

Ordinary Meeting

An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on **April 10, 2007 at 6.00pm** and members of Council are requested to attend.

Paul G. O'Sullivan
General Manager

April 3, 2007



Agenda

Opening of Meeting and Prayer (Mayor)

Apologies and Leave of Absence

Confirmation of Minutes

Ordinary Meeting March 13, 2007

Extraordinary Meeting March 27, 2007

Extraordinary Meeting April 3, 2007 (to be tabled)

Disclosure of Interest

Public Access Session

Karl Sprogis – Cities for Climate Protection

Keelin Turner – Cities for Climate Protection

Public Question Time

Condolences

Mayoral Minutes

Notice of Rescission Motions

Notice of Motions

Altering Order of Business

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

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Financial Assistance - Section 356

Questions Without Notice

Confidential Matters - Committee of the Whole

Strategic Plan Summary

Lismore regional city

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

Notice of Motion

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

That Council's car park on the corners of Leycester, Orion and Dawson Streets be named the Bob Gates Car Park

Councillor Irwin

Staff Comment

Comment ED-IS

Reference is made to Council's Policy No. 8.9.1 "Naming of Public Places". The policy states names should be considered in accordance with several guidelines including a persons relevance to the history of the site.

Comment ED-DG

Although the policy states that proposed names be placed on public exhibition for 30 days prior to a name being adopted by Council it would, in this case, be appropriate and courteous for comment from the Gates family to be sought prior to Council considering the Notice of Motion.



POLICY MANUAL

POLICY NO: 8.9.1	NAMING OF PUBLIC PLACES
OBJECTIVE:	To ensure public places are named appropriately.
STRATEGIC PLAN LINK:	Quality of Life/Leadership by Innovation
PROGRAM:	Roads and Parks
AUTHORISED: 15/12/98	REVIEWED:

The Council Group involved in the development of a public site or facility within the City area of Lismore should refer the naming to the appropriate Policy Advisory Groups. Where the public site or facility is located in the villages or the rural area, an appropriate level of community consultation should be undertaken with those communities to determine proposed names.

Proposed names should be considered in accordance with the following guidelines:

- 1 The characteristics of the locality (e.g. Hilltop Park, Riverside Car Park).
- 2 A person relevant to the history of the locality (e.g. Wilson Park).
- 3 An historic moment, building or site relevant to the locality (e.g. Riviera Car Park, Flood Park, Big Scrub Community Hall).
- 4 Appropriate aboriginal words or names in consultation with the aboriginal community.
- 5 Names which follow a theme (e.g. Cedar Lookout, Cedar Park).
- 6 In order to prevent confusion/duplication, existing and like names in the area should be taken into consideration.

Any proposed naming of a public site or facility by Council shall be placed on public exhibition for 30 days.

Any public submissions should be considered by Council before a final decision of Council is taken.

Notice of Motion

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

That Council staff approach Margaret Olley to seek her agreement to the planned new Art Gallery and Education Centre to be called The Olley Art Centre.

Councillor Irwin

Staff Comment

Manager Community Services

The notion of naming the new gallery/exhibition building within the Cultural Precinct has been discussed at Arts and Cultural Policy Advisory Group and Cultural Precinct Project Team meetings and is supported. Margaret Olley is a nationally and internationally renowned artist who has expressed great interest and expectation for the development of a new gallery in Lismore. In naming the new building *The Olley Art Centre*, the major benefit would be national recognition and as a result, increased interest and financial support from the state and federal governments. Such support is essential to fund the development of the new building.

There are no other centres of this type in Australia bearing the Olley name, and the proposal is therefore unique. It is considered necessary for the new Gallery/Exhibition building to be more than a regional gallery in order to attract significant external funding from the state and federal governments. In terms of philanthropic and other donations, it is quite likely that people might donate or will funds to The Olley Arts Centre (as opposed to the Lismore Regional Gallery and Exhibition Centre).

Steven Alderton, Director of the Lismore regional Gallery, has established an excellent working relationship with Ms Olley and has programmed an Olley exhibition later this year. The Margaret Olley/Bill Robinson/Nicholas Harding exhibition will be of national and international significance and presents an ideal opportunity to discuss the possibility with Ms Olley who will be in Lismore for the occasion.

Report

Subject	Cities for Climate Protection (CCP)
File No	S232
Prepared by	Environmental Health Coordinator
Reason	To complete Milestone 3 of the CCP program and report on submissions received from public exhibition of the document.
Objective	To obtain endorsement of the CCP Local Action Plan to complete Milestone 3 of the program
Strategic Plan Link	Natural Environment, Quality of Life
Management Plan Activity	Cities for Climate Protection

Overview of Report

In 2005 Council completed Milestone 1 and 2 of the Cities for Climate Protection (CCP) Program.

Completion of Milestone 3 of the CCP program is identified as a project in Council's Environmental Health Services Management Plan for the 2006/2007 financial year. Milestone 3 involves development and adoption of a "Local Greenhouse Action Plan" to achieve the Emissions Reduction Goal of 20% by 2012 as determined in the Milestone 2 process.

The Milestone 3 Action Plan was endorsed by Council at its meeting held on the 14 November 2006, (minute 230/06). Subsequent to that meeting the Plan was placed on Public Exhibition and submissions received from that process have now been included in the Action Plan for Councils further consideration and endorsement.

Background

At the Council meeting July 13, 2004 Council resolved to participate in the Cities for Climate Protection Program. Since that time Council has completed Milestone 1 and 2 of the program which was endorsed by Council at its meeting in November 2005 and most recently completed Milestone 3 as outlined above.

Milestone 3 of the CCP program is development of a Local Action Plan (LAP). The objective of the LAP is to provide a detailed list of steps (actions) that Council and the community can undertake to reduce their greenhouse gas emissions, with the aim to achieve the reduction goal of 20% by 2012.

Subsequent to endorsement of the Milestone 3 (LAP) by Council at its meeting held on November 14, 2006 the Plan was placed on public exhibition from January 11 to March 9, 2007. In addition the Plan was promoted in the local media.

Staff Consultation

As reported in the previous Council report of November 14, 2006, in which the Milestone 3 LAP was endorsed, a consultation process was carried out prior to finalisation of the LAP. All Sections of Council were consulted at Program Manager level, as well as other relevant staff, the General Manager and Executive Directors. Feedback received identified support of integrating the LAP into future strategic

planning objectives.

Comments

Financial Services

There are aspects of the CCP Local Action Plan that may have financial implications on Council's Management Plan. The financial implication of each proposal should be considered in context of Council's overall budgetary objectives at the time and treated within the Management Plan submission process.

Public consultation

In response to the exhibition thirty three (33) submissions were received from the public. All thirty three expressed strong support for the Action Plan and congratulated Council for taking action against the effects of climate change. The comments congratulate Council's reduction goal of 20% and for participating in the CCP program as well as expressing a strong need to see the implementation of actions outlined in the plan.

The submissions recommended changes to some actions in the Plan and also recommended the inclusion of some new actions. Many recommendations from individual submissions overlapped and represented the same action worded slightly differently. Submissions that were considered feasible and practical for Council to implement were able to be grouped into fifteen distinct recommendations or suggested actions. Seven of these were identified as already being an action in the LAP and eight were identified as new actions. Some new inclusions have also been added to existing actions.

These fifteen actions have been included in a revised Action Plan and are temporarily highlighted/coloured for ease of identification. Actions highlighted in blue are those recommended by the public but which are already identified as actions in the LAP and those highlighted in green are new recommended actions.

Conclusion

Adoption and implementation of the CCP Local Action Plan will demonstrate a strong commitment from Council, and will raise community awareness about greenhouse gas issues. It will provide steps (actions) for Council and the community to achieve in order to reduce greenhouse gas emissions.

Public exhibition of the document has given the community an opportunity to have input. It identified strong community support for the LAP and has provided further recommendations for actions that should be included. These recommendations have been considered and where feasible or practical, have been included in an updated version of the LAP as actions.

Recommendation (PLA10)

- 1 That Council endorse the proposed amended Local Action Plan that includes actions recommended by the community and complete Milestone 3 of the Cities for Climate Protection program.

Report

Subject	Draft Plan of Management – Lismore Park
File No	S833
Prepared by	Executive Director - Development and Governance
Reason	Exhibition of the draft Plan of Management for Lismore Park
Objective	Council's adoption of the Plan of Management
Strategic Plan Link	Quality of Life
Management Plan Activity	Review and update planning controls

Overview of Report

This report advises of the outcomes of the exhibition and consultation processes undertaken for the draft Lismore Park Plan of Management. It recommends that the Plan of Management be adopted by Council with removal of the provision for daytime closure of Crozier Field and a minor amendment arising from a suggestion raised in one of the public submissions.

Background

The *Local Government Act 1993* requires Councils to prepare Plans of Management for all public lands classified as community land under that Act.

In 1995, Council adopted a *generic* Public Land Plan of Management that applied to all community land in Lismore including Lismore Park. Council adopted the first specific Plan of Management for Lismore Park on July 8, 1997 and a more detailed Plan of Management for Lismore Park on December 9, 1997.

Amendments to the *Local Government Act* in 1998 introduced requirements for Councils to categorise community land to reflect its use and/or the physical characteristics of the land. The amendments established core objectives for each of the categories and required Councils to review their Plans of Management to determine whether or not they complied with the new requirements.

The 1997 Plan of Management for Lismore Park does not comply with current legislative requirements and a number of works identified in the 1997 Plan of Management have been completed.

An updated draft Plan of Management was considered by Council at its meeting of September 12, 2006. A Councillor workshop on the draft Plan followed on September 26, 2006 and as a result the draft Plan was publicly exhibited in an amended form. Proposals for each of the three management precincts within Lismore Park are summarised in Attachment 1 to this report.

Comments

Financial Services

Not required.

Public consultation

Public exhibition

The *Local Government Act* provides for a minimum public exhibition period of 28 days and allows for submissions to be made up until 42 days after the commencement of the exhibition. The draft Plan of Management was placed on public exhibition on October 19, 2006 with submissions closing on November 30, 2006.

Thirteen (13) submissions and a petition with 80 signatures were received in response to the exhibition of the draft Plan of Management. Seven (7) of the submissions (as well as the petition) objected to the proposed closure of Crozier Field during the day when it is not being used for organised sporting activities. One (1) submission was in support of the draft Plan of Management and the closure of Crozier Field.

The following is a summary of the issues raised in the objections:

Daytime closure of Crozier field

- Crozier Field is a public place and Council should be encouraging its use by people of all ages for organised sport and passive recreation activities (walking, children's play, spontaneous activities etc) in a safe environment.
- It provides for public access between Lismore Square and the CBD.
- The development consent for the grandstand and other works issued on December 16, 1997 includes a condition that when Crozier Field is not required for organised events, the gates are to remain open during daylight hours.
- The existing security fence has been poorly maintained and does not prevent access to the area at night when most vandalism occurs.

Comment

The draft Plan of Management makes provision for daytime closure of Crozier Field when it is not being used for organised sport. The reason for the proposed closure was to prevent or minimise the incidence of vandalism that has been experienced in the park. Opposition to the proposal has been recorded in the written submissions as well as the submissions to the Public Hearing. Other groups such as the Sport and Recreation Policy Advisory Group has registered support for the proposed closure and the issue is discussed in more detail later in this report.

