pool is unique. Traditionally the pool has been unsupervised and Council has relied upon signposting to warn the public of this fact. Last swimming season with the closing of the Memorial Baths, the pool was supervised.

With the new Baths opened it is anticipated that patronage of the pool will return to traditional levels and thus the pool would return to an unsupervised state.

Councils insurers via Statewide have previously warned against removing supervision from pools and relying on signage (copy enclosed), but the scenario that Council finds itself in was not covered by this advice.

## Summary

Based on the additional information, to allocate funding for the retiling of the pool to ensure it remains functional is unlikely to achieve that outcome. A comprehensive approach of reviewing, assessing and costing the options is supported.

In the meantime, while management will implement changes to best comply with the relevant guidelines or advice as a matter of course, the provision of supervision during operating hours is seen as fundamental and strongly advocated by both the NSW Royal Life Society Australia and Department of Local Government - Practice Note 15. As such, it is recommended that Council fund the provision of supervision at both the Lake Pool and Nimbin Pool during opening hours.

The estimate to provide supervision of at least two lifeguards during opening hours is estimated at \$20,000 per month.

## Comments

### Financial Services

The immediate impact of providing supervision will need to be factored into the recurrent budget. How this is achieved will be detailed in the December 2005 Quarterly Budget Review report.

In regards to the overall situation, there are likely to be significant financial implications to ensure the Lismore Lake Pool remains open and therefore the recommendation to review and fully cost all options for Council determination is supported.

The outcome from this process can then be factored into future Council budgets.

## Other staff comments

### Community Services

The Lismore Lake Pool has been a popular recreation venue for Lismore residents for many years. This facility provides recreational opportunities that are not replicated in other facilities in Lismore: It provides free entry and is family friendly in that the needs of small children are catered for due to the graduated water depth and size of the pool, and the surrounding extensive open space provides a natural environment for people and families. The facility is accessible to all, and this should be a consideration in any further plans for Lismore's aquatic facilities.

## Public consultation

N/A

## Conclusion

The Lismore Lake Pool is originally planned to operate during the 2005/06 season consistent with previous year's arrangements.

Based on the additional information received, Council will need to consider its long term commitment to the pool which includes capital replacement of aging infrastructure and obligations to water safety.

Both aspects have legislative benchmarks and widely accepted recommendations for best practice management. While management will address many of the compliance issues identified, the provision of supervision at both the Lismore Lake and Nimbin Pools based on the strong advocacy of NSW Royal Life Society Australia and Department of Local Government - Practice Note 15 is supported.

Resolution 131/05 – 8 requested an outcome that would ensure the pool remains open. A comprehensive review, assessment and costing of the options to achieve that is required as simply retiling will not do so beyond the short term.

## Recommendation (GM04)

1. That funding for the retiling of the Lismore Lake Pool not be allocated in 2005/06.
2. That funding be provided to supervise the Lismore Lake and Nimbin Pools during opening hours for the 2005/06 swimming season.
3. Staff prepare a comprehensive paper on options for the pool in the future and this be presented to a workshop early in 2006.

# Report

<b>Subject</b>	<b>State Roads – Bitumen Re-Surfacing Works</b>
<b>File No</b>	T26006
<b>Prepared by</b>	Contracts Officer
<b>Reason</b>	To inform Council of tenders received for the provision of bitumen re-surfacing works as part of the State Roads program
<b>Objective</b>	To obtain Council approval to award the Contract
<b>Strategic Plan Link</b>	Infrastructure
<b>Management Plan Activity</b>	Urban & Rural Roads

## Overview of Report

This report details the evaluation of tenders received in relation to the provision of bitumen re-surfacing works carried out by Council on the State Road Network on behalf of the NSW Roads and Traffic Authority.

## Background

Under the Local Government (Tendering) Regulation 1999, Council may directly invite tenders for a contract from a list of contractors who are recognised as being qualified to complete a particular type of work where the list has been prepared by another public authority. To qualify for work on State Roads, Contractor's must be pre-qualified with the NSW Roads and Traffic Authority, which involve obtaining approval of Business Management Systems.

In this region there are currently only two (2) eligible contractors, being Boral Asphalt and Northern Rivers Quarry and Asphalt (under the agreement with State Asphalt Services, Northern Rivers Quarry and Asphalt is now pre-qualified with the RTA) and accordingly both contractors were asked to submit tender pricing to undertake the AC overlay work, including and excluding milling and the Bitumen sprayed seal works on SH16 Bruxner Highway and MR65 Bangalow Road. The rates received are shown in Appendix A.

The rates tendered by Boral Asphalt resulted in the lowest costs for the sprayed seal works and Northern Rivers Quarry and Asphalt provided lower costs for the asphalt overlay works.

Council undertakes this work on a contractual basis for the RTA. Council is the head contractor and we engage subcontractors such as Northern Rivers Quarry or Boral to undertake the specialist elements of the work. The price we submit to the RTA includes not only the subcontract price for asphalt but also other elements of the job such as pavement preparation, linemarking, supervision, project management, administration, risk management and profit.

This is a commercial and contractual binding agreement between Council and the RTA, therefore we do not wish to make public a large component of our price to the RTA. The attachments showing the pricing details is enclosed separately for Councillors.

## Comments

Financial Services

N/A

## Other staff comments

Acting Manager - Roads & Parks

The proposed works funded by the NSW Roads and Traffic Authority, will vastly improve the condition of the State Road network within the urban limits of Lismore City Council. With regards to the Asphalt work, this is the first contract of this type that Northern Rivers Quarry and Asphalt will be undertaking under a full QA system for the RTA. Accordingly, there should be the option for Council to engage the alternate contractor, should quality, workmanship or availability issues arise with using Northern Rivers Quarry and Asphalt for the subject works. Consequently, I endorse the proposed recommendations.

## Public consultation

Nil

## Conclusion

Boral Asphalt and Northern Rivers Quarry and Asphalt have both pre-qualified with the NSW Roads and Traffic Authority to undertake works on State Roads and are therefore capable of undertaking the works as specified.

Due to the nature of this work, the selection of a Contractor can depend significantly on availability at the time required. As a result, the Specification enables Council to use any of the Contractors who submitted a tender, depending on cost, availability workmanship or quality.

## Recommendation (INF01)

- 1 Council adopt the following order of priority for the engagement of contractors for the provision of sprayed sealing works for the States Roads Program:
  - a) Boral Asphalt
  - b) Northern Rivers Quarry and Asphalt
- 2 Council adopt the following order of priority for the engagement of contractors for the provision of AC overlay works including milling & profiling for the States Roads Program:
  - a) Northern Rivers Quarry and Asphalt
  - b) Boral Asphalt
- 3 Council adopt the following order of priority for the engagement of contractors for the provision of AC overlay works excluding milling & profiling for the States Roads Program:
  - a) Northern Rivers Quarry and Asphalt
  - b) Boral Asphalt

# Report

<b>Subject</b>	<b>Management Plan Review 2005-2007 – quarter ended September 2005</b>
<b>File No</b>	S4
<b>Prepared by</b>	General Manager/Chief Executive Officer, Executive Directors – Development & Governance and Infrastructure Services
<b>Reason</b>	Requirement of the Local Government Act
<b>Objective</b>	Information of Councillors
<b>Strategic Plan Link</b>	Leadership by Innovation
<b>Management Plan Activity</b>	General Manager

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## Overview of Report

This report relates to the performance of programmes and activities highlighted in the 2005/06-07 Management Plan during the quarter ended September 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.

GENERAL MANAGER (Chief Executive Officer)  
 Management Plan Review  
 Period ending September 2005

Review of objectives across each functional area of the General Manager's Directorate.

#### Communications and Community Relations

**Mayor of Lismore Scholarships** – Three scholarships now active. 1) Mayor of Lismore Scholarship for Academic Achievement 2) Solid Waste Scholarship – Nitrogen levels in leachate at Wyrallah Rd Waste facility 3) Water Management. Fourth scholarship is to focus on the subject of community cohesion, and is currently the subject of negotiation.

**North Coast National – Participation.** Staff committee convened to organise participation. New mobile education unit fitted out for use at the Show.

**City Branding** – Second draft of proposed city branding completed.

**Resident Satisfaction Survey** – Survey was prepared for distribution by the SCU in the September quarter.

**Publish Annual Report** – The annual report to residents was published in the September quarter.

**Local Government Week** – This year, LGW was held in conjunction with the opening of the Lismore levee. A civic reception was also held at which annual grants for halls and community groups were distributed.

**Ensure efficient Governance of Council – Annual report to Minister** – during the report period, the Annual Report and the Statutory return was compiled.

**Implement Council's Strategic Plan** – All PAGs have been asked to priorities areas from the Strategic Plan, and to feed this information into the budget process.

**New communications strategy** – the Communications Strategy has been delayed because of staff changes associated with the restructure.

#### Improve Council Reputation

- Issue management - maintained daily pro-active media schedule via staff management.
- Regular liaison with media outlets.

#### Improve Community Relations

- Internet – Published Spring edition of website.

#### Financial Services

##### Rating & Revenue

- Rates & water account payment options: - This process of review is planned to commence in November.

##### Contract Administration

- Review and update Contracts Procurement Manual: - This process has commenced and expected to be completed by December.
- Discussions with LGA Business Solutions on the possible addition of Council's 'TendersLive' software to their suite of contract procurement products currently being development for state wide use.



**Financial Services**

- Review internal financial reporting - process to commence in November.
- Complete all legislative and compliance tasks associated with the 2004/05 Financial Reports.

**Management**

- Replacement of computerised financial and land information systems: - The consultant completed the review of the CIVIL system and reported the findings. It was agreed by the Steering Committee to pursue the replacement of the CIVIL system and a tender process has commenced.
- Improve governance performance based on the internal assessment of the 'NSW Local Government Health Check'. This process is planned to commence in November.
- The Emergency Call Centre operated during the June/July Flood. A number of debriefing sessions occurred to discuss how to improve general operations, available information, staffing and communications.
- Prepare Management Plan for the Lismore Memorial Baths which included information on management, operating performance and marketing. Also finalise 2005/06 Fees & Charges.
- Consult with Lismore Unlimited Opportunities on the '2005-8 Three Year Strategic Plan – SBRVL' and financial management issues. These were consideration by Council at the September 13, 2005 meeting.

**Human Resources**

- Review Salary Structure. Discussions are being held with other councils with the aim of developing a regional approach to this project.
- Organisational Restructure. Staff workshops and briefings conducted, recruitment of Executive Directors completed, establishment of specific roles in new structure.
- Designed and timed internal customer satisfaction survey.
- Continued implementation of aboriginal employment strategy.
- Career paths will be identified through 2005 skills assessment process and redesign of several departments has allowed for improved career pathing
- Training for staff conducted and majority of data entry for Aurion completed. Regional approach and Service Level Agreement drafted.
- AQF framework progressively being included in vacant positions
- OHS audits completed. Inclusion of OHS competencies in skills assessment process. Staff briefings in progress.

## DEVELOPMENT AND GOVERNANCE DIRECTOR

## Management Plan Review

Period ending September 2005

Review of objectives across each functional area of Development and Governance.