Goonellabah Workers Sports Cricket Club

The Goonellabah Workers Sports Cricket Club raised concerns about the lack of services and facilities in Lismore Park. The Club commented that Council should continue to up-grade facilities to attract local and visitor use. The Club was supportive of the overall thrust of the Plan but raised the following issues:

- Toilets – lack of facilities; players using Blair, Richards and Heaps Ovals have no facilities; toilets that service Davidson, Roder & Mortimer Ovals and inconveniently located and in need of modernisation.
- Access to clubhouse at Davidson, Roder & Mortimer Ovals – the facility would be better utilised if better access could be provided and a sealed car park provided in the non playing area east of the facility
- Car parking – off street car parking not provided for Davidson, Roder & Mortimer Ovals; car parking to Blair, Richards and Heaps Ovals needs to be formalised and preferably sealed.
- Crozier Field – the Club supports greater utilisation of the facility to take pressure off Oakes Oval especially at the end of winter games and beginning of summer games.
- Irrigation systems – there is no provision in the Plan for the installation of irrigation systems for the ovals; need to ensure grass coverage, minimise cracking and creation of 'paddy melon' holes; encourage investigation of such a facility using recycled water.
- Shade – notes that shade structures are mentioned; it is important that such facilities be provided on all sporting fields; shade structures should be linked with access and provision of toilet facilities.

Comment

The exhibited draft Plan of Management makes provision for additional shade structures and tree planting, sealing of the non playing area south of the clubhouse central to Davidson, Roder & Mortimer Ovals and additional toilet facilities appropriately located subject to approval of Council. The suggestion by the Club to investigate the feasibility of an irrigation system for the ovals using recycled water has merit and it is recommended that this be included in the Plan of Management. There could also be an opportunity to capture and re-use stormwater for irrigation and it is recommended that this option also be investigated.

Relocation of Lismore Caravan Park

Two (2) submissions expressed objection to the possible relocation of the caravan park to the area adjoining the netball courts.

Comment

The exhibited draft Plan of Management did not propose that the relocation of the caravan park to the area adjoining the netball courts be investigated.

Lismore Concert Band Hall

One (1) submission requested funding be made available for the Lismore Concert Band Hall (presumably referring to Pavilion No. 2) so that it can again be used as a community resource.

Comment

The exhibited draft Plan of Management makes provision for the investigation of appropriate options for the building.

Lismore Preschool Kindergarten

Expressed objection to the possible relocation of the caravan park or any other use that could potentially increase the risk to children to the area adjoining the netball courts. Requests that the land adjacent to the preschool be categorised "park" to encourage more tree planting and provision of pathways for passive recreation. Supports the proposal to carry out a land survey of the park and preparation of a master plan and would welcome the opportunity to be involved.

The submission also contained a petition signed by 52 people "strongly objecting to the reclassification of Lismore Park Precinct 3 from community to operational".

Comment

The exhibited draft Plan of Management did not propose that relocation of the caravan park to the area adjoining the netball courts be investigated. The land occupied by the preschool and Pipe Band hall has been categorised "general community use" consistent with the direction of Section 36(4) of the *Local Government Act 1993* and Clause 106 of the *Regulation* which states that "*land should be categorised as a general community use under section 36(4) of the Act if the land may be made available for use for any purpose for which community land may be used, whether by the public at large or by specific section of the public*".

The land adjoining the preschool which is primarily used for grassed netball courts has been categorised "sportsground" consistent with the direction of Section 36(4) of the *Local Government Act 1993* and Clause 106 of the *Regulation* which states that "*land should be categorised as a sportsground under section 36(4) of the Act if the land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games*."

Sport and Recreation Policy Advisory Group

Council's Sport and Recreation Policy Advisory Group met on November 16, 2006 to discuss the draft Plan of Management. The PAG made a submission that recommended turnstiles be provided at the Magellan Street access to Crozier Field.

Comment

Under the development application and consent for Crozier Field, spectator access is restricted to the gate in the north west corner of the field. This is to minimise noise and traffic impacts on residents in Magellan Street. Any proposal to allow spectator access from Magellan Street would be a major departure from the original consent. In the absence of a detailed assessment of the likely impacts that such a proposal would have, the recommendation cannot be supported.

Public Hearing

The *Local Government Act* requires that Council hold a Public Hearing in respect of a proposed Plan of Management where the plan has the effect of changing the category of community land under section 36 of the Act. As the draft Lismore Park Plan of Management proposes changes to the categorisation of community land to either “sportsground”, “park” or “general community use”, a Public Hearing was required.

The Public Hearing for the draft Plan of Management was held on January 31, 2007. Three verbal submissions and three written submissions were received at the Public Hearing with respect to the draft Plan. One of the verbal submissions objected to the proposed closure of Crozier Field on the grounds that the DA approval for the grandstand and continued sporting use of Crozier Field required continued use as a recreational area and that there is significant daytime informal recreational use of the area. One of the written submissions also objected to the closure on the grounds that the area is used on a regular basis for informal recreational use and this should be encouraged to continue.

The other written submission, from the Lismore Old Boys Rugby League Football Club, supported the proposal to close Crozier Field on the grounds that the club has dealt first hand with the results of vandalism in Crozier Field and the cost of cleaning up after acts of vandalism is drawing funding away from other community projects.

A copy of the report on the Public Hearing is provided in the separate attachments. The report states that the anti-social behaviour experienced at Crozier Field is part of a larger social issue in Lismore and that the closure of public facilities is not the best resolution of the issues as it deprives the community of the use and enjoyment of public land. The report recommends that the draft Plan of Management be amended to delete the proposal to close Crozier Field to the general public during the day.

Sport and Recreation Policy Advisory Group

Council’s Sport and Recreation Policy Advisory Group (SRPAG) considered a report advising of the outcomes of the public exhibition and the Public Hearing into the draft Lismore Park Plan of Management at its meeting of March 15, 2007.

At the meeting the discussion focused on the proposed daytime closure of Crozier Field. There was a strong feeling by all members who attended the meeting that Crozier Field should be locked when not in use for sporting activities to minimise vandalism and other anti-social behaviour that impacts on regular users of the field. SRPAG members felt there was an abundance of fields open at all times within Lismore Park, and that locking Crozier Field should have very little impact because of the close proximity of the other ovals. The SRPAG resolved to recommend that Crozier Field be locked when not in use for a specific sporting event.

Other staff comments**Council's Parks Coordinator**

Security reports from Summerland Security have been accessed to quantify the magnitude of the vandalism being experienced at Crozier Field. The statistics show:

- The trend of vandalism has increased from 9 occurrences in 2004 to 36 occurrences in 2006 (i.e. for 2006, and for the first three months of 2007, incidences of vandalism have occurred at an average of three per month).

- The majority of vandalism (61%) occurs on a weekend but is still high (39%) on week days.
- Approximately 74% of the vandalism occurred during daylight before the lockup time of 7pm.

These security reports do not include all of the instances where Council's Parks & Recreation staff have identified an act of vandalism and have cleaned up or made repairs without formal reporting. Parks & Recreation staff would consider such works as a weekly event. The majority of these unrecorded vandalism events include broken bottles, rubbish left behind after drinking, improper use of fire hoses, needles/syringes pick-up, etc.

Statistics for exact costs associated with vandalism at Crozier Field are difficult to ascertain due to the way Council's reporting systems operate. However, Council's budget for vandalism and graffiti has increased significantly in recent years. In 2003/04 Parks & Recreation spent \$21,000 on these two issues. This year vandalism costs have been estimated at \$79,000 of which around 50% will be spent on Crozier Field. The increase in expenditure corresponds with the increase in incidences of vandalism referred to above.

To minimise vandalism and the associated costs with the vandalism, it is recommended that the gates to Crozier Field be closed to the general public other than for event purposes. It is important to highlight that there is approximately 20ha of parkland still available to the public adjacent to this site.

Conclusion

Crozier Field

There is an expectation by some members of the community that public open space should be made available for use by the public. This is a legitimate view and is reflected in the majority of public submissions to the draft Lismore Park Plan of Management which opposed the closure of Crozier Field during daylight hours. Lismore Park is not for the exclusive use of organised sport and the park should also meet the needs of a significant proportion of the population who enjoy more informal recreational activities.

On the other hand members of the Sport and Recreation Policy Advisory Group have strongly supported the closure of Crozier Field when it is not being used for organised sport. The SRPAG includes representatives from soccer, rugby union and rugby league clubs who are regular users of Crozier Field as well as representatives from other sports such as cricket, basketball, baseball, softball, netball and AFL that use other parts of Lismore Park.

There is an acceptance by the public that some areas of public open space that have a significant public investment in terms of sporting and other infrastructure should not be open for general public use because of the cost of protecting and maintaining that infrastructure. This principle applies at Oakes Oval. If Crozier Field is reserved for organised sport only, there would still be eight of the ten fields in Lismore Park that would remain fully accessible to the public in Lismore Park for informal recreation activities.

The Local Government Act provides that Council must consider the report on a Public Hearing before making any decision with respect to the matter to which it relates. Council is not bound to adopt the recommendations of a Public Hearing report, particularly if it considers that there are other matters of relevance for consideration in addition to those raised through the Public Hearing process.

The report on the Public Hearing expresses a view that anti-social behaviour at Crozier Field is part of a broader social issue that will not be resolved by the closure of public facilities, however the report does not propose alternative strategies for dealing with the vandalism issue at Crozier Field. Council's Parks Coordinator has outlined the frequency of vandalism that is being experienced at Crozier Field and the on-going costs that this is having for the community.

The issue of whether or not unrestricted daylight public access should be provided to Crozier Field is not clear cut. Although the SRPAG were clearly of the view that there would be significant risk management and economic savings should the field be closed during daylight, there was a very significant number of

public who hold the view that Crozier Field should remain available to the community during daylight hours. On balance it is concluded that Crozier Field should remain open during daylight hours as recommended by the independent report into the Public Hearing. It is therefore recommended that the Plan of Management for Lismore Park be amended to exclude the provision for the daytime closure of Crozier Field.

Other Issues

The issue raised by the Goonellabah Workers Sports Cricket Club with respect to investigating the feasibility of using recycled water to irrigate the ovals has merit. It is recommended that this be included in the Plan of Management together with the option of also investigating the feasibility of harvesting stormwater for use in irrigation.

Where Council decides to amend a draft Plan of Management it may either re-exhibit the amended draft Plan, or if it believes the amendments are not substantial, it may adopt the amended draft Plan without further public exhibition. The amendment to exclude provision for the daytime closure of Crozier Field has resulted from the Public Exhibition process. The proposed amendment relating to the investigation of the use of recycled water for irrigation is not substantial in nature and therefore re-exhibition of the Plan of Management is considered to be not necessary.

A copy of the Lismore Park Plan of Management, amended as described, is provided as a separate attachment.

Recommendation (PLA11)

That Council:

- 1 Pursuant to section 40 of the *Local Government Act*, adopt the Plan of Management for Lismore Park as exhibited but excluding the provision for the daytime closure of Crozier Field and incorporating the recommended amendment allowing for an investigation into the feasibility of an irrigation system for the ovals using recycled water and/or stormwater; and
- 2 Give public notice of the Plan's adoption, and of the terms of the amended plan of management, in accordance with the requirements of the Act; and

ATTACHMENT 1**Summary of proposed works contained in Plan of Management****Management Precinct No. 1**

- Oakes Oval (Rec #1) – progressive up-grading of outdoor tiered seating, upgrade existing lighting, relocation of maintenance facilities and use building for equipment and storage. Improvements to security mesh fencing in some areas.*
- Crozier Field (Rec #2) – provision of field floodlighting and improvements to fencing panels adjacent to field.*
- Blair Oval (Rec #3) – regular maintenance, upgrade existing lighting and cricket practice nets.*
- Heaps Oval (Rec #5) – no change, regular maintenance.
- Humbly Oval (Rec #4) – regular maintenance of ground and hockey clubhouse and canteen.
- Blair, Heaps and Humbly Ovals – upgrade internal access and parking areas from gravel to hot mix bitumen.
- Jolley Field (Rec #6) – no change, regular maintenance, remove cricket nets, upgrade existing lighting.*
- City Lights Tennis Court – no change, regular maintenance.
- Park adjoining City Lights Tennis Court – provision of additional public art (subject to Public Art Policy) and seating.
- Removal of Cocos Palms and replacement with suitable endemic species.
- Site and buildings of the former Lismore Continental Sport, Music and Recreation Club (aka Bocce Club) – community and youth facility.
- Scout hall – no change, regular maintenance.
- Pavilion No 2 – Investigate the option to upgrade and renovate to enable future community use of the building.
- Apex Park – upgrade children's play equipment and provision of picnic facilities including accessible facilities.
- Recycling facilities – removal and re-develop the area for parking and picnic facilities including accessible facilities and provide pedestrian footbridge to Apex Park.
- Progressive upgrading of car parking areas.
- Pathways – provision for formalised pathways linking all fields.
- Investigate the provision for a covered walkway through or adjoining the Precinct.

Management Precinct No. 2

- Mortimer and Davidson Ovals (Rec #8 & #10) – replace or upgrade existing clubhouse and toilets.
- Roder Oval (Rec #9) – upgrade cricket practice nets and night training lights.*
- Mortimer Oval – upgrade access to sewerage pump station and gravel car park. Provision of field floodlighting.*
- Park area south of Lismore Park Caravan Park and drain – provision of seating, and progressive removal of Camphor Laurel trees and all other weed species, replanting of area with endemic native vegetation.
- Investigate relocation of the caravan park.
- Progressive upgrading of car parking areas.
- Pathways – provision for formalised pathways linking all fields.
- Provision for youth facility.

Management Precinct No. 3

- Richards Oval (Rec #12) and soccer clubhouse – upgrade parking areas near clubhouse, provision for more storage/viewing facilities for clubs / spectators and night training lights.*
- Ballina Street Tennis Courts and clubhouse – no change, regular maintenance.
- Lismore Netball Courts (Rec #7 & #11) and clubhouse – provision of additional netball courts in area adjoining Pre-school, and formalise parking areas.
- Pre-school – no change, regular maintenance.
- Lismore City Pipe Band clubhouse – no change, regular maintenance.
- The area used as car parking space by users of the netball courts – formalise parking areas and provision of additional trees and picnic facilities.
- Pathways – provision for formalised pathways linking all fields.

* *Provision of lighting and upgrade of existing lighting will be undertaken using the latest design technology to ensure minimal light spill to adjoining residences.*

Report

Subject	Stormwater Management
File No	S722
Prepared by	Environmental Health Services
Reason	To enable Council to undertake obligated stormwater management services
Objective	To endorse and place Council's draft revised stormwater management plan on public exhibition
Strategic Plan Link	Infrastructure, Natural Environment, Quality of Life, Water and Waste Cycle,
Management Plan Activity	Stormwater management plan, Integrated Water Cycle Management, Roads and Drainage, Catchment Management, Water Quality monitoring

Overview of Report

The stormwater management plan has been reviewed and revised to evaluate its progress since its adoption in 2000. The revised plan becomes the guiding document for the implementation of Council's stormwater management for its own activities as well as for all new developments. This report requires Council's endorsement of the plan to be placed on public exhibition for four weeks.

Background

Stormwater Management Plan

Council was served with a Direction from the New South Wales Environment Protection Authority (EPA) in 1997 to complete a stormwater management plan. This Stormwater Management Plan was adopted by Council in 2000 and remains current. The plan gives comprehensive sub catchment information, outlines community values, threats to stormwater quality and the stormwater management objectives for construction and development. To achieve these objectives a table of strategies is an integral part of the plan. The strategies aim to improve the quality and quantity of urban stormwater flows and to reduce environmental impact and improve social amenity. Performance criteria are presented for construction and post construction phases of all new development (i.e. greenfield, brownfield, infill) and this criteria have been successfully guiding new developments since 2000.

An overarching principle for the management of stormwater in Lismore is that it be designed and implemented in a manner that will be sustainable in the long term and provide equitable benefits to the wider community. Ultimately the plan should provide a path in which to achieve identified community values for our waterways.

The review of this plan has indicated that many of the options have not been implemented due to a number of reasons but due mainly to funding shortfalls. The reviewed plan before Council highlights options that have been successfully implemented and those that have not been undertaken. Furthermore, past, current and anticipated options have been prioritised into short and long term. The reviewed Stormwater Management Plan presents further detail of the urban sub catchments and changes in stormwater management since 2000. A copy of this draft report is enclosed for Councils consideration.

Council in May 2006 adopted the introduction of the Stormwater Services Management (SMS) Charge in accordance with guidelines for Councils introducing the charge in its first year. This was an initial charge that was at a flat rate (i.e. \$25 per property) for both residential and business properties. In the following year Councils are required to charge residential and business properties in accordance with the legislation. The principal variation being that business properties are charged according to the size of their property (i.e. \$25 per 350m²).

Following the introduction of the SMS charge, Council has been able to undertake vital stormwater management activities which would otherwise not have been funded. Such activities include detailed sub-catchment information, community education, planning and reviewing and additional infrastructure works. These funds enhance and value-add to the existing drainage budget and not only improve stormwater quality and flow but also visual and social amenity.

Comments

Financial Services

Not required.

Other staff comments

Not required.

Public consultation

To be undertaken.

Conclusion

The reviewed stormwater management plan has evaluated Council's stormwater management since 2000. It now prioritises strategies for the short and long term and is to be placed on public exhibition for four weeks.

Recommendation (PLA1)

1. That Council endorse the Stormwater Management Plan to be placed on public exhibition for four (4) weeks and a further report on this outcome be provided to Council.

Report

Subject	Lismore Memorial Baths Shade Options
File No	P6768
Prepared by	Manager Community Services
Reason	Councillor request
Objective	Council to consider and endorse a preferred option
Strategic Plan Link	Quality of Life
Management Plan Activity	Community Services

Overview of Report

This report outlines several options to provide shade covering for the 25m pool at the Memorial Baths, with a recommendation to install a shade sail at each end of the pool.

Background

The Lismore Memorial Baths complex was redeveloped during 2004 / 2005. Since its reopening in September 2005 Council has received numerous complaints regarding the lack of shade cover within the pool surrounds as well as across the 25m program pool. In early 2007 a number of shade structures were installed within the pool surrounds for the benefit of spectators and patrons. The feedback received has been extremely positive in relation to these improvements.

When the pool was commissioned the design contained three very large structures that were intended to provide shelter and shade for pool patrons. Two of these structures are positioned on the western extremities of both the 50m and 25m pools. Whilst they do provide some form of regular shelter they do not begin to provide shade for pool patrons until at least one o'clock in the afternoon. This has been of particular concern to parents and teachers of children using the 25m pool in the morning. One of primary activities conducted in the 25m pool is learn to swim classes where young children can be exposed to hot sunny conditions throughout the duration of those classes.

In response to lack of shade at the 25m pool in the morning, an investigation has been undertaken to find a cost effective solution to the problem. During the investigation several different types of structures were considered. The positioning of the structure or structures became an issue, as did the perceived need to ensure the shade producing part of the shelter was able to be removed in winter. Following consultation with Memorial Baths pool staff, the primary objective was considered to be the provision of shade at each end of the pool between the hours of 9.00am and 1.00pm. Ideally the shade structures would cover approximately two thirds of the surface of the pool area.

The following alternatives outline different design options to provide shade across large sections of the pool:

1. The "Ecodome" System. This is a European system which enables the pool to be fully enclosed by a dome. It can be built with retractable sides and roofing and is fully transparent. The cost of the structure was estimated to be between \$300,000 and \$400,000. This is a permanent structure,

which although fully enclosing the pool and providing a heated environment in winter together with adequate shade cover in summer, would compromise many of the design features within the complex. Although transparent, the dome structure itself would prevent any view of the 50m pool from the entrance, the dome would require significant footings and footprint space, and may produce a cramped and restricted feel within the complex.

2. The “Steel Post and Rail” company who recently provided the pool with grandstands and a shade structure at the north eastern end of the 50m pool examined the feasibility of reproducing a smaller version of the current shade structures at the northern end of the 25m pool. This would provide shade to approximately one third of the pool between 9.00am and 1.00pm. Feedback from teachers was that two structures would be needed to provide adequate shade, however a second structure of this type would not work at the other end of the pool. It would throw shade in the opposite direction. Steel Post and Rail did not proceed with any formal design work due to their belief that the cost would be prohibitive.
3. Two independent shade structures were also considered – one for each end of the pool. It was proposed that these structures would span both ends of the pool, each would have four steel poles for support and would be “tent like” in nature, made from shade cloth materials. Of concern was the large number of support posts required, the perceived lack of aesthetic appeal, and the contrast to the existing design and shade structures. The cost for this alternative was estimated at \$26, 000 plus costs associated with footings.
4. Two sails were also considered – one for each end of the pool. It was proposed that the sails would span each end of the pool and would be of a similar “look” to the sails presently covering the toddlers pool. At this point it is assumed that the new sail structures would be able to be attached to the existing steel columns of the large shade structure on the western side of the 25m pool and that four new supporting posts would be able to be embedded into the concrete slab on the opposite side of the pool. The cost estimate for these two “Hypar” sail structures is \$23,000 plus costs associated with footings. This option has advantages in that it uses the existing shade structure support posts and requires the installation of only four new support posts. In addition, the design mirrors the existing shade sail cover over the toddlers’ pool and will blend in more favourably with the other structures in the complex.

Consideration was also given to providing a temporary shade structure, one that could be in place in summer and taken down during the winter months to maximise the amount of sunshine hitting the water to retain heat. However, given the design options thus far, it is not considered feasible to install a substantive shade structure and be able to easily dismantle the shade element of the structure on an annual basis. The time and cost associated with this type of option were considered too great to pursue to any length. The above options refer to a permanent structure/s which will be in place throughout the year.

Comments

Financial Services

Council allocated \$140,000 for extra seating and shade facilities of the 50m pool at the Memorial Baths in 2006/07. The planned works associated with this allocation have been completed and it estimated that there will be sufficient funds remaining to undertake the recommended shade cover option of the 25m pool.

Other staff comments

Not required.