## Planning Services

**1 Customer Service in land use planning**

- *Participation in State Government planning projects:* The Senior Strategic Planner is a member of the Technical Advisory Group for the Far North Coast Regional Strategy.
- *Provision of planning advice to internal and external customers:* responded to 1965 telephone, counter and email enquiries.
- *Ensure updated planning information available to development industry and public:* Web site information updated, 'What's New in Planning' newsletter distributed to local planning consultants.
- *Maintain Heritage Advisory Service/Local Heritage Grants fund:* new Heritage Advisor obtained, availability of grants advertised.

**2 Efficient assessment of land use development applications.**

- 68 new DAs received; 58 determined by consent with nil refusals. The average assessment time for locally determined applications was 28 days, and the average assessment time for integrated applications was 59 days; the longer assessment period for integrated applications is due to the length of time taken for response by Government Departments.
- 42 Miscellaneous applications (modifications of consent, dwelling entitlement searches) were finalised, and 17 Subdivision Certificates were released.

**3 Implement adopted Council land use strategies**

- Urban Development Strategy: initial parcel of Trinity Drive release area rezoned to residential.
- Rural Housing Strategy: LEP amendments for rural residential areas at Tullera, Eltham, Richmond Hill and Wyrallah were considered by Council. A proposal was received for development at Camerons Road, McLeans Ridges.
- Villages Development Strategy: an LEP amendment to permit 3 additional lots at Caniaba was finalised.

**4 Review and update planning controls**

- The annual general amendment of the LEP was adopted by Council and the opinion of the Parliamentary Counsel sought. Council adopted a proposed rezoning of surplus Dept. Education land at Apo St., Goonellabah, and considered an amendment to permit alterations and additions to buildings in the floodway.
- Development control plans for residential development, tree preservation and car parking were amended, and a new DCP for heritage conservation was the subject of a Council workshop, later endorsed for public exhibition.

## Environmental Health and Building Services

## Building Services

**1 Public Safety – Fire Safety Audit**

- Councils Fire Safety Audit continues with inspections conducted and Orders to upgrade issued on a regular basis.

## 2 Assessment of Development Applications and Construction Certificates

- Building Statistics – July, August, September  
79 Development Applications received for this section  
223 Development applications approved  
Average approval time = 18.3 days.  
209 Construction Certificates issued.  
4 Building Certificates issued  
69 Development Application referrals from town planning

## 3 Public Safety – Essential Services

- Councils Essential Services Program is continuing however, planning for a separate fee structured system has been delayed until the new replacement Civil program has been finalised has been implemented across council.

## 4 Public Safety – Swimming Pool Fencing

- The swimming pool program continues with the required 25 pools inspected per month. Councils swimming pool brochure has been finalised & printed. These are starting to be distributed with each inspection.
- The frequency of inspection will increase over the next couple of weeks until I am spending about two days per week on pools.

## 5 Policy, procedures, legislative changes

- Preliminary discussions have been held to instigate standard approvals which will help in the issuing of consents.

## 6 Public Safety – Law enforcement

- Law enforcement issues continue to be undertaken as required.

## 7 Improve public safety – Programme Development

- Councils Places of Public Entertainment, caravan parks and public halls is currently being undertaken for 05/06 financial years.

## 8 Professional Development

- Training has been undertaken in area of Protection for Bushfire Safety with all staff now having attended the course.
- The Basix (Building Sustainability Index Course) has been undertaken by staff

## 9 Assessment of Development Application referrals.

- All assessment of DA's from Planning Services have been undertaken within the statutory turn around time. <Median turn around time is 11 days

## Environmental Health

### 1 Actions Planned – Strategies and Programmes

**Enhancement:** Assess Development Applications, On-Site Sewage Management Strategy, Section 68 Applications

44 Planning referrals have been finalised by the Section.

108 Onsite sewage management reports have been assessed.

69 Referrals have been sent from the Planning Services

**2 Corporate Relations: Customer Service**

- 79 complaint request received (1 personally, 73 telephone, 19 written)

**3 Commercial Premises Management**

High Risk Inspections = 38	Year to date Totals =38	target31.2
Medium Risk =6	YTD =6	target 2.3
Low Risk = 1	YTD =1	target 2.16
Skin Penetration = 1	YTD =1	target 12.45
Pre Purchase =5	YTD =5	
Re Inspections = 6	YTD =6	
New Premises =2	YTD =2	
Complaints =3	YTD =3	

**4 SOE Reporting**

- The Supplementary SOE is required to be submitted to Council in November 2005. A review of environmental indicators is being investigated across the whole of Council which will enable meaningful environmental data.

**5 Stormwater Management Plan**

- Councils Catchment Management Officer is currently reviewing the Stormwater Management plan.

**6 WSUD**

- The WSUD internal working Group continues to meet in order to finalise DCP.

**7 Sun Protection**

- Posts have been installed at Riverside Park and at Coronation Park at The Channon. Some of the sails purchased from the Bounty Hotel site have been utilised.

**8 Emergency Management**

- A quarterly meeting of the Rescue Committee and the LEMC was held in June. The EOC was activated for the floods of 29 June –1 July. Councils Risk Management Plan is being undertaken. A sub group of the LEMC is meeting regularly in this regard.

**9 On-site Sewage Management**

- 108 inspections for the quarter Year to Date Total 161. Annual Target is 250

**10 Environmental Monitoring**

- Environmental Monitoring has not been undertaken in the quarter. A new monitoring program is currently being established as per the 05/06 management plan.
- The contaminated lands Policy is under review. A final version should be adopted by December 2005. The database has been amended to include Dips from NSW DPI. A regional approach to contaminated site management is being undertaken by LCC.
- Investigation of environmental issues continues on a regular basis. Relevant legislation including the POEO Act has been utilised for enforcement.

**11 Protection of the Environment Initiatives**

- Cleaner production workshops have been attended to by staff in June. Staff attended the On-Site Conference in Armidale in September
- Cities for Climate Protection (CCP): Stage 1 of the Cities for Climate Protection program has been finalise. A report to Council for Stage 2 will recommend Council commit to Greenhouse gas reduction targets.

## Community Services

### **Physical activity**

Lismore Outside of School Hours Care has been awarded \$4,800 for physical activities funded from the Active After Hours (Australian Sports Commission) program. The activities will commence in the first semester of 2006. This is a federal program developed to address childhood obesity

### **Lismore Regional Gallery**

The Gallery recently hosted a very successful exhibition featuring local Indigenous artist Digby Moran. The Gallery purchased three paintings to add to the permanent collection.

### **Closing the Gaps project**

Our two Indigenous trainees continue to gain skills and experience in youth and community welfare work within their work placements and TAFE studies. Advertising will soon commence for two new Indigenous trainees to be employed during 2006.

Staff have explored several options for a youth enterprise project and are focusing on a youth café. Funding application submissions are ongoing and staff are optimistic of success.

### **Cultural Precinct**

A master plan, developed as a Development Control Plan, has been completed and awaits adoption by Council. Completion of the master plan will enable the Project Team to approach prospective partners and investors regarding investment and funding opportunities. An artist's impression of how the site might look should be completed by November 2005.

### **Memorial Baths**

The Baths were officially opened on 17 September 2005. A management contract has been finalised and will be monitored by Council staff. The development of a marketing plan for the pool will be coordinated by staff, with identified strategies to be implemented next year.

### **Nimbin Skate Park**

Community Services staff have taken a lead role in trying to resolve the Nimbin Skate Park problem. Staff are facilitating a process of consultation and problem solving involving key stakeholders. Stakeholders focus groups and a public meeting have been held, and a workshop involving key representatives will take place in late October. Options identified at the workshop will be explored and costed and a preferred option presented to Council.

## Information Services

- Tender preparation commenced for the replacement of Councils Corporate Information Systems.
- Disaster Recovery Server installed and operational at Wyrallah Road Depot.
- 65 new desktop computers installed. 45 replaced computers to be donated to community groups.
- Virtual Private Network (VPN) capabilities and Terminal Services access implemented for the Wyrallah Road Waste facility.
- Consolidation points introduced to the Administration building to facilitate better use of existing cabling.

## Economic Development

- Progressed staff appointments to positions in 2005 ED structure
- Review of merchandise and layout of Lismore Visitor Information Centre Shop
- Progress continued with the establishment of the Nimbin Visitor Information Centre
- A number of groups guided through the 'Cafe and Culture Trail' and regular meetings of Cafe network continued
- Wilsons River Redevelopment Project - Successful launch held 2 September
- Manager, ED elected to North Coast National A&I Society Management Board to progress the restructure of the organisation

- Business Incubator Feasibility Steering Committee met in July and consultant engaged to prepare feasibility study
- Successful event management of:- Masters Games; Health & Herb Festival
- EDU is part of 'Broadening Broadband' project, which aims to improve broadband infrastructure in the Region by quantifying demand and supply
- Facilitation and assistance with Krauss Avenue Industrial Land DA lodgement and sales
- Submitted submission to Regional Airports Funding Program for \$82,167 for Security Upgrade Project.

INFRASTRUCTURE SERVICES DIRECTOR  
 Management Plan Review  
 Period ending September 2005

Review of objectives across each functional area of the Infrastructure Services Directorate.

#### Properties

- Land and Building Register – Ongoing update of details. Development of more comprehensive procedures proposed as part of new computer system and Asset Management Section. Amended target date of 2006/07 proposed for training of staff in line with introduction of new computer system training.
- Lease Register – Ongoing update of details.
- Industrial subdivision at Council Airport - Survey work for plan registration currently under way. Infrastructure works are under action and nearing completion - Expected November/ December 2005.

#### Workshop , Fleet Management and Sign Shop

- Lismore RFS fleet registration inspections and repairs completed prior to the fire season.
- Return to Lismore, after repairs, of RFS tanker involved in serious motor vehicle accident on February 20, 2005.
- Checks for oil contamination, etc, of vehicles used in the June / July floods.
- Supply list to NSW Department of Commerce regarding modifications and/or repairs to new flood levee gates and pumps.
- Delivery of new Richmond-Tweed Regional Library mobile library trailer. LCC purchased old trailer as promotional and educational vehicle - work started on new interior and external artwork.
- Delivery of two replacement roadworks compaction rollers - Fleet Nos. 307 and 351 as per approval from July 2005 Council meeting.
- Delivery of additional 33-Tonne excavator for Council quarry operations - machine delivered at end of June (refer Tender T25013, April 2005 meeting).
- Additional smaller sized LCC administration pool car ordered.
- Delivery of three new utilities for LCC Rangers, complete with special service bodies built in Tamworth.
- SES 6,000Kg dual cab truck with special body returned from body builders in Tamworth, which will replace existing rescue truck once electrical work is complete.
- Advertisement placed for replacement day-shift mechanic and additional night-shift mechanic.

#### Signs

- Special signs and banners made for - Department of Lands, Hype Surf Company, Lismore Water, NR Waste, DE Williams Dam, SES, Casino High School, Lismore Airport, Our Lady Christian School, Westpac Helicopter, Masters Games, Lismore Jazz Club, Richmond River County Council, RFS signs and vehicles, Komplete Tyre & Auto Company, Nimbin Safe Town.
- Upgrade of signage on roundabouts (Bridge/Terania Streets, Woodlark/Dawson Streets, Ballina Road/Holland Street).
- LCC Fleet logos.
- Replacement street signs due to age or increased vandalism.
- LCC temporary warning signs for road construction, Lismore Water, Wastewater Treatment Works, etc, and other activities (grass cutting, roadworks, etc).

#### Lismore Water

- Clunes Wastewater Committee – Brief prepared for transport of sewage to South Lismore. Also Consultants, GeoLink, prepared the draft report on new technologies for onsite wastewater treatment.