Public consultation

Pool staff were consulted regarding the needs of pool users and the various benefits and shortcomings of each of the pool structure options identified above.

Conclusion

There is undoubtedly a need to provide some additional shading for the 25m pool, particularly during the

mornings and around midday. The recommended option provides adequate shade cover for both ends of the pool, its design is consistent with the existing shade cover and shares one of the existing shade support structures.

Recommendation

That Council approve the installation of a shade sail at each end of the 25m pool with funds allocated in the 2006/07 Budget.

Report

Subject	Lismore Airport Charges
File No	P25804
Prepared by	Manager – Economic Development
Reason	Council Minute 297/07 – 13 March 2007
Objective	To grow the market and improve services, as well as recoup expenditure on the airport facility.
Strategic Plan Link	Economic Development
Management Plan Activity	Economic Development & Tourism

Overview of Report

To report back to Council detailing submissions received, following public exhibition of the proposed Lismore Airport Charges, to be effective from 11 April 2007.

Background

Council resolved at their 13 March 2007 Council meeting (Minute 297/07) to receive the head tax report and invite submissions to a public exhibition to a proposed flat fee head tax arrangement of \$9.57 for up to 65,000 passengers, then an incentive to grow the market by discounting this flat fee by 50% for 65,001 – 69,999 passengers and 100% discount for more than 70,000 passengers.

Comments

Financial Services

Not required.

Other staff comments

Not required.

Public consultation

The head tax proposal was placed on public exhibition in electronic and hard copy format from 15 March 2007 and submissions will be received up to close of business Tuesday 10 April 2007.

At the time of writing this report no submissions had been received. If any last minute submissions are received, they will be provided to Councillors prior to the Council meeting.

Conclusion

It was not anticipated that many members of the public, if any, would make a submission on the fee proposal, given that the new fees relate directly to costs that are borne in the first instance by Regional Express (REX). REX have been consulted on the proposed fees and have found them acceptable.

Recommendations (EDU1)

That Council;

- 1 Adopts the head tax proposal as exhibited, being a flat fee head tax arrangement of \$9.57 for up to 65,000 passengers, then an incentive to grow the market by discounting this flat fee by 50% for 65,001 – 69, 999 passengers and 100% discount for more than 70,000 passengers be effective from 11 April 2007 from which time they become subject to normal review processes.

Report

Subject	Secure, Overnight, Paid Parking at the Lismore Regional Airport
File No	P25804
Prepared by	Manager – Economic Development
Reason	To provide Council with an option for the provision of secure overnight parking at Lismore Airport.
Objective	To obtain a Council resolution to provide cost effective secure overnight parking at Lismore Airport.
Strategic Plan Link	Economic Development
Management Plan Activity	Economic Development and Tourism

Overview of Report

This report sets out a proposal to provide secured overnight carparking at Lismore Regional Airport.

Background

The primary consideration in establishing a secure carpark facility at Lismore Regional Airport is after hours crime prevention. Such vehicle-related criminal activity in the car park always occurs under cover of darkness, when other activity in and around the terminal has ceased. If this activity continues passengers will consider our airport as being an “unsafe” place to leave their cars overnight and this public perception will affect our passenger-related business.

In considering this proposal, it should be borne in mind that:

- it's not about the economic merits of the paid parking proposition,
- it's about stopping leakage of our business to other airports where there is a perception of a “safer” overnight car park and building our Rex passenger market via attracting discretionary passengers back from other airports

This type of carpark crime is common in regional airports throughout Australia – especially the airports that are further out of town. To our knowledge, no other regional airport of Lismore’s size has installed secure parking, either paid or unpaid.

The proposed project

It is proposed to totally enclose the airport terminal carpark area with one automatic gate for entry/egress – see Attachment 1. The carpark enclosure will be locked after the last evening flight arrives from Sydney (i.e. an 8.30pm closure) and opened before the first flight out to Sydney in the morning (i.e. a 5.30am opening). This closing and opening period will be referred to as “secured”.

Security

Council’s preferred security contractor will be engaged to open and close the gates at the “secured” times and will continue to provide surveillance of the airport terminal, as per the current arrangement. The airport carpark lighting and CCTV cameras will also continue in their present form. Should increased security measures be required, this proposal allows for tertiary measures to be implemented, such as motion-sensing devices being activated, with alerts automatically sent through to security when unauthorised entry has occurred.

Overnight parking fee

This proposal is based on an affordable, user-pays proposal. All vehicles parked in the carpark after it is secured will pay a fee of \$4.00 per night (2 x gold coins), via a centrally located Pay and Display meter. The proposed fee of \$4.00 is recommended following consideration of overnight parking fees charged at other airports. One airport charged \$16.00 per night for secure, undercover parking, whilst the other charged \$8.00 per night for non-secure, open air parking. Patrons at Lismore Regional Airport will not be charged any fee for parking in the airport carpark during the day & outside of the “secured” period.

Signage

Signage will be erected to advise any user of the carpark facility that there is a charge for secure, overnight parking. It is envisaged there will be signs placed at strategic positions informing the users of costs including a disclaimer of responsibility and statement of fines.

Enforcement

It is proposed that parking enforcement measures will be adopted consistent with Council’s approach elsewhere in the city. To allow users time to become familiar with the upgraded security arrangements, it is proposed to grant a period of 2 months grace – similar to the introduction of paid parking in the Barney Shearman Carpark.

Fencing style

In order to preserve the visual amenity of the airport, a variety of fencing material has been selected. It is proposed that the entire carpark area be enclosed with fencing and one gate:

- Black cyclone mesh will be erected on the northern and southern sides. This fencing will not be obvious to passing traffic and is reasonably priced. Tree planting will also serve to soften the appearance for the Street.
- Black spear top fencing will face the highway. See Figure 1 below for artist’s impression.
- One automatic gate fabricated from the black spear top fencing material described above will be constructed at the existing entrance to the car park.



Figure 1: Artist’s impression of the airport carpark with black spear top fence constructed.

N.B. The actual placement of the fence is not accurate and other details, such as automatic gate and cyclone mesh are not shown.

Costings**Expenditure**

Total costs for project implementation have been estimated at **\$59,735**.

Income

Income figures expressed below are based on current passenger journeys and make the following assumptions:

- The Lismore Airport secure, overnight, paid, carpark will average 10 cars per night in Year 1.
- The nightly rate takes into consideration a reduction in the overnight parking that is currently experienced, together with a modest increase in discretionary passengers preferring to fly out of Lismore due to the confidence that this new facility will instil.

Year 1 (2007/2008)	\$12,320
Year 2 (2008/2009)	\$19,750
Year 3 (2009/2010)	\$24,660
TOTAL estimated income after 3 years	(Inc GST) \$56,730

This project will provide secure parking for users of the airport staying away overnight in an affordable, “user-pays”, cost effective method. It is estimated that Council can expect to recover the cost of the secure overnight paid parking facility after 3 to 4 years.

Comments**Financial Services**

Based on estimates provided within this report there will be short fall of \$49,000 in year one with the costs of the project being fully funded from revenue streams after a three year period. It is suggested that the initial project costs be funded from internal reserves and be repaid over the three period. After the three year period and the repayment of reserves it is estimated that the proposal will generate an additional \$24,000 per year towards the operations of Lismore Regional Airport.

Other staff comments

The Manager – Environment Services supports the proposal.

Public consultation

Car rental groups, REX & airport café management have been consulted and support in principle the proposal outlined in this report.

Conclusion

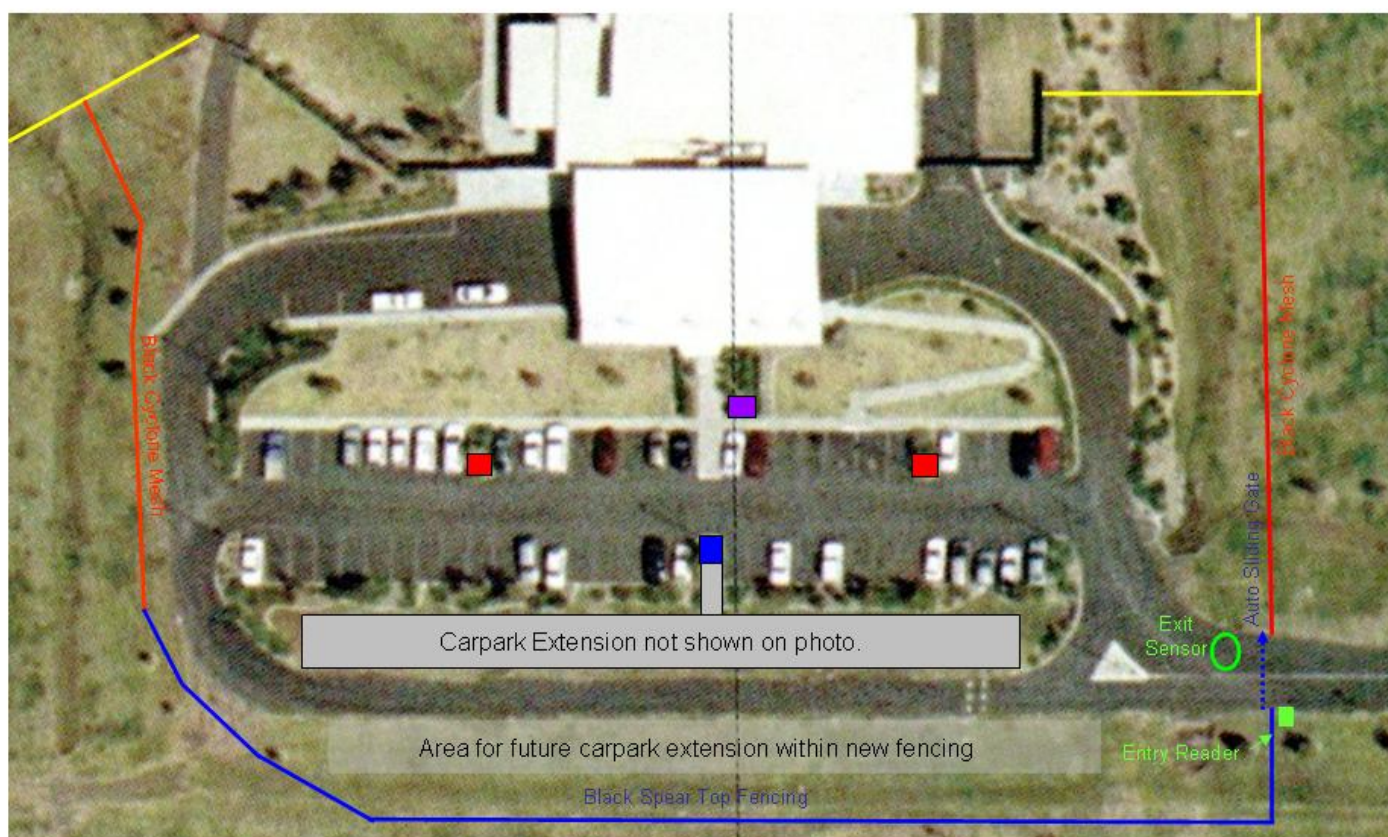
There is compelling evidence that the lack of secure airport parking is damaging to the airport business and the reputation of Lismore. The proposal aims to not only reduce the crime rate in the airport carpark and stop the leakage of passengers (actively choosing not to use Lismore Airport), but outlines the opportunity to build our Rex passenger base via attracting discretionary passengers back from other nearby airports.