- A letter drop was conducted to inform North Woodburn residents of options for wastewater collection and treatment and status of the project.
- 2005/06 sewer replacement works tenders let.
- 2005/06 water mains replacement works tender let.
- Completion of Nimbin Water supply augmentation works.
- Ongoing development of the new maintenance management system (MEX).
- Construction of mesh grates at pump stations complete.
- Designs for upgrade of the Nimbin STP inlet works completed by contractor.
- Consultants have developed the business case for replacement of the telemetry system and needs requirements.
- Heather Avenue pump station complete (joint venture with developers).
- Integrate Water Cycle Management (IWCM) strategy study draft report prepared.
- Part commissioning of the East Lismore effluent reuse project. Recycled effluent is used for washing down the belt press and the gravity drainage deck, which consumes large amounts of water. This project won the Commercial category award of the Water Sensitive Urban Design (WSUD), NSW competition due to its potential saving in potable water.

## Northern Rivers Quarry and Asphalt

- Tenders for business development received – currently under review.
- Trials of mobile crushing plant of various types.
- Commencement of noise abatement works at the asphalt plant in response to EPA review of license conditions.

## Northern Rivers Waste

- Interviews for recruitment of Manager - Northern Rivers Waste.
- Commence planning for weighbridge relocation and upgrade of facilities.
- Strategic plan review commenced.
- Continue process for the design and approval of new landfill cell.
- Purchase of buffer land on Gundurimba Road.

## Lismore Memorial Gardens

### **Projects completed:**

- Area 5 - Landscape upgrade
- Air-conditioning of crematorium operational works area
- Nimbin cemetery headstone beam installation - pre-cast headstones yet to be fitted
- Review of burial operational procedures.

### **Projects initiated but not yet complete:**

- Chapel audio system upgrade.

## Parks and Recreation:

- Finalised tender documents and engaged new contractor for grass cutting of various urban and rural areas.
- New areas under contractor maintenance include: Magellan Street Drain Revegetation - \$1,500 pa; Kadina Park Gardens and Facilities - \$28,000 pa; Tree Planting - schedule of rates; and Heritage Park Weekend Litter Control - \$2,600 pa.
- Commenced landscaping works at the Holland Street/Ballina Road roundabout.
- Finalised Lismore Memorial Baths planting.
- Installed an interpretive sign at East Lismore Cemetery.
- Commencement of new turf wicket curator.
- Replanted some areas of Magellan Street in the CBD with Hardenbergia (native groundcover).
- Completed levelling works of Nesbitt Park outfield due to pug soil movement.
- Finalised planting of Union Street road blister gardens.



## Urban Works:

- Holland Street roundabout complete.
- Maintenance Management System implemented for urban maintenance works.
- Footpath Maintenance: All sections of footpath have been assessed and the replacement programme for this year developed.
- Uralba Street construction complete. Finishing of tree surrounds to be done late October.
- Diadem Street – Installation of new roundabout, reconstruction of pavement and new pedestrian facilities complete.
- Brewster Street – Widening of roundabout, reconstruction of pavement and new pedestrian facilities complete.
- Ballina Street – Widening of culvert and pavement complete. Traffic signals installed and operational. Country Energy to remove power pole in early November.
- Snow Street – Widening of Snow Street to accommodate water main upgrade complete.
- New Ballina Road – Planning of works complete.
- Reseal, minor stormwater, kerb and gutter and heavy patching requirements assessed and programmes developed for the year.
- Extension of Krauss Avenue for Airport Subdivision – Commenced.

## Bridges:

- Commenced construction of Krauss Avenue bridge.
- Emergency flood works on various bridges.
- Krauss Avenue box culverts complete.
- Ballina Street Bridge - Pedestrian railing refurbishment – Ongoing.
- Pre-planning for Tatham Bridge commenced.

## Traffic and Enforcement:

- Onstreet/off-street parking enforcement continued – 520 fines issued.
- 4 abandoned vehicles impounded.
- 73 incidents recorded by safety cameras.
- Nimbin safety camera installation - 95% complete.
- Pet microchipping day held in conjunction with the Wilson River bank development opening.
- Investigation commenced into installation of under awning lighting on the eastern side of Keen Street.

## Rural Works:

- Emergency flood restoration works.
- Rosehill Road reconstruction – Complete.
- Bitumen sealing of Skyline Road – Complete.
- Bus shelters installed on Caniaba Road (opposite Roadrunner Caravan Park) and at intersection of Wybelena and Tregagle Roads, Wyrallah.
- Heavy patching completed on the following roads: Corndale Road, Rosebank Road and Eltham Road.
- Drainage Maintenance – Tuckurimba Road, Muller Road, Dunoon Road, Tregagle Road.
- Side-arm Slashing - Blue Knob Road and Nimbin area.
- Gravel maintenance completed in the following areas: Warby Road, Bertoli Road, Stead Road, Gwynne Road, Mitchell Road, Billen Road, Lodge Road, Hayden Road, Gordon Road, Chelmsford Road, Mulvena Road, Hart Road, Quilty Road, Moras Road, Yeager Road, Bice Road, Fredericks Road, Muldoon Road, Borton Road, Bentley Road, Cusack Road, Houlden Road.

## Road Safety:

- Road Safety Information Address for international students at Southern Cross University.
- Re-launch Lismore Late Nighter every Saturday night for duration of financial year. Also available for other special events, such as Lismore Cup and Masters Games.
- Co-ordinate operations and media for launch of new traffic lights on Ballina Street.
- Bike Week 2005 - Cycling and road safety fun day at Wade Park.
- Lismore Cup and Master Games – Co-ordinated approach to tackle drink driving, public transport needs, alcohol-related crime, traffic and parking issues at two major events. Police reported that operation was very successful, especially in terms of drink driving and other alcohol-related concerns and that the shuttle bus and Late Night bus service contributed to the overall outcome.
- Launch of NRMA Roadzone (interactive road safety display) at Lismore Library.

## Survey, Design and Subdivision Control:

- Carrington Street, Lismore – Magellan Street to County Lane – Beautification concept
- Bruxner Highway, Goonellabah – Oliver Avenue to Richmond Hill Road – Realignment and shoulder widening
- Noel Street, Lismore Heights – Drainage
- Tatham Road, Tatham – Tatham Bridge approaches.
- Nimbin Central School, Nimbin – Bus Interchange
- Molesworth Street, Lismore – Improve sight distance over levee.
- Ballina Street / Dibbs Street, Lismore – Intersection treatment options.

## Recommendation

That the report be received and its contents noted.

# Report

<b>Subject</b>	September 2005 Quarterly Budget Review Statement
<b>File No</b>	S910
<b>Prepared by</b>	Principal Accountant
<b>Reason</b>	Clause 203, Local Government (General) Regulations 2005
<b>Objective</b>	To gain Council's approval to amend the 2005/06 budget to reflect actual or anticipated results.
<b>Strategic Plan Link</b>	N/A
<b>Management Plan Activity</b>	N/A

## Overview of Report

Council's 2005/06 Budget has moved from a surplus of \$11,000 to a balanced budget. Included in this result is a balancing amount to reserves for future commitments in relation to the Lismore Levee.

This review has been used to "fine tune" any budgets that may vary due to more accurate information being available and to reinstate budgets for works carried forward from the previous financial year.

Revenues – overall remain in line with estimates, the major change impacting the surplus are FAGS – general funding - \$216,000 and the revised revenue budget for the Lismore Memorial Baths - \$67,000.

Expenses – revised estimates have been made in relation to street lighting electricity - \$60,000, operational expenses for the Lismore Memorial Baths - \$87,900 and costs associated with the new telephone system (internal loan repayments of \$42,500 and maintenance costs - \$11,500)

The revenue and expense adjustments generated an operating deficit for the September 2005 quarter of (\$11,000).

## Background

The Local Government Act 1993 (LGA) and Local Government (General) Regulations 2005 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 and regulation requirements.

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

### General Fund

The 2005/06 Management Plan provided for an \$11,000 surplus. This review details a deficit of (\$11,000) to make an accumulated balanced budget.

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

<b>Budget Balance Movements for Quarter</b>	<b>Amount \$</b>
<b>Opening Surplus Balance at July 1, 2005</b>	<b>11,000</b>
Plus - Additional Financial Assistance Grant - General revenue for 2005/06 plus an adjustment for underpayment of the 2004/05 allocation.	216,000
Plus – Lismore Memorial Baths - revenues. The original budget has been adjusted to reflect patronage projections from the Lismore Memorial Baths Management Plan and the 2005/06 fee structure. As this is a new facility and there is no reliable historical data to support these calculations, it will require monitoring and possible adjustments based on actual results.	67,000
Plus - A revised NSW Fire Brigade contribution schedule has been received and provides for a reduction to the original estimate.	25,000
Less - Lismore Memorial Baths – expenses. The original budget has been adjusted to reflect anticipated costs to be incurred during 2005/06. This is consistent with the Lismore Memorial Baths Management Plan. They are based on best estimates and will be reviewed regularly and changed to reflect actual results. The net impact on the budget of both the revenue and expense changes for the Lismore Memorial Baths is a deficit of (\$20,900).	(87,900)
Less - Loan repayment for new telephone system. The new telephone system has been funded from an internal loan with repayments required of \$42,500 p.a.	(42,500)
Less – Maintenance/licensing costs for new telephone system as reported to Council on the 11 October 2005. These costs have been prorated to reflect the timing of the installation.	(11,000)
Less - Electricity costs street lighting. The original estimates as provided in the 2005/06 Management Plan have been reviewed and are insufficient to fund the anticipated costs. An additional allocation is required to funds CPI (3%) increase on infrastructure maintenance costs and the increased unit rate of 7% for electricity consumption.	(60,000)
Less - A revised NSW Rural Fire Service contribution schedule has been received and provides for an increase in the overall original estimate.	(2,300)
Less - Adjustment to contribution towards jointly (RTA) funded Road Safety Officer position.	(300)
Less - Surplus reserved for future commitments in relation to the Lismore Levee scheme. A more detail commentary follows.	(115,000)
<b>Closing Balance at September 30, 2005.</b>	<b>Nil</b>

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

#### Administrative Services

The capital purchase and transfer from reserve for the new telephone system - \$198,100 have been included, this being funded from an internal loan from Employee Leave Entitlement reserves to be repaid over 5 years and thus having no impact on the surplus (the loan repayments and maintenance/licensing costs do impact on the surplus and have been detailed above)

There has been a reduction in the risk management insurance costs to reflect a 'bonus' being received for 2004/05 of approximately \$40,000. It is proposed to allocate these funds to projects within the Parks 2005/06 capital program - \$20,000 and the balance transferred to reserves for future risk management initiatives.

The Administrative Services Manager has provided the following comment in relation to the recommended treatment of the bonus:

*“As an ongoing commitment to Risk Management the Board of Management of Statewide introduced in 2005 a "Bonus Scheme". The scheme would allow for a return of up to 10% of the previous years premium. The bonus was determined having regard to Council's claims experience; its Public Liability Audit results and attendance at Risk Management seminars. This year the "bonus" was \$40,000.*

*To enable Council to maximise its return from this bonus, it is suggested that it be reinvested in Risk Management activities so that the bonus can continue to be received and the community rewarded by a safer physical environment.*

*The first investment is proposed to be made in the area of trees. This section was where Council received its worst score in the audit.*

*The proposed Street Tree Master Plan will detail Council's management of its street tree network including maintenance programs, risk management procedures and tree planting details. All of these details will strategically allow the Parks department to not only develop more pro-active maintenance programs for the existing street trees, but also enable a better planned approach to future plantings that will reduce street tree risk management issues. Any improvement made to maintenance standards and planting programs today will reduce risk management issues in the future.*

*Potential topics that will be addressed in the Street Tree Master Plan include: Risk Management; Tree Planting Specifications; Tree Maintenance Programs and Standards; Tree Selection; and Tree Removal/Pruning Procedures.”*

#### Human Resources

Additional revenue and a transfer to reserve of \$42,500 have been recognised in relation to the internal loan repayments made from Administrative Services for the new telephone system. The loan is from the Employee Leave Entitlements reserve, with the revenue received transferred back to reserves. There is no impact on the surplus.

#### Property Services – Commercial

Revenue of \$100,000 has been included in relation to anticipated residential property sales to be settled shortly. The total amount has been transferred to reserves and has no impact on the operating surplus.

#### Lismore Levee

Advice has been received that additional works have been included in the Lismore Levee scheme. Based on preliminary estimates, the financial impact of these works on Council's budget is an unfunded liability of \$270,000, part of which may be offset by a grant if successful.

While these works are considered essential and the \$2 grant funding for every dollar Council invests makes it otherwise financially viable, there are insufficient funds available to meet this additional cost. It is therefore prudent to assign the surplus to September 30 to reserve for council's share towards these works and should the grant application be successful, then Council can reconsider this situation as part of future quarterly budget reviews.

#### Parks

Additional operating expenses of \$60,000 have been included in this review with \$40,000 relating to general maintenance works on RTA funded roads and \$20,000 for the preparation of a Street Tree Master Plan (refer to commentary provided under Administrative Services). There is no impact to the operating surplus, as funding is sourced from additional revenue.

An allocation has been included for bushland regeneration \$10,000, funding from section 94 contributions and for the provision of a shade structure at Peace Park \$8,400, funding from reserves.

#### Traffic, Enforcement and Lighting

Capital projects in relation to bus shelters from 2004/05 - \$167,000 has been carried forward to 2005/06, and is funded from unexpended grants. These works include bus shelters at Rous/Muller Rd – \$10,000, Bangalow Rd – \$10,000, Pleasant Street - \$63,000, Corner of Industry Drive & Rifle Range Road - \$35,000 and bus interchange - \$49,000. Works not completed in 2004/05 for Nimbin Security Cameras - \$20,000, have been brought forward and are funded from reserves. There is no impact on the operating surplus

#### Urban and Rural Roads

Capital programmes have been carried from 2004/05 - \$422,300, these projects include Kellas St/College St Cycleways - \$72,800, Wyrallah Road - \$250,000 and Diadem Street. These projects have been funded from reserves - \$372,400 and unexpended grants 2004/05 \$45,400.

Funding for the CBD Laneways project is incorrectly shown in the 2005/06 Budget as a transfer from reserve instead of unexpended loan funds. This review corrects this error between funding sources.

#### Rural Roads

Unexpended capital projects were carried forward from 2004/05 and are funded from reserves. Additional capital projects to be funded from reserves include Tuntable Creek Road - \$89,000, Cowlong Road - \$428,200 and Duncan Road - \$250,000.

#### RTA -Works

A schedule of works has been determined based on the latest advice from the RTA; changes have been made to the Management Plan to reflect the proposed programme. There is no impact on the operating surplus as additional income has been offset by additional expenditure.

#### Survey & Design

Unexpended capital projects from 2004/05 have been carried and are funded from reserves. The project relates to a Road Sustainability study - \$43,000.

#### Art Gallery

The Art Gallery has acquired a number of pieces of art works for display, these being funded from reserves - \$16,200.

#### Community Services

A transfer from reserves has been made to fund the updating and publication of the Lismore Book – \$25,000. This project has been carried forward from the 2004/05 Management Plan.

#### Information Services

The Record Information Management System (RIMS) capital project - \$430,500 included in the 2005/06 Management Plan is not expected to proceed in the 2005/06 year, the funding has been transferred back to reserves. There has been a reallocation from capital expenditure to operational expenditure in relation to the evaluation of the information system requirements - \$30,000.

#### Economic Development

Capital projects have been carried forward from 2004/05 in relation to the feasibility study of the provision of a free commuter bus - \$10,000; this has been funded from reserves and has not impacted on the operating surplus.

### Change in Net Assets

The 2005/06 Management Plan showed a surplus in the “Change in Net Assets” of \$4,269,321. This review has increased the Net Assets by \$525,900 to \$4,795,221.

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 2005/06 Budget has moved from a surplus of \$11,000 to a balanced budget.

The major items that have impacted the original surplus are additional revenue from FAGS – general, a reduction in the contribution to the NSW Fire Brigade, additional loan repayments and maintenance/licensing costs for the new telephone system, increased street lighting costs and the adjustment of operational budgets for the Lismore Memorial Baths.

In addition, a prudent transfer to reserve of \$115,000 is recommended to meet Council’s share of costs towards additional works included in the Lismore Levee Scheme on the basis that should a grant application be successful, Council can reassess the application of the funds at a future budget review.

Some fine-tuning has been undertaken to reflect accurate information now being available. This review has included the reinstatement of budgets for works carried forward from the previous financial year. These adjustments have had a nil impact on the operating surplus.

### Recommendation (GM06)

- 1 Council adopt the September 2005 Budget Review Statement for General, Water and Sewerage Funds.
- 2 This information be submitted to Council’s Auditor.

# Report

<b>Subject</b>	2004/05 Financial Reports
<b>File No</b>	S880
<b>Prepared by</b>	Principal Accountant
<b>Reason</b>	Legislative requirement - s416, Local Government Act 1993
<b>Objective</b>	To present the 2004/05 Financial Reports
<b>Strategic Plan Link</b>	Leadership by Innovation
<b>Management Plan Activity</b>	Financial Services

## Overview of Report

In accordance with the Local Government Act, 1993 and Local Government (General) Regulations 2005, the 2004/05 Financial Reports were advertised and submissions from the public invited. At the time of preparing this report, there had not been any submissions received.

The public has to November 15, 2005 to make a submission.

## Background

Council resolved at the October 11, 2005 meeting to, in part,

219/05      b) present the 2004/05 Financial Reports to the public at the November 8, 2005 Council meeting.

In accordance with the Local Government Act, 1993 and the Local Government (General) Regulations 2005, the 2004/05 Financial Reports were advertised and submissions from the public invited. At the time of preparing this report, there had not been any submissions received. Any submissions received will be faxed to Councillors.

It is important to note that the public has to November 15, 2005 to make a submission and Council is to ensure that copies of all submissions received by it are referred to the auditor and also take such action as it considers appropriate with respect to any such submission. If submissions are received after this meeting, a further report will be prepared for Council's December meeting, but based on the fact that historically no submissions have every been received on the financial reports, this is unlikely.

As the detailed 2004/05 Financial Reports were considered by Council at the previous meeting, the following summary of results is now presented.



Item	2004/05 (\$,000)	2003/04 (\$,000)
<b>Statement of Financial Performance</b>		
Total Revenues from Ordinary Activities	51,352	48,372
Total Expenses from Ordinary Activities	48,073	45,938
<b>Surplus/(Deficit) from Ordinary Activities</b>	<b>3,279</b>	<b>2,434</b>
Grants and Contributions provided for Capital Purposes	6,262	5,046
Outside Equity Interests/Corrections	0	0
<b>Surplus/(Deficit) from All Activities</b>	<b>9,541</b>	<b>11,080</b>
<b>Financial Position</b>		
Current Assets	32,676	34,632
Current Liabilities	7,916	7,895
Non Current Assets	432,426	416,158
Non Current Liabilities	20,614	15,864
<b>Total Equity</b>	<b>436,572</b>	<b>427,031</b>
<b>Other Financial Information</b>		
Current Ratio (expressed as a ratio)	4.13	4.39
Unrestricted Current Ratio (expressed as a ratio)	3.20	3.52
Debt Service Percentage (%)	5.14	3.61
Rate Coverage Percentage (%)	46.25	43.43
Rates and Annual Charges Outstanding Percentage (%)	8.45	8.47

### Other staff comments

Not required

### Public consultation

The financial reports in the prescribed format have been advertised in the Northern Rivers Echo for the editions dated October 20 and 27, and November 3, 2005 seeking public comment.

### Conclusion

In accordance with the Local Government Act, 1993 and Local Government (General) Regulations 2005, the 2004/05 Financial Reports were advertised and submissions from the public were invited.

At the time of preparing this report, no submission had been received.

### Recommendation (GM05)

That Council present to the public the 2004/05 Financial Reports.

# Report

<b>Subject</b>	October 2005 – Investments held by Council
<b>File No</b>	S178
<b>Prepared by</b>	Principal Accountant
<b>Reason</b>	Required under Clause 212 Local Government (General) Regulations 2005, Local Government Act 1993, and Council's Investment policy.
<b>Objective</b>	To report on Council Investments
<b>Strategic Plan Link</b>	Leadership by innovation
<b>Management Plan Activity</b>	Financial Services

## Overview of Report

Council investments as at 26th October 2005 total \$30,519,067 subject to the final value of funds held under Managed Funds being advised shortly.

Interest rates reported over the period of October 2005 are 6.17% in comparison to 6.08% for October 2004.

## Background

The Local Government Act 1993, Clause 212 Local Government (General) Regulations 2005 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 requirements of 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 is provided based on the investments held at the time of this report. The actual balance will be confirmed in the report to Council at the next ordinary meeting.

### Report on Investments

- *Confirmation of Investments – 30th September 2005* \$31,864,102

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

- *Estimate of Investments – 31st October 2005* \$30,519,068

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 October 2005 was 6.17% compared to 6.08% for the same period last year.

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

## Financial Services Comments

N/A

## 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 (General) Regulation 2005 and Council's investment policies.

## Recommendation

The report be received and noted

# Report

<b>Subject</b>	<b>Council Meetings and Public Contact Forums for 2006</b>
<b>File No</b>	S43
<b>Prepared by</b>	Administrative Services Manager
<b>Reason</b>	Council policy.
<b>Objective</b>	Determine schedule and meeting locations
<b>Strategic Plan Link</b>	Leadership by Innovation
<b>Management Plan Activity</b>	Corporate Management

## Overview of Report

Schedule of meetings and public contact forums for 2006 as required under Policy 1.2.7.

### 1 Council Meeting Schedule

Council has resolved that ordinary meetings will be held on the second Tuesday of each month. The first ordinary meeting of the year will be held on February 14, 2006.

### 2 Rural Meetings and Public Contact Forums

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

This year the two meetings in rural villages were held at The Channon in March and this meeting at Clunes.

All three public contact forums for 2005 – Wyrallah, Keerrong and Tullera – have been conducted, all with good attendance from local residents.

The following schedule of venues is suggested:

a) Council meetings:	March 14	Koonorigan
	November 14	Bexhill
b) Public contact forums:	March 20	Repentance Creek
	June 19	Tunable Creek
	September 18	South Gundurimba

### 3 City Contact Forums

Council has introduced the concept of city contact forums. Two are scheduled each year, with this year's being held at the Library meeting room and the Goonellabah RSL Sports Club.