Secure, paid overnight parking at the airport will generate a modest income and will cover the initial outlay after 3-4 years. Should the project prove to be well received by the travelling public, the proposal allows for future car park developments, such as more carparking spaces and/or undercover parking.

Recommendations (EDU1)

1. That Council implement secured overnight carparking at Lismore Regional Airport as outlined in this report.

Attachment 1: Overview of Proposed Security Fence and Meter Position



Single Meter Position

Single Meter Position

Multiple Meter Positions

Report

Subject	Lismore Showgrounds
File No	P331
Prepared by	Manager – Finance
Reason	Required by resolution 254/06
Objective	To update Council on the current situation and seek direction on current arrangements
Strategic Plan Link	Economic Development, Quality of Life
Management Plan Activity	Finance, Roads & Parks

Overview of Report

Council has been assisting the North Coast National Agricultural and Industrial Society Inc. (NCNA&IS) with its operational and management responsibilities at the Lismore Showgrounds since January 2006.

At its December 12, 2006 meeting, Council resolved to reduce the in-kind assistance to the NCNA&IS, request them to commence exploration of resourcing options and then report to Council by March 2007.

As there has been no formal advice received from the NCNA&IS regarding its future plans to resource its responsibilities as Trustee of the Lismore Showgrounds, Council should wind back the in-kind support and financial guarantees which have been in place for more than twelve months.

Background

Council has been assisting the North Coast National Agricultural and Industrial Society Inc. (NCNA&IS) with its operational and management responsibilities at the Lismore Showgrounds since January 2006. Council has considered reports on the progress of this arrangement at its August and December 2006 meetings. At the December 12, 2006 meeting, Council resolved (Minute 254/06):-

1. *Extend the service agreement between Council and North Coast National Agricultural and Industrial Society for Council to assist the Society to carry out its operational and management responsibilities for the Lismore Showgrounds to March 31, 2007.*
2. *Provide a letter of comfort to the Lismore Showgrounds Trust's banker to the value of \$30,000 up to April 30, 2007 for the operation and management of the Lismore Showgrounds.*
3. *Request the Lismore Showgrounds Trust and North Coast National Agricultural and Industrial Society to immediately commence their exploration to maximise the resources available including sale of land owned by the NCNA&IS for reinvestment back into the Lismore Showgrounds and report back on the progress to Council by March 2007*
4. *Request the Lismore Showgrounds Trust and North Coast National Agricultural and Industrial Society to pursue the alternative of using land owned by the Society as security for the Trust's bank account from May 2007.*

Council's resolution has been communicated to the NCNA&IS and a meeting between the Trustee and Management held on February 14, 2007 to explain this resolution and its timelines.

Status

- Service Agreement – Due to a change in the NCNA&IS Secretary, the timeframe for the hand-back of all operational and management responsibilities can be delayed but should be completed by April 30, 2007
- Letter of Comfort – Will cease effective April 30, 2007
- Exploration to maximise available resources – This matter has been discussed at both Lismore Showgrounds Trust and the NCNA&IS Management Committee meetings however, no conclusive or formal response has been advised to Council.

This is a key matter for the NCNA&IS to consider and address in its capacity as Trust Manager for the Lismore Showgrounds

- Security for Trust's bank account – The NCNA&IS own land of sufficient value that could be offered as security for an overdraft facility that would serve both the needs of the Lismore Showground Trust and North Coast National Show.

This matter has been discussed at both Lismore Showgrounds Trust and the NCNA&IS Management Committee meetings however, no formal response has been provided to Council.

Despite active encouragement, the Trustees of the Lismore Showground have not compiled a business plan or management strategy to ensure the ongoing needs of the Lismore Showgrounds as a community facility are resourced. This situation is not satisfactory but Council is not in a position to alter the status quo without itself allocating tangible resources.

With this in mind and due to the significance of the Lismore Showgrounds as a facility for the benefit of Lismore and surrounding community, Council should continue to encourage the NCNA&IS to pursue all possible avenues to maximise its viability to maintain community ownership and access.

Other staff comments

Not required

Public consultation

Not required

Conclusion

At this time, there is no immediate role for Council at the Lismore Showgrounds. However, due to the significance of the Lismore Showgrounds as a community facility, the NCNA&IS should be encouraged to pursue all possible avenues to maximise its viability to maintain community ownership and access.

Recommendation

That Council

1. Receive and note the report.
2. Write to the North Coast National Agricultural and Industrial Society as Trustees of the Lismore Showgrounds encouraging them to pursue all possible avenues to maximise viability to maintain community ownership and access of the Lismore Showgrounds

Report

Subject	Draft S94 Contributions Plan – Woodlawn Avenue to Ballina Road
File No	S517
Prepared by	Senior Strategic Planner
Reason	To fund road infrastructure required to service new development in the Trinity Drive area
Objective	Council resolution to exhibit the draft amendment to the Contributions Plan
Strategic Plan Link	Infrastructure
Management Plan Activity	Review and update planning controls

Overview of Report

This report advises Council of the preparation of a draft Contributions Plan for a proposed new road link between Woodlawn Avenue and Ballina Road and recommends that Council exhibit the draft plan.

Background

The Lismore Urban Strategy (2003) identifies approximately 45ha of land at the end of Trinity Drive as having potential for future urban residential development. The area has an estimated potential lot yield of 330 lots. The existing access to Ballina Road (via Mountain View Drive) does not have the capacity to accommodate the additional traffic generated by the anticipated level of development. Therefore alternative access will need to be provided before future development in this area can proceed.

There are two access options, both of which will eventually be required to cater for the ultimate development of the release area. The first option involves a new access to Bangalow Road via Haywood Lane and Lagoon Grass Road. The second option is to provide a new access to Ballina Road by linking Woodlawn Ave to the roundabout at the Rous Road intersection.

The timing of these new roads will influence the development and staging of the Trinity Drive release area. The Bangalow Road access is the more straightforward option as it can be constructed within existing Crown and Council road reserves. If this option was to be constructed first, development would commence at the northern end of the release area. Once the development reached the end of Trinity Drive, the alternative access to Ballina Road would be required. This could be funded through section 94 providing levies for this purpose were applied to new development in the area.

Alternatively, if the developer agreed to fund the construction of the new Ballina Road access first, development would commence at the southern end of the release area. A traffic study would determine at what stage the development would be required to provide the new access to Bangalow Road. In this case the Bangalow Road access would be constructed by the developer and a site specific Section 94 Plan would not be required.

Therefore a site specific Section 94 Plan would only be considered to be necessary where development of the Trinity Drive area commenced at the northern end. This is the most likely scenario as the proposed link between Woodlawn Ave and Ballina Road involves acquisition of private land.

In December 14, 2004 Council resolved to rezone 2.6 ha of land at the end of Trinity Drive to 2(a) Residential through LEP Amendment No.15. It was accepted that the 11 new lots that could result from Amendment No.15 would utilise the existing Trinity Drive - Mountain View Drive access. However it was agreed that no further development in the area would be permitted until an alternative access was provided. The alternative access between Woodlawn Avenue and Ballina Road has been identified in Council's draft DCP for the urban area (Chpt 1 of Part B of Lismore Development Control Plan) which Council resolved to place on exhibition at its meeting of December 12, 2006.

To achieve parity between the various landowners in the area, Council determined that the 11 new lots that would result from Amendment No.15 should also contribute to the alternative access to Ballina Road. In the absence of a site specific S94 Plan, the landowner agreed to enter into a planning agreement with Council that provided for an equivalent contribution to be paid towards the new road link.

No development application has yet been lodged for the 11 lots. The planning agreement has a clause that provides if a Contributions Plan comes into effect before payment has been made under the planning agreement, then the amount payable is to be in accordance with the Contributions Plan.

Comments

Financial Services

Not required.

Other staff comments

Development Engineer

Future development of the land identified in the proposed section 94 plan will generate around 3,400 additional traffic movements per day. While a percentage of these trips will access Bangalow Road to the north a significant percentage will access Ballina Road to the south.

The existing road network provides poor alternatives for vehicles accessing Ballina Road from properties north of Ballina Road. The current options available for traffic, to be generated from the subject land, are either Deegan Drive or Bruxner Crescent. Neither of these intersections have suitable geometry or location to facilitate upgrading to accommodate additional traffic. Bruxner Crescent is steep at the intersection with Ballina Road making it difficult for vehicles to queue in Bruxner Crescent waiting to enter Ballina Road. The right turn movement from Ballina Road into Bruxner Crescent requires turning vehicles to prop in Ballina Road in the traffic stream whilst waiting to turn. There is currently a high accident incidence (more than 10 tow away accidents in the last 5 years) at this location. Due to the grades on either side of the existing road pavement, widening of the pavement to provide a suitable turning treatment is not feasible.

Ballina Road is a divided carriageway with height differential at the intersection with Deegan Drive. Therefore the Deegan Drive / Ballina Road intersection is a left turn only intersection. Traffic entering or leaving Deegan Drive that is not travelling in an easterly direction is required to utilise either the Rous Road or Gordon Blair Drive roundabouts to change direction of travel in order to enter Deegan Drive, via a left turn movement. The limited distance between the intersection of Deegan Drive and the Rous Road roundabout makes it difficult for vehicles to make a right hand turn around the roundabout then a left turn into Deegan Drive. In light of these issues it is not recommended that significant additional traffic movements be placed upon this intersection.

Over the previous years options for upgrading of intersections to provide better access on to Ballina Road have been investigated. Though it does present its own problems, particularly property acquisition and steep longitudinal grades, the option of connecting a road from the north to the Rous Road roundabout appears to be the most feasible. One of the benefits of this option is that it utilises the existing intersection treatment at Ballina Road by introducing an additional leg to the current roundabout. This will reduce the impact and costs of creating an additional intersection upon Ballina Road. This however is offset by the need to purchase existing properties to provide access on to Ballina Road at

this location. A preliminary design for the road has been undertaken and whilst the proposed road will have longitudinal grades approaching the maximum allowable and require a cut of approximately 3 metres the design does show that the proposal is feasible.

The above option of utilising the existing roundabout at the intersection with Rous Road appears to be the most practical and effective option available for upgrading of access to Ballina Road.

Other works proposed within the plan include the provision of parking bays on the section of Trinity Drive, between Woodlawn Avenue and Ashgrove Drive, the widening of the existing section of Woodlawn Avenue and the widening of streets within Area 1. The existing section of Trinity Drive and Woodlawn Avenue are not at the appropriate width, in accordance with DCP28, for the expected traffic volumes. Therefore it is necessary to implement measures that will result in adequate carriageway width to ensure the free flow of traffic. To achieve this it is proposed to replace the existing upright kerb with layback kerb and provide parking bays within the verge along one side of the street, most likely the eastern side. As it is too difficult to widen Trinity Drive it has been proposed to relocate on-street parking on one side of the roadway to parking bays behind the kerb. This will ensure that two through lanes can be maintained at all times and will provide a carriageway width that complies with DCP28 requirements for the expected traffic volume.

Part of the costs of providing wider roads through Area 1 have also been included within the proposed plan. In accordance with DCP 28 the proposed roads within Area 1 will be required to be constructed to a width of 11metres due to this proposal. Without this proposal these roads would be carrying less traffic and therefore would be able to be constructed to a 9metre width. Therefore these cost differences have been included within the proposed plan.

Given the above reasoning it is considered that the works proposed within this plan are necessary to facilitate urban expansion in the identified areas.

Public consultation

Clause 32 of the Environmental Planning and Assessment Regulation 2000 provides that Council may amend a Contributions Plan by a subsequent Contributions Plan. It is proposed to amend Council's existing Contributions Plan through the preparation of a new draft citywide Contributions Plan that incorporates the Woodlawn Avenue to Ballina Road contributions plan. Clause 26 of the Regulation provides that a draft Contributions Plan must be publicly exhibited for a period of at least 28 days.

Conclusion

It is proposed that Council prepare and exhibit a site specific roads contribution plan to fund the future road link between Woodlawn Avenue and Ballina Road. The site specific plan will be incorporated into Council's S94 Contributions Plan 2004.

The new road link will require acquisition of two properties along Ballina Road (and part acquisition of another) to facilitate access to the roundabout. The rest of the route traverses mostly vacant 2(a) zoned land (shown as Area 1 on the Contributions Plan map). That land does not have a current subdivision approval but a future subdivision proposal would need to accommodate the link road within its road layout. The S94 Plan will compensate the land owner for additional costs in providing the additional road widths as well as for any potential loss of lots.

At the same time future development on this land will benefit from the improved link to Ballina Road and therefore the cost of the road will be apportioned between all new development that will utilise the road. Consequently new development in Area 1 will contribute towards the cost of the section of road that that development will utilise. New development in the Trinity Drive release area (Area 2 on the Contributions Plan map) will also contribute to the new road link but will bear the additional costs of upgrading Trinity Drive and Woodlawn Avenue.

A copy of the site specific contributions plan for the road link between Woodlawn Avenue and Ballina

Road is attached to this report. Costings in the attachment are based on current dollar values and these will need to be adjusted to be consistent with the Lismore Contributions Plan 2004.

Recommendation (PLA12)

That Council:

- 1 Exhibit the draft Section 94 Contributions Plan for the proposed new road from Woodlawn Avenue to Ballina Road for a period of 28 days, and
- 2 Write to affected landowners in the Ballina Road and Trinity Drive area advising them of the exhibition of the draft plan

Attachment 1

2.2 Specific Urban Roads

This part of the Contribution Plan applies to specific roads in the urban area that require construction or upgrading to cater for additional traffic generated by anticipated new development within the immediate locality.

2.2.1 Road Link between Woodlawn Avenue and Ballina Road

Where does this part of the Plan apply to?

This part of the Plan applies to Area 1 and Area 2 as identified on the Map.

Causal Nexus

The need for a new road link to service the future development in Area 2 is identified in Council's Lismore Urban Strategy and its Development Control Plan for the Lismore urban area. The new road will be required to accommodate traffic resulting from future residential development in both Area 1 and Area 2. Both Area 1 and Area 2 lack a satisfactory road access from Ballina Road and existing intersections at Deegan Drive and Bruxner Crescent are unsuitable for the volume of traffic expected to be generated by new development in the locality. The construction of a new road linking Woodlawn Avenue to the Rous Road roundabout is required to overcome the problems that additional traffic in this area will generate.

The need for a new link road and new access to Ballina Road is wholly attributable to new development in the area as existing roads and intersections are considered to be adequate for the existing density of residential development in the locality.

Physical Nexus

The location of the proposed new road has been determined having regard to the location of the increased demand, topographic characteristics, and limitations in terms of providing a functional intersection with Ballina Road.

Temporal Nexus

Construction of the road will be required before any further development north of the existing residential zone boundary in Trinity Drive and Ashgrove Drive is permitted to connect to either Trinity Drive or Ashgrove Drive.

What is the formula for calculating contributions?

The formula for calculating contributions for the new road link and intersection is as follows:

$$\text{Contribution (per ET)} = \left\{ \frac{C}{N} + AL \right\} \times \text{CPI}$$

Where:

C = total cost of road construction and upgrading.

N = estimated number of new lots/ET's within the local catchment area.

AL = administration levy of 2.5% (see clause 15 of Part B)

CPI = Consumer Price Index (see clause 13 of Part B)

What are the estimated costs of constructing the new road?

The estimated costs of providing a new road link from Woodlawn Ave to Ballina Road at the Rous Road roundabout are set out in the Table below:

Description of works	Location	Estimated cost
Land purchase	Ballina Road properties	\$830,000
Land purchase	Within Area 1	\$350,000
Road construction	Ballina Rd to Area 1	\$370,000
Road upgrading	Within Area 1	\$118,000
Sub-total		\$1,668,000
Road upgrading	Woodlawn Ave	\$8,500
Road upgrading	Trinity Drive	\$67,200
Sub-total		\$75,700
TOTAL		\$1,743,700

What are the contribution rates for the new road link

Area 1 has an estimated lot yield of 55 lots. Area 2 has an estimated lot yield of 330 lots, giving a total estimated lot yield for the locality of 385 lots. There is no causal nexus between new development in Area 1 and the requirement for upgrading works in Woodlawn Ave and Trinity Drive. Consequently the contribution for Area 1 does not include the costs of upgrading Woodlawn Ave and Trinity Drive. These costs will be borne entirely by new development in Area 2.

The contribution for Area 1 is:

$$\begin{aligned} \text{Contribution (per ET)} &= \frac{\$1,668,000}{385} + 2.5\% \times \text{CPI} \\ &= \$4,441 \times \text{CPI} \end{aligned}$$

The road contribution for Area 2 is:

$$\begin{aligned} \text{Contribution (per ET)} &= \frac{\$1,668,000}{385} + \frac{\$75,700}{330} + 2.5\% \times \text{CPI} \\ &= \$4,676 \times \text{CPI} \end{aligned}$$



Report

Subject	Draft S94 Contributions Plan – Dougan Road, Caniaba
File No	S517
Prepared by	Senior Strategic Planner
Reason	To fund road infrastructure that has been provided to service future development in Dougan Road, Caniaba
Objective	Council resolution to exhibit the draft Contributions Plan
Strategic Plan Link	Infrastructure
Management Plan Activity	Review and update planning controls

Overview of Report

This report advises Council of the preparation of a draft Contributions Plan for Dougan Road, Caniaba and recommends that Council exhibit the draft plan.

Background

Dougan Road, Caniaba is located within the “Caniaba Village Investigation Area” identified in Council’s Village Development Strategy. Land within the investigation has the potential for future village development subject to the approval of a rezoning application.

To date there has been only one rezoning in Dougan Road that has resulted in the creation of three village lots at the southern end of Dougan Road. As a condition of the rezoning and the development consent, the applicant is required to upgrade Dougan Road.

Dougan Road will be upgraded to a 6m wide seal on an 8m wide formation. The developer will be responsible for the equivalent cost of upgrading the road to a 5m wide seal on a 7m wide formation to service his development. Council will be responsible for the cost of providing the extra width. The cost of providing the extra road width can be recouped from future development in Dougan Road providing a site specific Section 94 Contributions Plan for the area has been prepared and adopted by Council.

It is proposed that Council now prepare a site specific roads contribution plan for Dougan Road to recoup the cost of the additional width from future development. The site specific plan will be incorporated into Council’s adopted S94 Contributions Plan 2004.

The site specific contributions plan has been prepared on the basis that the cost of providing the extra width in Dougan Road can be solely attributed to future development in the Dougan Road area. There are an estimated 35 additional lots that could be created under the Village Development Strategy which could have access to Dougan Road.

A copy of the site specific contributions plan for Dougan Road is attached to this report. Costings in the attachment are based on current dollar values and these will need to be adjusted to be consistent with the Lismore Contributions Plan 2004.

Comments

Financial Services

Not required

Other staff comments

Council's Development Engineer has been consulted in the preparation of the Section 94 Plan.

Public consultation

Clause 32 of the Environmental Planning and Assessment Regulation 2000 provides that Council may amend a Contributions Plan by a subsequent Contributions Plan. It is proposed to amend Council's existing Contributions Plan 2004 through the preparation of a new draft Contributions Plan that incorporates the Dougan Road plan. Clause 26 of the Regulation provides that a draft Contributions Plan must be publicly exhibited for a period of at least 28 days.

Recommendation (PLA12)

That Council:

- 1 Exhibit a draft Section 94 Contributions Plan that incorporates the attached plan for Dougan Road, Caniaba for a period of 28 days.
- 2 Write to landowners in the Dougan Road area advising them of the exhibition of the draft plan.

Attachment 1

2.4 Specific Rural and Village Roads

This part of the Contribution Plan applies to specific roads in the rural and village areas that require construction or upgrading to cater for additional traffic generated by anticipated new development within the immediate locality.

2.4.1 Dougan Road, Caniaba

Where does this part of the Plan apply to?

This part of the Plan applies to development on any land that has access via Dougan Road, Caniaba.

Causal Nexus

Upgrading of Dougan Road, Caniaba has been required to accommodate additional traffic resulting from future village development in the area. Existing development in Dougan Road has been required to meet the costs of upgrading Dougan Road to a 5m wide bitumen seal on a 7m wide gravel formation. Council has met the additional costs of constructing the road to a 6m wide bitumen seal on a 8m wide formation to cater for future development that may occur in the Dougan Road area in accordance with Council's Village Development Strategy.

The need for upgrading to the wider formation is wholly attributable to new village development that will access via Dougan Road.

Physical Nexus

Only the section of Dougan Road that falls within the Caniaba Village Investigation area under the Lismore Village Development Strategy has been upgraded to cater for the requirements of new development in the area.

Temporal Nexus

The additional width has been provided in Dougan Road in anticipation of new development that will occur in the future. The additional cost of widening the road will be recouped through contributions under this plan.

What is the formula for calculating contributions?

The formula for calculating contributions for the new road link and intersection is as follows:

$$\text{Contribution (per ET)} = \left\{ \frac{C}{N} + AL \right\} \times \text{CPI}$$

Where:

C = the additional cost of constructing Dougan Road to a 6m wide bitumen seal on a 8m wide formation. .

N = estimated number of new lots/ET's that will ultimately access Dougan Road.

AL = administration levy of 2.5% (see clause 15 of Part B)

CPI = Consumer Price Index (see clause 13 of Part B)

What were the additional costs of constructing Dougan Road to cater for future development?

The additional cost of constructing Dougan Road to a 6m wide bitumen seal on an 8m wide gravel formation was \$16,120.

What are the contribution rates for Dougan Road?