Suggested meeting dates and locations are detailed below:

April 8	Italo Australia Club
July 17	Roy Waddell Community Centre

## Comments

Financial Services

Not requested.

## Other staff comments

Not required

## Public consultation

Council's policy of rural Council meetings and public contact forums is designed to increase opportunities for public consultation.

## Recommendation (GM01)

That the schedule of venues as outlined below be adopted.

1	Council meetings:	March 14 November 14	Koonorigan Bexhill
2	Public contact forums:	March 20 June 19 September 18	Repentance Creek Tuntable Creek South Gundurimba
3	City contact forums:	April 8 July 17	Italo Australia Club Roy Waddell Community Centre

# Report

<b>Subject</b>	Disclosure of Pecuniary Interest Returns 2004/05
<b>File No</b>	S18
<b>Prepared by</b>	Administrative Services Manager
<b>Reason</b>	Request by Department of Local Government
<b>Objective</b>	To meet the guideline requirements
<b>Strategic Plan Link</b>	Leadership by Innovation
<b>Management Plan Activity</b>	Administrative Services

## Overview of Report

Compliance with guidelines from Department of Local Government associated with the completion of Pecuniary Interest Returns.

## Background

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

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

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

## Comments

Financial Services

Not required.

## Other staff comments

Not required.

## Public consultation

Not required.

## Recommendation (GM02)

That the report be received and noted.

**MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING  
HELD ON OCTOBER 19, 2005, AT 10.00 AM.**

	<b>Present</b>	Councillors Merv King ( <i>Chairperson</i> ) and Jenny Dowell, Ms Bronwyn Mitchell ( <i>on behalf of Mr Thomas George, MP</i> ), Snr Const Steve Hilder ( <i>Lismore Police</i> ), together with Mrs Wendy Johnson ( <i>Road Safety Officer</i> ) and Bill MacDonald ( <i>Co-Ordinator-Traffic &amp; Law Enforcement</i> ).
	<b>In Attendance</b>	Mr Stan Wilson for Item B-05:10-1.
TAC79/05	<b>Apologies</b>	Apologies for non-attendance on behalf of Councillor John Hampton, Messrs Garry Hemsworth, John Daley, Thomas George MP, Michael Baldwin and Ms Liz Smith ( <i>RTA</i> ) were received and accepted and leave of absence granted.
TAC80/05	<b>Minutes</b>	The Committee noted that the minutes of the Traffic Advisory Committee Meeting held on September 21, 2005, were confirmed by Council on October 11, 2005, excluding Clause TAC75/05 ( <i>Molesworth Street – No Stopping Signs</i> ). Council resolved that this matter be received and noted. (R7322)

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**Disclosure of Interest**  
Nil

## Part 'A' – Committee Recommendations

### General Business

#### **Jazz Convention Street Parade – December 29, 2005**

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The Committee considered a request to hold a street parade in conjunction with the 60<sup>th</sup> Australian Jazz Convention celebrations, commencing and ending in Spinks Park. It was noted that the parade would be held on Thursday, December 29, 2005, and commence at Spinks Park at 9.00am, travelling along Molesworth Street to Woodlark Street and back along Molesworth Street to Spinks Park. A traffic management plan was also in place and considered adequate.

TAC81/05 **RECOMMENDED** that approval be granted for the Jazz Parade to proceed as outlined in the application. (S704)

## Part 'B' – Determined by Committee

### Correspondence / Reports

**S Wilson; seeking consideration be given to extending Zadoc Street from Dawson to Brewster Streets, to ease traffic congestion on Uralba and Leycester Streets and surrounding areas.**

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- B-05:10-1 Mr Wilson was present for this item and was welcomed by the Chairperson and invited to outline his proposal to the Committee. The proposal was for a new road to be constructed through the playing fields to link the western end of Laurel Avenue and the eastern end of Zadoc Street. The purpose would be to spread the traffic between Uralba and Leycester Streets and the new road. It was noted that there was a road reserve through the playing fields and that any road construction would require the relocation and splitting of the fields and the removal of the existing amenity block situated within the reserve. It was pointed out that whilst there was some merit in such a proposal, Council had recently engaged traffic consultants to review the overall traffic flow patterns affecting the CBD area and their recommendations were pending. Any additional road in the basin area would need to be considered as part of any city wide proposal. (05-10708:S352)

**Maranoa Centre for Assisted Living – Lismore; requesting that the parking area directly in front of its premises at Nos. 26-28 Dibbs Street, Lismore, be reviewed as rear-to-kerb parking would be preferred to provide additional parking spaces.**

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- B-05:10-2 The location was inspected and the road width in front of Maranoa was not sufficient to allow angle parking. It was noted that a considerable amount of parking was available opposite, at the junction of Dalziell Street, and this was well used. Discussions had been held with the writer and the situation explained; the Maranoa representative accepting that there is insufficient room to provide additional parking on the eastern side of Dibbs Street and they are prepared to keep using the area opposite. (05-11006:R6020)

**Ms H O'Brien; requesting the erection of additional signage for the roundabout at the intersection Ballina and Rous Roads, Goonellabah.**

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- B-05:10-3 Problems were still being experienced due to eastbound motorists on Ballina Road being unaware that both lanes exiting from Rous Road can be used for right-turn movements. A proposed sign that could be erected prior to the roundabout was tabled at the meeting and would be forwarded to the RTA for approval or consideration of some type of signage along the same lines. (05-10517:S346,R6408)



**Mrs H Laverick & Others; raising concerns about the speed at which motorists travel through the Dunoon Village.**

- B-05:10-4 The results of recent vehicle counts tabled at the meeting indicated that the 85<sup>th</sup> percentile speed through Dunoon was 62 kph, which remained unchanged since the previous survey undertaken in 2002. Whilst it was acknowledged that the signposted limit was 50 kph, speeds of around 60 kph did not indicate a significant speeding problem. This was a similar pattern to many urban streets in Lismore where the introduction of 50 kph had generally maintained speeds at around 60 kph, down from speeds much higher previously. Whilst neither volumes of pedestrians or vehicles indicate a warrant for a marked pedestrian crossing on James Street, further investigations would be made into whether or not there was any particular location that could be identified for the installation of a pedestrian refuge.  
(05-7614:S352)

## General Business

**Conway Street, Lismore – Loading Zone**

- B-05:10-5 R Giles had requested that consideration be given to installing a Loading Zone on Conway Street, between Carrington and Molesworth Streets, in the vicinity of the Lismore Post Office. The request was as a result of mainly carriers using the disabled parking bays for delivery purposes.  
It was noted that a Loading Zone already existed on Carrington Street, near the corner of Conway Street, and this was considered close enough for carriers servicing the area in question. Due to the parking layout on Conway Street, the introduction of an additional Loading Zone would result in a significant decrease in the number of parking spaces currently available. As the concern was raised with Thomas George's Office, Ms Mitchell undertook to identify if it was any particular carrier that was consistently using the disabled bays and report back. Council's Rangers would also maintain patrols along Conway Street to ensure compliance with current regulations.  
(R7307)

**Keen Street, Lismore – Excessive Traffic Speeds**

- B-05:10-6 Concern had been raised regarding excessive vehicle speeds along Keen Street in the vicinity of Albert Park Public School. Snr Const Hilder advised that Police Officers were aware of this location and had carried out patrols in the area resulting in a number of infringements being issued. It was pointed out that many of the offenders were from local car dealers who use Keen Street to road test vehicles. Further enforcement would also be carried out and car dealers would be spoken to if the problem persisted. It was also suggested that the speed trailer could be positioned on Keen Street.  
(R7313)

## Closure

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

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**Chairperson**

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**Co-ordinator -  
Traffic & Law Enforcement**

## Documents for Signing & Sealing

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

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

### Recommendation

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

**Deed of Agreement – Mt. Pleasant Estate Pty Ltd and Council**

Council to share cost of constructing the new Just Street sewer pump station in a ratio as to 65/150ths (43.3%) to Council and 85/150ths (56.7%) to Mt. Pleasant Estate Pty Ltd as per the approved development application.  
(D02/771)

**Deed of Agreement – Realignment of Blue Knob Road – Council and McEwan & McInnes**

Acquisition and disposal of sections of Blue Knob Road to facilitate realignment of roadway.  
(05-9717: R2001,P13740)

**Transfer Granting Easement – Council to Country Energy**

Easement for underground cable purposes 2m wide – Lot 20, DP 629445 – Clyde Campbell Carpark, 44 Keen Street, Lismore.  
(P20088)

## Section 356 Donations

- a) **Mayor's Discretionary Fund (GL2033.26)**  
 Budget: \$2,700 To date: \$210.00  
**Rosebank Public School** – State Final of Small Schools Soccer  
 On October 21, 2005  
 (05-1139: S164,P11996) \$50.00
- b) **City Hall Reductions in Rental – Policy 8.4.2 (GL2033.2)**  
 Budget: \$11,700 To date:\$1,692.99  
**Jehovah's Witnesses** – Bible lectures on October 30, 2005  
 (05-10966: P6816,S164)  
*In accordance with policy.* \$252.50
- Gospel Hall Church Group** – Conference  
 (05-11183: P6816,S164)  
*In accordance with policy.* \$350.50
- Lismore Musical Festival Society** – Eisteddfod – budget item 05/06 \$6,446.36
- c) **Council Contributions to Charitable Organisations**  
**Waste Facility – Policy 5.6.1 (GL2033.15)**  
 Budget: \$6,000 To date:\$4613.75  
**St Vincent De Paul Society** for the month of July / August 2005.  
*In accordance with policy.* \$209.10
- d) **Hardship Claim – Lismore Water – Policy 6.1.6 (GL8201.13)**  
 Budget: \$12,200 To date:\$2,458.53  
 JA & KM Derighetti  
*In accordance with policy.* \$778.41

## 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.

## Confidential Matters–Committee of the Whole

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

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

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

### Recommendation

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

<b>Item</b>	<b><i>Mayoral Minute – a) Performance Review 2004/05 – General Manager b) Draft performance Agreement – 2005/06</i></b>
<b>Grounds for Closure</b>	<b>Section 10A(2) (a):</b>
<b>Public Interest</b>	Discussion of this matter in an open meeting would on balance be contrary to the public interest because the contents of the report are of a personnel matter concerning a particular individual.

**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, OCTOBER 11, 2005 AT 6.00PM.**

- Present** Mayor, Councillor King; Councillors Chant, Crimmins, Dowell, Ekins, Graham, Hampton, Henry, Irwin, Meineke, Swientek and Tomlinson, together with the Acting General Manager (Lindsay Walker), Executive Director-Infrastructure Services, Manager-Finance & Administration, Acting Manager-Corporate & Community Relations, Administrative Services Manager and Team Leader-Administrative Support.
- 215/05 **Apologies/  
Leave of  
Absence** Leave of absence was approved for Councillor Hampton for Council meeting on November 8, 2005.  
(Councillors Irwin/Crimmins)
- 216/05 **Minutes** The minutes of the Ordinary Meeting held on September 13, 2005, were confirmed.  
(Councillors Dowell/Chant)

**Public Access Session**

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

**Darran Singh – Statutory Auditor’s Presentation**

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(See Minute No. 219/05)

Mr Singh, on behalf of Thomas Noble Russell Auditors, presented the 2004/05 Financial Reports to Council.

(S880)

**Andrew Morrissey re Rescission Motion - Woolworths Service Station**

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Mr Morrissey sought Council’s support to adopt the rescission motion. He claimed that noise and traffic issues remained major concerns.

(D05/534)

**Bob Ingram re Rescission Motion - Woolworths Service Station**

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Mr Ingram touched on the issues of traffic, noise, Section 94 levies and lighting.

(D05/534)

**Craig Chandler re Notice of Motion – Charter of Working Rights for Staff**

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Mr Chandler urged Council to remain within the State Award system, citing the benefits that had been achieved to date under this system.

(05-10486: S252)

**Richard Doggett re DA05/382 – Existing Rural Shed for Earthmoving Machinery and Equipment Storage and Depot – 51 Lockton Road**

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(See Minute No. 220/05)

Mr Doggett argued against the development, stressing issues with noise and traffic safety. He wished the shed to be soundproofed and access to be from Lockton Road.

(D05/382)

**Lloyd Marsh re DA05/382 - Existing Rural Shed for Earthmoving Machinery and Equipment Storage and Depot – 51 Lockton Road**

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(See Minute No. 220/05)

Mr Marsh spoke generally to the development and cited the problems he perceived if access was solely from Lockton Road.

(D05/382)

**Greg Boyer re Lismore Urban Strategy – Staged Release Options**

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(See Minute No. 221-222/05)

Mr Boyer advised he was part owner of one of the parcels of land within the Strategy. He spoke of the long process to reach this stage and supported the recommendation presented to Council. (S650)

**Mark Leek re Lismore Urban Strategy – Staged Release Options**

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(See Minute No. 221-222/05)

Mr Leek spoke on behalf of the North Lismore Plateau. He outlined work done to date and decried the lack of opportunity to test Council's costings, claiming there was a major disparity between Council's own original and updated costings. The implication of this disparity deemed the first stage of development on the North Lismore Plateau as uneconomical.

(S650)

**John Duffy – Construction Certificate and Inspection, Fees and Charges**

**2005/06**

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(See Minute No. 223/05)

Mr Duffy spoke to his submission against the proposed increase in fees. (S910)

## Disclosure of Interest

**S459**

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Councillor King declared an interest in Lismore Urban Strategy report (member of Show Society).

Councillor Chant declared an interest in Rescission Motion and Additional Roadworks Diadem Street report (owns land and buildings in Brewster and Diadem Street).

Councillor Henry declared an interest in Rescission Motion (owner and operator of a service station).

## Notice of Rescission Motion

**DA05/534 – Woolworths Service Station**

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**S459**

Councillors Chant and Henry left the Chamber during discussion and determination of this matter.

Formal notice having been given by Councillors Swientek, Ekins and Dowell it was MOVED that Council rescind resolution 191/05 – DA05/534 for Woolworths Service Station.

(Councillors Swientek/Dowell)

On submission to the meeting the AMENDMENT was DEFEATED.

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

(D05/534)

## Notice of Motions

### **Reduction of Numbers of Elected Councillors**

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

- 1 That at the November meeting of Council the following motion be decided:  
*“The Council apply to the Minister for Local Government to reduce the number of elected councillors on Lismore City Council from the current number of 12 to nine.”*
- 2 That this proposed motion be put on display for 21 days prior to the November meeting as required by the Local Government Act.
- 3 That the public be invited to make submissions.  
(Councillors Tomlinson/Dowell)

On submission to the meeting the MOTION was DEFEATED.

**Voting Against:** Councillors Ekins, Swientek, King, Chant, Crimmins, Graham, Hampton, Henry and Meineke. (05-10399: S44,S43)

### **Feasibility of Phasing in LPG Dual Fuel for Staff Vehicles**

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217/05

Formal notice having been given by Councillor Swientek it was **RESOLVED** that Council prepare a report for the December meeting exploring the feasibility of phasing in the purchase of LPG dual fuel for staff vehicles.  
(Councillors Swientek/Irwin)

**Voting Against:** Councillors Hampton, Crimmins, Graham, Henry and Meineke.  
(05-10486: S624)

### **Charter of Working Rights for Staff**

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

- 1 That Lismore City Council sign a charter of working rights committed to the following principles:
  - a) Not to support plans to take away the basic rights of its workers.
  - b) Not to use the Government’s proposed laws to reduce wages or working conditions.
  - c) Negotiate collectively with workers and unions and not to force employees onto individual contracts.
  - d) Give unions continued access to the workplace.
- 2 That Council publish this commitment to all its staff and to neighbouring local governments.  
(Councillors Swientek/Dowell)

On submission to the meeting the MOTION was DEFEATED.

**Voting Against:** Councillors Crimmins, King, Chant, Graham, Hampton, Henry and Meineke. (05-10486: S252)

### **Infrastructure to Integrate Lismore Square and CBD**

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Formal notice having been given by Councillor Swientek it was MOVED that Council staff prepare a report to Council showing road, traffic and pedestrian infrastructure improvements that will facilitate the integration of the two nodes of Lismore’s CBD, the Block and the Lismore Square.  
(Councillors Swientek/King)

On submission to the meeting the MOTION was DEFEATED.



**Voting Against:** Councillors Irwin, Tomlinson, Ekins, Dowell, Chant, Crimmins, Graham, Hampton, Henry and Meineke. (05-10538: S73)

## Altering Order of Business

218/05 **RESOLVED** that the order of business be altered to debate the following matters raised during public Access:

- 2004/05 Financial Reports
  - DA05/382 – to use Existing Rural Shed for Earthmoving Machinery and Equipment Storage and Depot – 51 Lockton Road
  - Lismore Urban Strategy – Staged Release Options
  - Construction Certificate and Inspection, Fees and Charges Review 2005/06
- (Councillors Irwin/Tomlinson)

## Reports

### 2004/05 Financial Reports

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219/05 **RESOLVED** that the report be received and Council –

- 1 Adopt the 2004/05 Financial Reports and ‘Statement by Councillors and Management’ for both the General Purpose Financial Reports and Special Purpose Financial Reports, with the Mayor and Deputy Mayor delegated to sign on behalf of Council.
- 2 Present the 2004/05 Financial Reports to the public at the November 8, 2005 Council meeting.
- 3 Advertise the presentation of the 2004/05 Financial Reports to the public from October 27, 2005 and invite both inspection and submission.

(Councillors Irwin/Tomlinson) (S880)

### DA No. 2005/382 to use Existing Rural Shed for Earthmoving Machinery and Equipment Storage and Depot – 51 Lockton Road

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220/05 **RESOLVED** that the report be received and -

**A** That Council grant delegated authority to the General Manager - subject to the concurrence of the Development Assessment Panel, to approve variations of a minor nature and/or arithmetic nature to conditions of consent applied to this application except where a particular condition has been specifically identified as requiring Council consent if it is to be varied.

**B** That Council, as the consent authority, approve Development Application 05/382 for the use of existing rural shed for earthmoving machinery and equipment storage.

- 1 In granting this development consent, Council requires:
  - All proposed buildings be constructed in accordance with any amendment or modification outlined in these conditions
  - All proposed works be carried out in accordance with any amendment or modification outlined in these conditions
  - Any proposed use of buildings or land be in accordance with any amendment or modification outlined in these conditionsand be substantially in accordance with the stamped approved plan(s) No. 342 dated October 2003 and/or supporting documents submitted with the application. A copy/copies of the approved plan is/are attached to this consent.

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

#### **BUILDING**

- 2 Provide portable fire extinguisher/s, suitable to address the relevant risk, in accordance with AS2444. FS5

**Reason:** *Required by Clause E1.6 Building Code of Australia.*



- 3 Doors forming exits, paths of travel to exits and parts of exits must comply with the relevant provisions of Clause D2.19, D2.20 and D2.21, Building Code of Australia in respect of the type of door, direction of swing and method of latching. E6  
**Reason:** Required by Section D of the Building Code of Australia.
- 4 That the essential fire or other safety measures listed in the attached schedule be installed in the building and are to be designed, installed and maintained in accordance with the relevant provisions of the Building Code of Australia or in accordance with such other standard as is specified in the attached schedule. ES1  
**Reason:** Required by Clause 170 of the Environmental Planning and Assessment Regulation 2000.
- 5 That prior to the occupation of the building, the owner shall cause the Council to be furnished with a final fire safety certificate from a competent person in respect of each essential fire service or other safety measures. Such assessment must be carried out within the period of 3 months prior to the date on which the final safety certificate is issued. ES2  
**Reason:** Required by Clause 80E of the Environmental Planning and Assessment Regulation 1998.
- 6 As soon as practicable after a final fire safety certificate is issued, the owner of the building to which it relates:
- (a) must cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of New South Wales Fire Brigades; and
  - (b) must cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building. ES3

**Reason:** Required by Clause 172 of the Environmental Planning and Assessment Regulation 2000.

**SCHEDULE OF ESSENTIAL FIRE OR OTHER SAFETY MEASURES**  
**DEVELOPMENT APPLICATION NO. 2005/382**

Essential Fire or Other Safety Measures	Design Standard	Installation Standard	Maintenance Standard
Portable Fire Extinguishers	AS1841 Portable Fire Extinguishers - Water Type AS1841.3 Portable Fire Extinguishers - Wet Chemical Type AS1841.4 Portable Fire Extinguishers - Foam Type AS1841.5 Portable Fire Extinguishers - Powder Type As1841.6 Portable Fire Extinguishers - Carbon Dioxide Type AS 1841.7 Portable Fire Extinguishers - Vaporising Liquid Type	AS 2444	AS 1851.1 - Maintenance of Fire Protection Equipment - Portable Fire Extinguishers.
Exit door, operation of latches	BCA Clause D2.21	BCA Clause D2.21	Maintained so as to conform to the original design and to perform at the level of the original installation.

**DRAINAGE**

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

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

All disturbed areas shall be stabilised and revegetated. Turfing or another approved seeding method shall be undertaken in each part of the development within 14 days of completion of earthworks. Topsoil shall be preserved for site revegetation. Appropriate signage shall be erected on-site identifying the requirement for the maintenance of these measures. Details of sediment control measures, revegetation works and signage shall be submitted to Council for approval prior to commencement of works.

**DG3**

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

**ROADS**

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

- A) Construction of Browning Road to a 7m gravel pavement on a 9m wide formation with a minimum gravel depth of 300mm, from the intersection with Lockton Road to the existing right of way servicing the proposed development.
- B) Construction of an intersection layout at the junction of Browning Rd and Lockton Road in accordance with AUSTRROADS Pt 5 "Intersections at Grade" giving particular attention to sight distance and a desirable simple left turn treatment.