Land in Dougan Road that is within the potential village expansion area in the Lismore Village Development Strategy 1996 has an estimated lot yield of 35 lots. Therefore the contribution rate is:

$$\begin{aligned} \text{Contribution (per ET)} &= \frac{\$16,120}{35} + 2.5\% \times \text{CPI} \\ &= \$472 \times \text{CPI} \end{aligned}$$

Report

Subject	Rural Recycling Strategy
File No	PJK:RF:S763
Prepared by	Manager – Quarry, Waste and Crematorium
Reason	To levy rural waste collection customers an additional \$20.00 per service for the remainder of the 2006/07 year for kerbside rural recycling collection.
Objective	For Council to consider any submissions made during the advertised 28 days before adopting the charge.
Strategic Plan Link	Waste Cycle
Management Plan Activity	Waste Management

Overview of Report

Council approved the implementation of a rural recycling service at its meeting held December 12, 2006 and recommended that the Rural Recyclable charge of \$20.00 for the remainder of the 2006/07 financial year be advertised for 28 days seeking public submission before adoption of the charge. The advertisement was placed in the Echo on March 8, 2007 and no submissions have been received to date. The 28 day submission period closes on April 5, 2007.

Background

Council approved the implementation of a rural recycling service at its meeting held December 12, 2006 and it was proposed to levy an additional charge of \$20.00 for this service in 2006/07. Council in its recommendation required that the proposed additional Rural Recyclable charge of \$20.00 be advertised for 28 days seeking public submission. Due to the need for this to be advertised for 28 days and for Council to consider any submissions before adopting the charge, the additional charge, if adopted, will be levied with the May 2007 instalment reminder.

The advertisement calling for public submissions was placed in the Echo on March 8, 2007 and the 28-day period ends at 4.30pm on Thursday, April 5, 2007.

To date no submissions have been received in response to the advertisement, if any submissions are received they will be forwarded for consideration prior to the Council meeting.

Comments

Financial Services

Comments were provided as part of the December 2006 report. There has been no additional information provided to alter the assessment made in the December 2006 report.

Other staff comments

Not applicable

Public consultation

The public consultation carried out prior to the rural recycling rollout elicited 42 responses with 18 of those responses against the proposed fee. There were also a number of replies from people suggesting a lesser service would suffice, at a correspondingly lower fee base. The options for variations to the standard rural service are being investigated and it is proposed to include alternatives, such as a rural half service and an integrated village service, in the 2007/08 budget papers.

Conclusion

Implementation of kerbside recycling to Lismore's rural areas has been successfully completed. The cost of providing this service will be approximately \$1.00 per week per household and if the additional charge of \$20.00 per service is adopted, this charge will be levied with the May 2007 rates instalment reminder.

Recommendation (IS16)

That Council approve the levy of an additional Rural Recycling charge of \$20.00 to all rural waste collection customers for the remainder of the 2006/07 year.

Report

Subject	Pesticide Notification Plan - Adoption
File No	S953
Prepared by	Parks Coordinator
Reason	Legislative Requirement (amended Pesticides Regulation 1995)
Objective	To provide notification to the public when pesticides are in use.
Strategic Plan Link	Infrastructure Services
Management Plan Activity	Quality of Life, Natural Environment

Overview of Report

All NSW Councils are now required to implement a Pesticide Notification Plan (PNP) due to changes in the New South Wales Government Regulation "Pesticides Regulation 1995". Following research undertaken into other NSW Councils' PNPs and following three public submissions, the attached Lismore City Council Pesticide Notification Plan is proposed for adoption.

Background

The Roads and Parks Section has prepared the attached Pesticide Notification Plan (PNP) on behalf of Council as a whole, in accordance with the requirements of the Pesticides Regulation 1995 (the Regulation).

The PNP aims to meet the community's expectation that they have the right to know about pesticide use in public places so they are able to avoid contact where necessary.

Apart from the obvious use of herbicides and some insecticides on Council's parks, gardens and sporting fields, other areas of Council using pesticides include building maintenance, tea-tree farm operations, childcare facilities, waste facilities, pool operations and more. Contractors using pesticides on our behalf are also included within this plan.

Our PNP was developed using the PNP example provided by the Department of Environment and Conservation (DEC). Amendments have been made to include all of Council's activities and assets. The DEC acknowledges the complexities and efficiency issues surrounding the requirement to notify the public, and has therefore allowed Councils to develop their own exemptions and 'no notification' requirements.

The PNP was developed by Roads and Parks staff in consultation with relevant Program Managers and has since been on public display between January 15 to February 12, 2007 in accordance with the legislation. The PNP was advertised in Council's Lismore Infolink in 'The Echo' newspaper.

Discussion

What are the pesticides used by Council?

Council's various departments use a wide variety of pesticides for a range of pests. Pesticides cover a large range of chemicals including herbicides for weeds, insecticides for insects, fungicides for fungal problems, and more.

The use of chemicals as apposed to other more labour intensive methods is often chosen generally to satisfy the **effective and efficient control** of the pest being targeted. Black spot on the roses at the Crematorium, weeds in inaccessible mowing areas such as guard rails, flies and cockroaches in Council's kitchen, and bindii weeds in playing fields all require the use of pesticides for efficiency purposes. Other more manual cultural methods can be implemented to 'almost' create the same end result, but at a greatly increased expense to Council and to the community.

Why are there exemptions within the Pesticide Notification Plan?

The exemptions proposed are those that Council Officers see as at least risk to the community. By 'least risk', it is meant that the Pesticides used are:

- of low toxicity (Schedule 5 or less);
- are used in very low quantities; or
- in areas inaccessible to the public.

Schedule 5 pesticides, including Glyphosate used in Roundup, are described by the *National Drugs & Poisons Schedule Committee* as having low toxicity or low concentration, have a low to moderate hazard, and are capable of causing only minor adverse effects in normal use.

By no means are these exemptions taking advantage of 'loopholes' in the legislation, as they are generally being used by many other Councils in their adopted Pesticide Notification Plans.

Should there be no exemptions; Council will be required to notify the community about spot weeding, spraying of fly spray, placing of cockroach baits and all similar related activities where the probability of contact with the pesticide would be extremely remote. The additional time to coordinate activities and extensive notification would significantly increase workloads for existing staff.

An alternative to the exemptions may be to place broad-statement advertisements in the newspaper such as the example.... "Council will be spraying the following herbicides this month in all of its parks" and similar. However, broad statements like this will not assist the public in determining exactly what and exactly where and may be seen as tokenism.

Has Council received specific complaints from Chemically Sensitive Persons?

Although we cannot assume that Chemically Sensitive Persons are not in our community, very few complaints have been recorded to Council from such persons. There have been no recent claims from members of the public concerning pesticide sensitivity. Roads and Parks receives 2 to 3 phone calls per year from residents concerning spraying conducted adjacent to their properties or whilst they were in a specific park, all of which have been dealt with to the satisfaction of the residents.

What will happen if there is a complaint from a Chemically Sensitive Person?

Council will maintain a register of chemically sensitive persons who will simply require a medical certificate explaining their sensitivity to certain pesticides/chemicals. Council will either avoid using a specific chemical where appropriate or provide specific notification that the chemical will be used in the park/building adjacent to them.

A register of 'sensitive places' will also be maintained including schools, community centres and hospitals.

Other staff comments

Relevant Council Managers have been consulted regarding the implementation of the Plan and how it will affect them. Managers have requested the final PNP to be forwarded to them following Council

approval and that assistance be provided by Roads and Parks Staff when they have the need to notify. All managers and their staff have responded positively to this new requirement.

Public consultation

Public submissions received by Council concerning this issue totalled three (3) and are separately attached. Generally, these submissions raised concerns that the notification process proposed does not go far enough in an attempt to protect persons, property and the environment.

Submission One was specifically concerned that the exemptions proposed were too broad and that pesticides are increasingly causing allergies to persons in the community.

Submission Two describes the legislation as having 'loophole' qualities, referring to exemptions that Councils may propose are broad-range and not specific enough. The concerns include:

- chemically sensitive persons must be notified of any pesticide use;
- aversion of complaining in our culture means that people do not bring their realistic complaints forward; and
- people have died following exposure to Glyphosate (Roundup).

The customer would propose that 'no exemptions' exist with the exception of indoor insecticide sprays.

Submission Three does not support the idea of the use of any poisons due to environment and health concerns. However, they would propose that where the weeds are present, Council could notify the residents and offer the opportunity for them to remove the weeds before resorting to pesticides.

Conclusion

In consideration of the public comments provided and subsequent minor alterations to the Draft PNP, the attached Final PNP aims to meet the expectations of the majority of the community by providing advice and notification about regular and significant pesticide applications. It is envisaged the Plan will allow the effective and efficient application and monitoring of all Council's pesticide usage.

Recommendation (IS18)

That the Lismore City Council Pesticide Notification Plan be adopted.

Report

Subject	March 2007– Investments held by Council
File No	S178
Prepared by	Principal Accountant
Reason	Required under Clause 212 Local Government (General) Regulations 2005, Local Government Act 1993, and Council's Investment policy.
Objective	To report on Council Investments
Strategic Plan Link	Leadership by Innovation
Management Plan Activity	Financial Services

Overview of Report

Council investments as at 31 March 2007 is estimated to be \$33,066,696 subject to the final value of funds held under separate management being advised shortly.

The interest rate reported over the period of March 2007 is estimated to be 7.23% in comparison to 6.37% for March 2006. The final interest return may vary due to actual returns achieved in the funds held under separate management. The portfolio managers have provided an estimate of returns expected for the period, this may vary due to capital movements within investments held.

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.

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 time-frame; 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 the next Council meeting.

Report on Investments

- | | |
|---|--------------|
| • <i>Confirmation of Investments – 28 February 2007</i> | \$33,017,290 |
| • <i>Estimated Investments – 31 March 2007</i> | \$33,066,696 |

Some variation is expected on the final balance of funds held under separate management. The final valuation of these funds is not made until after the end of the month.

The current rate of return on investments for March 2007 is estimated to be 7.23% compared to 6.37%

for the same period last year. The final rate of return may vary as a result of the finalisation of the funds held under separate management. The rate of return reported has been calculated using actual returns where available and estimates provided by portfolio managers.

Council has transferred part of its investment portfolio into an Individually Managed Portfolio (IMP) managed by Grange Securities. This portfolio is managed to attain the maximum return and the basket of investments may change over the course of the reporting period. Reporting for this investment has been made on consolidated basis with all other investments.

The following attachments have been included for Council's attention:

- Summary of Investments including name of institution, lodgement date, maturity date, interest rate and the estimated interest earned in the period.
- Value of investment held by month with last year comparison - graphical
- Investment by type - graphical
- Weighted average interest with last year comparison – graphical
- Investment by Institution as percentage of total portfolio - graphical

Comments

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

Subject	Cemetery Land Acquisition
File No.	PK:VLC:P8791,P9040
Prepared by	Manager – Quarry, Waste and Crematorium
Reason	To purchase land for Cemetery operations.
Objective	To seek Council approval for the purchase of land for cemetery operations.
Strategic Plan Link	Quality of Life
Management Plan Activity	Lismore Memorial Gardens

Overview of Report

The existing traditional burial area at the Lismore Memorial Gardens has sufficient land for eight years of burials. The adjacent land is for sale and management recommends the purchase of the land for future cemetery operations, extending the life by 50 years.

Background

Capacity

Current capacity for traditional type burials at the Lismore Memorial Gardens, Skyline Road Cemetery, is around 700 allotments. At current rates of internment this equates to eight years of capacity. It has been known for some time that more land will be required in the not too distant future to maintain the cemetery services and various alternatives have been considered. These have included the parcel of land next to the southern end of the existing cemetery and land on the opposite side of Skyline Road, as well as relocating operations to a new area. The cost of commencing in a new area while still maintaining the Skyline Road site would be considerably more than expanding the existing operation.