Prior to occupation, the applicant shall obtain a compliance certificate for the above works from Council. To obtain this compliance certificate a practising qualified surveyor or engineer shall submit to Council for approval, a "works-as-executed" set of plans and construction certification. The certification shall detail satisfactory completion of all roads, drainage and civil works required by this development consent and approved design plans. RD1

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

- 9 Full design plans of the proposed engineering works to satisfy conditions 7 and 8, shall be submitted to and approved by Council prior to commencement of construction. Such plans shall be accompanied by the fee, as adopted at the time of the relevant payment as indicated in Council's Fees and Charges. **RD2**

**Reason:** *To ensure an adequate road network in accordance with adopted standards. (EPA Act Sec 79C(a)) and to identify approved works in accordance with section 138 of the Roads Act*

- 10 The proponent shall provide a plan of management for the construction of all civil works outside the real property boundaries of the proposed development. The plan shall table scheduling of works so as to be completed in the shortest possible time with minimal impact on the general community. Such plan shall include a Traffic Control Plan prepared by an RTA accredited person. This plan of management shall be lodged with Council prior to the commencement of works. All works shall comply with the Occupation Health and Safety Act. **RD6**

**Reason:** *To ensure no conflict occurs between civil works and general public during construction.*

**VEHICULAR ACCESS**

- 11 Driveways, access aisles and parking areas shall be provided with a dust free or other approved surface. Such a surface shall be on a suitable pavement, constructed and maintained in accordance with Council's Development, Design and Construction Manuals (as amended). VA2  
**Reason:** *To provide adequate off street parking space for the anticipated traffic that will be generated by the development. (EPA Act Sec 79C(a))*
- 12 All loading and unloading shall take place within the property boundaries, including the parking of construction and private vehicles associated with the development. VA3  
**Reason:** *To provide adequate off street parking space for the anticipated traffic that will be generated by the development. (EPA Act Sec 79C(a))*
- 13 Vehicular access from the road pavement to the development shall be provided by the construction of a crossing, in accordance with the Council's Design and Construction Specification for Vehicular Access. VA4  
**Reason:** *To ensure adequate access to and from the development. (EPA Act Sec 79C(c))*
- 14 An all weather vehicular access shall be constructed and maintained from Browning Road to the proposed machinery shed in accordance with Council's Design and Construction Specification for Vehicular Access. VA5  
**Reason:** *To ensure adequate access to and from the development. (EPA Act Sec 79C(c))*

#### **PLANNING**

- 15 The northern and southern perimeter sides of the shed (including the apron area on the south side) to be planted with fast growing screen trees (2m at planting), within 40 days of the date of this consent. All trees to be maintained until properly established, and any dead or dying trees to be replaced.

A detailed landscaping plan (in duplicate) shall be submitted to the Principal Certifying Authority and approved prior to release of the Occupation Certificate. Landscaping plans shall be in accordance with Council's Landscaping Code and relevant Development Control Plans. Species identified in Council's Landscaping Code shall be planted wherever possible. Landscaping plans shall indicate:

- proposed location for planted shrubs and trees
- botanical name of shrubs and trees to be planted
- mature height of trees to be planted
- location of paved areas

Principal Certifying Authority approved landscaping shall be completed prior to the release of the Interim Occupation Certificate and maintained at all times to the satisfaction of Council. Trees identified for retention in the Development Application plans shall not be removed without separate Council approval. LN1

- Reason:** *To ensure that appropriate landscaping is provided. (EPA Act Sec 79C(c))*
- 16 Operating hours of the business to be strictly between 7.00 am to 7.00 pm, Monday to Friday and 8.00am to 1.00pm Saturdays. No works or transporting of machinery, trucks or equipment to take place outside those hours. **AM1**  
**Reason:** *To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))*
- 17 Only machinery and equipment owned by the applicant to use the site, which are 3 prime movers, 2 tip trucks, one dozer, two excavators, 1 grader, 1 4WD vehicle and necessary floats to transport these machines.  
**Reason:** *To ensure that no additional machinery outside the specific business also uses the facility.*
- 18 Employees of the business, other than the owner and the owner's family, shall not carry out any works on the site in respect of the equipment, subject of this application, at any time.  
**Reason:** *To restrict the operation to owner operated business only.*

- 19 Truck/vehicle speed limit on Browning Road and right-of-carriageway through Lot 31, DP 618958 not to exceed 30kph at any time.  
**Reason:** *To ensure traffic safety and safety of animals.*
- 20 Installation of "Trucks Entering" signage on Lockton Road at both approaches to the Browning Road intersection.  
**Reason:** *To assist with traffic safety on Lockton Road.*
- 21 Completion of the southern side wall of the existing shed by the installation of the doors to the current openings.  
**Reason:** *To ensure completion of shed and to improve visual impacts from properties to the south of the site.*

#### **ENVIRONMENTAL HEALTH**

- 22 An impermeable bunded area shall be provided to contain oils and other possible pollutants. The bunded area shall have a holding capacity of 110% of the largest container.  
**Reason:** *To protect the environment.*
- 23 The use and occupation of the premises must not give rise to offensive noise as defined by the Protection of the Environment Operations Act (1997) and the EPA Industrial Noise policy.  
**Reason:** *To preserve the amenity of the area.*
- 24 The premises is not to be used for the repair and maintenance of machinery and equipment apart from minor works that do not impact on the amenity or environment of the area due to the generation of noise and waste.  
**Reason:** *To protect the environment and amenity of the area.*
- 25 Payment of contributions levied under Section 94 of the Environmental Planning and Assessment Act and Lismore Contributions Plan 1999 (as amended) are required. Such levies shall contribute towards the provision of public services and/or amenities identified in the attached schedule. Such levies shall be calculated at the rate(s) in effect on the date the **Occupation Certificate is granted**. The rates and amounts applying at the date of this notice, totalling **\$4,763**, are set out in the schedule for your information. Where the total contribution payable exceeds \$20,000 payment to Council must be by bank cheque or cash. Personal cheques are not acceptable. All contributions, bonds etc. shall be paid prior to the **Occupation Certificate being granted**.  
Should levies set out in the attached schedule not be paid within twelve (12) months of the date of this consent, the rates shall be increased in accordance with the listing of rates applicable for the financial year in which payment is made. This listing of rates reflects the adjustment made for the Consumer Price Index (CPI) on an annual basis. The contributions set out in the schedule are exclusive of any GST (if any) and where the provision of any services or the construction of any infrastructure or any other thing with those contributions occurs, then in addition to the amount specified above the Applicant will pay to the Council the GST (as defined below) which is payable by the Council in respect of the provision of such services or construction of any infrastructure or any other thing.  
If the contributions set out in the schedule, or part thereof, are to be met by the dedication of land or other approved Material Public Benefit, then the Applicant will pay to Council the GST (defined below) applicable to the value of land dedicated or (Material Public Benefit) which is payable by the Council in respect of the provision of such services or construction of any infrastructure or any other thing.  
GST means any tax levy charge or impost under the authority of any GST Law (as defined by the GST Act) and includes GST within the meaning of the GST Act.  
The GST Act means A New Tax System (Goods and Services Tax) Act 1999 or any amending or succeeding legislation. **SL1**  
**Reason:** *To provide funds for the provision of services and facilities identified in Lismore City Council's Section 94 Contributions Plan dated July 1999 as required by the increased population or activity. (EPA Act Sec 94)*

(Councillors Irwin/Hampton)

**Voting Against:** Councillors Ekins and Dowell.  
(D05/382)

### **Lismore Urban Strategy – Staged Release Options**

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#### **S459**

Councillor King left the Chamber during discussion and determination of this matter.  
The Deputy Mayor took chair.

A MOTION WAS MOVED that Council defer consideration of this matter to the December meeting and in the interim another workshop be held.

(Councillors Irwin/Henry)

AN AMENDMENT WAS MOVED that the report be received and Council–

- 1 Amend the Lismore Urban Strategy to incorporate a staged release programme spread over three potential release areas with the number of lots allocated on the following basis:

Trinity Drive	175 lots
Invercauld Road	65 lots
Tucki Creek/Chilcotts Grass	130 lots

- 2 Forward the amended Strategy to the Department of Planning for its agreement pursuant to clause 38 of the North Coast Regional Environmental Plan.

(Councillors Hampton/Graham)

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

**Voting Against:** Councillors Irwin, Tomlinson, Ekins, Dowell and Henry.

221/05 **RESOLVED** that the report be received and Council –

- 1 Amend the Lismore Urban Strategy to incorporate a staged release programme spread over three potential release areas with the number of lots allocated on the following basis:

Trinity Drive	175 lots
Invercauld Road	65 lots
Tucki Creek/Chilcotts Grass	130 lots

- 2 Forward the amended Strategy to the Department of Planning for its agreement pursuant to clause 38 of the North Coast Regional Environmental Plan.

(Councillors Hampton/Graham)

**Voting Against:** Councillors Irwin, Tomlinson, Ekins, Dowell and Henry.

222/05 **RESOLVED** that Council staff receive the information from ACM Landmark and analyse this information providing Councillors with a response within 2 weeks.

(Councillors Irwin/Swientek) (S650)

### **Construction Certificate and Inspection, Fees and Charges Review 2005/06**

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A MOTION WAS MOVED that the report be received and Council's fees and charges for the issuing of Construction Certificates remain at the current level.

(Councillors Irwin/Tomlinson)

On submission to the meeting the MOTION was DEFEATED.

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

- 223/05 **RESOLVED** that the report be received and Council's fees and charges for the issuing of Construction Certificates are increased by 25% from Monday, October 17, 2005.  
(Councillors Henry/Graham)  
**Voting Against:** Councillors Irwin, Tomlinson, Ekins, Dowell and Swientek.  
(S910)

### **Draft Lismore Regional City Plan**

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- 224/05 **RESOLVED** that the report be received and Council adopt the Regional City Plan as exhibited, but incorporating the following amendments:
- 1 Replace the term "road" with the term "transport" where applicable throughout the Plan.
  - 2 Make reference to the village concept for the design of new commercial areas in proposed release areas and particularly for North Lismore.
  - 3 Show the location of the rail line on Maps 4, 8 and 10 of the Plan.
  - 4 Update the graphics for the Lismore Cultural Precinct to include the latest perspective prepared by EDAW Gillespies.
  - 5 That in the forthcoming Public Transport workshop the concept of a pedestrian bridge linking the CBD and South Lismore and the concept of the urban village be investigated for possible future incorporation into the Regional City Plan.
  - 6 Include notification of the laneways revitalisation project in the section relating to the CBD.
  - 7 The following words be inserted at the end of the fifth paragraph on Page 3 of the Regional City Plan document to reflect habitat value.. *"Council has identified areas within the city that have significant habitat value, including those areas that are important to the long term survival of flora and fauna. Future urban development has been specifically excluded from such sites, identified as having high habitat value".*
- (Councillors Tomlinson/Dowell)  
(S4)

### **Request for Financial Assistance – South Lismore Soccer Club Inc.**

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- 225/05 **RESOLVED** that the report be received and Council allocate \$15,000 to the South Lismore Soccer Club Incorporated to upgrade lighting at the Caniaba Street Reserve to be funded from the Urban Sportsgrounds Development Fund.  
(Councillors Swientek/Hampton)  
(05-8715: S164)

### **The Channon Children's Centre**

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- 226/05 **RESOLVED** that the report be received and Council support any application made by The Channon Children's Centre to the Department of Lands for the possible acquisition of the land upon which the Centre is built. Should The Channon Children's Centre not be successful in acquiring the property, a further report be prepared looking at all Council leases to community based organisations where they are also paying rates.  
(Councillors Dowell/Irwin)  
(P13287)

### **Additional Roadworks – Diadem Street, Lismore (between proposed service station and Magellan Street)**

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#### **S459**

Councillor Chant left the Chamber during discussion and determination of this matter.

A MOTION WAS MOVED that the report be received and Council not proceed with additional roadworks in Diadem Street.  
(Councillors Irwin/Swientek)

On submission to the meeting the MOTION was DEFEATED.

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

227/05 **RESOLVED** that the report be received and Council approve additional roadworks in Diadem Street, between the proposed service station and Magellan Street, to the value of \$95,000. (Councillors Hampton/Graham)

**Voting Against:** Councillors Irwin, Tomlinson, Ekins, Dowell and Swientek. (R6019)

### **Supply, Installation, Training and Annual Maintenance of a Telephone System**

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228/05 **RESOLVED** that the report be received and –

- 1 The contract for the supply, installation, training and annual maintenance for a telephone system be awarded to VoIP Pty Ltd for the amount of \$214,469.00 + GST, (the final cost may be subject to variation when the actual number and type of handsets purchased under the contract is negotiated) including an annual maintenance contract of \$16,450.00 per annum for five (5) years.
- 2 The Mayor and General Manager be authorised to execute the Contract on Council's behalf and attach the common seal.

(Councillors Irwin/Hampton)

(T25016)

**Voting Against:** Councillors Swientek.

### **2004/05 Reserves (Internally Restricted Assets)**

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229/05 **RESOLVED** that the report be received and Council –

- 1 Adopt the cash reserve balances for June 30, 2005 of \$19,727,808 as detailed on Attachment A.
- 2 Amend Policy 1.5.10 - Reserves (Internally Restricted Assets) be amended to reflect that proposed on Attachment C.

(Councillors Swientek/Crimmins) (S880)

### **Goods and Services Tax – Council Compliance Requirements**

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230/05 **RESOLVED** that the report be received and Council submit a certified statement of compliance to the Department of Local Government in regards to the payment of voluntary GST for July 1, 2004 to June 30, 2005 signed by the Mayor and Deputy Mayor.

(Councillors Dowell/Crimmins) (S210)

### **Policy Advisory Groups – Vacancies**

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231/05 **RESOLVED** that the report be received and Council make the following appointments to its PAGs:

- 1 **Community Services**

1 representative multicultural community	Harumi Hayashi
1 representative villages	Susan Stock
1 representative older persons	Maggie Ritchie
1 representative business community	Amber Hall
1 representative SCU Centre for Children and Young People	Anne Graham
- 2 **Economic Development**

1 representative agricultural industries	Brad Granzin
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- 3 The older persons/people with disability position be separated into 2 appointments on the Community Services PAG and the Access Committee be requested to nominate a person with disability to this PAG.
- 4 The vacancy for an indigenous person on the Arts and Culture PAG be circulated through aboriginal networks.

- 5 The vacancy on the Roads PAG be advertised in the Clunes local newspaper.  
6 Coralie Gardiner be thanked for her nomination and advised it was unsuccessful.  
(Councillors Dowell/Graham)  
(S36)

### **Councillors' Expenses and Provision of Facilities Policy**

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- 232/05 **RESOLVED** that the report be received and Council re-adopt its current policy "Payment of Expenses and Provision of Facilities".  
(Councillors Hampton/Chant)  
(S38)

### **September 2005 – Investments held by Council**

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- 233/05 **RESOLVED** that the report be received and noted.  
(Councillors Swientek/Dowell)  
(S178)

## **Committee Recommendations**

### **Traffic Advisory Committee 21/9/05**

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- 234/05 **RESOLVED** that the minutes be received and adopted and the recommendations contained therein be adopted, excluding Clause TAC75/05.  
(Councillors Swientek/Irwin)

### **Clause TAC75/05 – Molesworth Street – No Stopping Signs**

- 235/05 **RESOLVED** that this matter be received and noted.  
(Councillors Irwin/Dowell) (R7322)  
(S352)

### **Strategic Plan Steering Committee 4/10/05**

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- 236/05 **RESOLVED** that the minutes be received and adopted and the recommendations contained therein be adopted excluding Item A and report Urban Sportsground Capital Improvement Program.  
(Councillors Graham/Dowell)

### **Item A**

- 237/05 **RESOLVED** that Item A be amended to read....  
*A Items brought forward at the PAG meeting as other relevant issues can be debated by the PAGs on the night of their arising subject to the discretion of the Chair.*  
(Councillors Irwin/Tomlinson)

### **Report 2 – Urban Sportsground Capital Improvement Program**

- 238/05 **RESOLVED** that -  
1 Council upgrade the Oakes Oval canteen (estimated cost of \$92,700) and further report on amending fees and charges for hiring and develop a maintenance program for the usage of said canteen.  
2 Council topdress and fertilise Hepburn Park and find a source for the cost (\$24,000) from a suitable fund.  
(Councillors Swientek/Chant)  
(S4)

## **Section 356 Donations**



239/05 **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.

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

*Budget: \$1,100 To date: \$328.00*

**Joel Parrey** – representing Australia at Junior World Karate Titles in Cyprus in November and training camps prior to Titles in Europe.

(05-9912: S164)

*In accordance with policy.*

\$328.00

**Tasman Wales** – representing Australia at Junior World Karate Titles in Cyprus in November and training camps prior to Titles in Europe.

(05-10035: S164)

*In accordance with policy.*

\$328.00

**b) Development and Construction Certificate Application Fees Subsidy – Policy 1.4.10 (GL2033.7)**

*Budget: \$300 To date: \$47.40*

**South Lismore Soccer Club** – application fees for lighting at main field.

*In accordance with policy.*

\$137.10

**c) Hardship Claim – Lismore Water - Policy 6.1.6. (GL8201.13)**

*Budget: \$12,200 To date: \$1,681.44*

**LM Darragh** – 7 Star Avenue, Goonellabah

*In accordance with policy.*

\$233.97

**J Hemphill & M Allerton** – 72 College Street, Lismore

*In accordance with policy.*

\$543.12

**d) (i) Donations to Hall – Insurance & Maintenance – Policy 1.4.11 (GL2033.28)**

*Budget: \$29,000 To date: \$29,000*

**i) Hall & Others – Rates, Water & Sewerage – Policy 1.4.11 (GL2033.1)**

*Budget: \$11,200 To date: \$13,232.36*

Council each year makes a donation of 100% of general rates levied on rural halls and a donation of \$1,000 for the purpose of insurance and hall maintenance.

	<b>Insurance/ Hall M &amp; R</b>	<b>Rates</b>
	<b>\$</b>	<b>\$</b>
1 Bexhill School of Arts	1,000	
2 Blue Knob Public Hall	1,000	437.68
3 Caniaba –Springgrove Community Hall	1,000	712.22
4 Clunes Public Hall	1,000	897.86
5 Coffee Camp Public Hall	1,000	485.58
6 Corndale Hall	1,000	479.44
7 Dorroughby/Glenview Centre	1,000	
8 Dungarubba Memorial Hall	1,000	
9 Dunoon Hall	1,000	
10 Eltham Public Hall	1,000	489.27
11 Goolmangar School of Arts	1,000	638.52
12 Jiggi School of Arts	1,000	583.24

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13 Keerrong Public Hall	1,000	583.24
14 Koonorigan Hall	1,000	541.48
15 Marom Creek Hall	1,000	473.91
16 Nimbin School of Arts	1,000	1,432.70
17 Numulgi Public Hall	1,000	607.81
18 Repentance Creek Hall	1,000	541.48
19 Rock Valley Public Hall	1,000	497.25
20 Rosebank Public Hall	1,000	678.44
21 Roy Waddell Community Centre	1,000	
22 Ruthven Public Hall	1,000	396.53
23 South Gundurimba Hall	1,000	311.15
24 The Channon Hall	1,000	
25 Tregeagle Hall	1,000	
26 Tullera Public Hall	1,000	678.44
27 Tuntable Creek Hall	1,000	
28 Whian Whian Public Hall	1,000	<u>595.53</u>
29 Wyrallah Hall Association	<u>1,000</u>	
	\$29,000	\$12,061.77

**e) Donations to Charitable Organisations – Policy 1.4.14**

Council each year makes a donation to the following:

**GL2033.25**

*Budget: \$2,000 To date: \$0*  
Friends of the Koala \$2,000.00

**GL2033.19**

*Budget: \$4,300 To date: \$0*  
North Coast Academy of Sport \$4,300.00

**GL2033.21**

*Budget: \$700 To date: \$700*  
Richmond River Historical Society \$700.00

**GL2033.32**

*Budget: \$2,000 To date: \$0*  
Clunes Old School Association (COSA) \$2,000.00

**GL2033.1**

*Budget: \$11,200 To date: \$13,232.36*

1	Nimbin A & I Society - 50% fixed water service charge and 50% of sewerage charges.	178.00 <u>354.40</u>	\$532.40
2	PCYC – 50% of fixed water service charge and 100% of sewerage charge	200.00 <u>443.00</u>	\$643.00
3	Nimbin Headers Sports Club Inc. – 50% of general rates 50% of sewerage charge and 50% of the fixed water service charge	290.09 216.00 <u>50.00</u>	\$556.09

**f) Contributions to Rural Fire Brigades (GL2305.2)**

Council each year makes a donation to Rural Fire Brigades in its area.

*Budget: \$5,000 To date: \$5,040*

Council Minutes  
October 11, 2005

1	Clunes	280.00	
2	Nimbin	280.00	
3	Lower River	280.00	
4	Goolmangar	280.00	
5	Dunoon	280.00	
6	Bentley	280.00	
7	Tuncester	280.00	
8	Stony Chute	280.00	
9	Larnook	280.00	
10	Boatharbour	280.00	
11	Alphadale	280.00	
12	Jiggi Valley	280.00	
13	Rosebank	280.00	
14	Tullera	280.00	
15	Caniaba	280.00	
16	Blue Knob	280.00	
17	Wyrallah	280.00	
18	The Channon	<u>280.00</u>	\$5,040

**g) Miscellaneous Donation (GL2033.35)**

Budget: \$1,000 To date: \$1,000  
Link TV \$1,000.00

**h) Council Contributions to Charitable Organisations – Waste Facility**

**Policy: 5.6.1 (2033.15)**

Budget: \$6000.00 To date: \$1177.15

1	Challenge Foundation	84.00	
2	Five Loaves	36.36	
3	Friends of the Koala	18.18	
4	LifeLine	110.00	
5	St Vincent De Paul Society	16.36	
6	Salvation Army	110.00	
7	Westpac Life Saver Rescue Helicopter	<u>9.09</u>	\$383.99

**i) Mayor's Discretionary Fund (GL2033.26)**

Budget: \$2,700 To date: \$160.00

Hannah Britton – profoundly deaf swimmer attending NSW School Pacific Games in Melbourne from November 26 to December 4, 2005.  
(05-10711: S164)  
\$50.00

**j) Council's Surplus Computers**

*Funded from 2004/05 Information Services operating budget.*

*14 applications were received from charitable organisations and considered eligible*

- 1 Nimbin Neighbourhood & Info Centre Inc
- 2 Lismore Theatre Company
- 3 Far North Coast Softball Association
- 4 Cornerstone Ministry Centre
- 5 Police Community Youth Club (Lismore PCYC)
- 6 St Andrew's Anglican Church Parish of Lismore
- 7 Ruthven Hall Committee Inc
- 8 Northern Rivers Laryngectomy Association
- 9 Lismore Gem and Lapidary Club Inc

- 10 Lismore Women's and Children's Refuge
- 11 Crossroads – Lismore
- 12 Men and Family Centre
- 13 We Care For Services Inc.
- 14 Lismore Arts Council Inc.  
*14 computers @ \$312*  
(Councillors Irwin/Graham)

\$4,368.00

## Closure

This concluded the business and the meeting terminated at 10.35 pm.

CONFIRMED this 8<sup>th</sup> day of November, 2005 at which meeting the signature herein was subscribed.

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**MAYOR**