Studies are currently underway to assess some of the existing Council-owned land for the development of a bushland burial area. This land was not previously thought to be of use due to landform and ecological considerations. The development of a bushland burial concept, if successful, would alleviate some of the pressure on the need for more land. However, it is not envisaged that all clients would want to avail themselves of this service and as such it is still imperative that Council obtain more land for future traditional style cemetery operations.

Recent Developments

In December 2006 year the cemetery neighbours at No. 627 Skyline Road advised Council staff that they were interested in selling their property and indicated a price in excess of \$650,000. Council employed Property Consultants, Tsikleas Andrews, to evaluate the land and conduct negotiations.

The next property to the south recently sold for \$600,000. After considerable negotiations the owners of the land have agreed to a purchase price of \$635,000. While this may be above market value there is considerable operational savings and advantages to Council realisable from integrating this land into existing operations.

Staff have assessed the land and estimate that there is approximately 4,500 allotments available on the site utilising a similar layout as the existing cemetery area. This equates to over 50 years of use at current rates. Coupled with the development of the bushland burial concept, the purchase of this land would enable Council to provide continuation of services on-site into the foreseeable future.

Comments

Financial Services

On the basis Council has an obligation to provide a lawn cemetery, it is agreed that the option to expand the current facility to over a 50-year use by acquiring this site is likely to be better financially than relocating to a new facility.

For funding purposes, it is proposed to use approximately \$250,000 from Lismore Memorial Gardens Reserves and \$150,000 in new external loan funds. The residual will be from a short-term internal loan from Reserves which will be reimbursed fully on the subdivision and sale of the residential house on the residual part of the property.

The cost of both internal and external loans will be funded from the operating surplus generated by Lismore Memorial Gardens estimated at approximately \$180,000 in 2006/07.

Other staff comments

Not applicable

Public consultation

Not applicable

Conclusion

The availability of land adjoining the existing cemetery operations when there is a rapidly increasing need to find additional land is timely. It provides an ideal opportunity for Council to secure enough area for the long-term operation of the cemetery on the existing site.

Recommendation (IS19)

1. That Council approve the purchase of the property at No. 627 Skyline Road for inclusion into the Lismore Memorial Gardens operations at a price of \$635,000.
2. That the Mayor and General Manager be authorised to sign and execute under seal all relevant documentation.

Financial Assistance - Section 356

**a) Council Contributions to Charitable Organisations
Waste Facility – Policy 5.6.1 (GL2033.15)**

Budget: \$6,000 To date: \$7,427.63

Animal Right & Rescue	\$27.27
Challenge Foundation	\$119.91
Five Loaves	\$170.00
Friends of the Koala	\$21.82
LifeLine	\$170.00
Lismore & Dist Police Boys Club	\$10.91
Saint Vincent De Paul	\$10.91
Salvation Army	\$137.55
Westpac Life Saver Rescue Helicopter	\$27.27
Shared Vision Aboriginal Corporation	\$10.91

In accordance with policy. \$706.55

b) Development & Other Application Fees – Policy 1.4.7 (GL2033.7)

Budget: \$300 To date: -\$475.01

Guide Dogs – 50th Anniversary celebrations - have applied to have Section 68 charge of \$163.00 waived. In accordance with policy 30% of the above fees payable by community based non-profit organisations shall be made by Council.

In accordance with policy. \$54.34

c) Mayor's Discretionary Fund (GL2033.26)

Budget: \$2,700 To date: \$1406.11

Rotary Club of Alstonville – Northern Rivers Science and Engineering Challenge 2007 – My 24, 2007 \$100.00

Lismore Ministers Fellowship – National Day of Thanksgiving 'Thanksfest 2007' \$100.00

Recommendation

In accordance with Section 356(1) of the Local Government Act 1993, the assistance to persons as listed above is hereby approved.

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;
- h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.

Clause 34 of Council Code of Meeting Practice

Representations from the public as to whether part of the meeting should be closed to the public can be made after the motion to close the meeting has been moved and seconded for a period of 10 minutes.

Recommendation

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

Item	<i>Mayoral Minute</i>
Grounds for Closure	Section 10A(2) (a): personal matters concerning particular individual.s
Public Interest	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, MARCH 13, 2007 AT 6.00PM.

Present Mayor, Councillor King; Councillors Chant, Crimmins, Dowell, Ekins, Graham, Hampton, Henry, Irwin, Meineke, Swientek and Tomlinson, together with the General Manager, Executive Director-Development & Governance, Executive Director-Infrastructure Services, Manager-Finance, Communications Co-ordinator, Corporate Compliance Officer, Manager Environmental Health and Building Services, Environmental Health Officer and General Manager's Personal Assistant.

**Apologies/
Leave of
Absence
Minutes**

Nil

288/07 The minutes of the Ordinary Meeting held on February 13, 2007, were confirmed.
(Councillors Dowell/Crimmins)

Public Access Session

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

Lib Ruytenberg – Flying-fox Relocation – Rotary Park

(See Minute No. 292/07)

Ms Ruytenberg spoke on behalf of WIRES. She addressed the report submitted to Council emphasizing the unsuccessful attempts to relocate flying-foxes in other locations and the problems this caused to flying-foxes and local residents. She suggested as an alternative an education campaign.

Peter Bellew – Draft LEP Amendment 33

(See Minute No. 293/07)

Mr Bellew spoke in support of the recommendation to retain Lismore Park as community land.

Rodney Carter – Snow Street and Cook Street Proposed Link Road

(See Minute No. 294/07)

Mr Carter spoke against the proposed link road. He suggested two alternative traffic movement proposals at the intersection of Cook and Union Streets. He questioned the public consultation process and claimed that the link road was not essential for industrial development in the area

Nyree Epplett-Higgins – Financial Assistance Westpac Life Saver Rescue Helicopter

(See Minute No. 295/07)

Ms Nyree Epplett-Higgins outlined the service provided to the community since 1982. She emphasised the importance of local fund raising in keeping the service operational. She cited the benefits of the show to both the service and the economic benefits for the City.

Disclosure of Interest

S451

Councillor King declared an interest in Financial Assistance - Westpac Life Saver Helicopter and North Coast National A & I Society (Member of Management Committee of North Coast National A & I Society)

Mayoral Minutes

Clunes Sewerage – Special variation to increase general rates application

- 289/07 **RESOLVED** that the report be received and that Council notify the Department of Local Government of the intention to apply for a special variation to increase general income in 2007/08 and 2008/09 for costs associated with pre-construction activities for Clunes Sewerage.
(Councillors King/Hampton) (S288)

Notice of Motions

Southern Ocean Whaling

- 290/07 **RESOLVED** that the report be received and that Council write to Masakatsu Yoshida, Mayor of Yamato Takada, Nara Prefecture, Japan, expressing our concern that the Japanese government continues to support the hunting of whales in the Southern Ocean Whale Sanctuary and seeking the support of the Mayor to convey our concerns to the Japanese Prime Minister and the Japanese Government and that Council consult with the Japan centre in the drafting of the letter.
(Councillors Dowell/Irwin) (S76)
Voting against: Councillors Chant, Henry, Crimmins, Mieneke and Graham

Altering Order of Business

- 291/07 **RESOLVED** that the order of business be altered to debate the following matters raised during Public Access.
- Flying-fox Relocation – Rotary Park
 - Draft LEP Amendment No 33
 - Snow Street and Cook Street Proposed Link Road
 - Financial Assistance Westpac Life Saver Helicopter
- (Councillors Irwin/Dowell)

Reports

Flying-fox Relocation – Rotary Park

A MOTION WAS MOVED that the report be received and

1. That Council not submit applications to the Departments and
2. Council allocate \$20,000 towards Currie Park for the installation of artificial bat roosts and tree planting in Zone 4 by the green corp team that is currently working there.
3. Together with WIRES and NRWC pursue threatened species network, community grants program funds for further rehabilitation work at Currie Park.
4. Plan and implement a community education program on the flying-foxes.

(Councillors Ekins/Irwin)

On submission to the meeting the MOTION was DEFEATED.

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

A FORESHADOWED MOTION was MOVED that:

1. Approve submission of relocation applications to DEH and DEC.
2. That a further report be provided to Council on the success of applications to DEH and DEC and any consent conditions prior to the commencement of any dispersal (Councillors Hampton/Chant) (P6588)

AN AMENDMENT was MOVED that the report be received and –

1. Approve submission of relocation applications to DEH and DEC.
2. That a further report be provided to Council on the success of applications to DEH and DEC and any consent conditions prior to the commencement of any dispersal.
3. Council allocate \$20,000 towards Currie Park for the installation of artificial bat roosts and tree planting in Zone 4 by the green corp team that is currently working there.
4. Together with WIRES and NRWC pursue threatened species network, community grants program funds for further rehabilitation work at Currie Park.
5. Plan and implement a community education program on the flying-foxes. (Councillor Henry/Tomlinson)

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

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

292/07 **RESOLVED** that the report be received and that Council:

1. Approve submission of relocation applications to DEH and DEC.
2. That a further report be provided to Council on the success of applications to DEH and DEC and any consent conditions prior to the commencement of any dispersal.
3. Council allocate \$20,000 towards Currie Park for the installation of artificial bat roosts and tree planting in Zone 4 by the green corp team that is currently working there.
4. Together with WIRES and NRWC pursue threatened species network, community grants program funds for further rehabilitation work at Currie Park.
5. Plan and implement a community education program on the flying-foxes. (Councillor Henry/Tomlinson) (P6588)

Voting Against: Councillors Irwin, Ekins, Swientek and Hampton,

Draft LEP Amendment No 33 – Reclassification of certain Public Lands

A MOTION WAS MOVED that the report be received and that Council:-

1. Adopt Amendment No 33 to the Lismore Local Environmental Plan 2000 as attached to this report with the exception of 2 (Schedule 6, Part 3), and
2. Use its delegations under s69 of the EP&A Act to forward the amendment to the Minister for Planning with a request that he make the Plan.
3. Following reclassification of Greenhills Park and Riverview Park, proceed with boundary adjustments to rectify the existing building encroachments on the land and reclassify the land back to community land following the boundary adjustment.
(Councillors Irwin/Ekins) (S933)

AN AMENDMENT WAS MOVED that the report be received and –

1. Adopt Amendment No 33 to the Lismore Local Environmental Plan 2000 as attached to this report with the exception of 2 (Schedule 6, Part 3), and
2. Use its delegations under s69 of the EP&A Act to forward the amendment to the Minister for Planning with a request that he make the Plan.
3. Following reclassification of Greenhills Park and Riverview Park and the site of the Goonellabah Recreation Centre, proceed with boundary adjustments to rectify the existing building encroachments on the land and reclassify the land back to community land following the boundary adjustment.
(Councillor Swientek/)

The AMENDMENT lapsed for want of a seconder.

293/07 **RESOLVED** that the report be received and that Council:-

1. Adopt Amendment No 33 to the Lismore Local Environmental Plan 2000 as attached to this report with the exception of 2 (Schedule 6, Part 3), and
2. Use its delegations under s69 of the EP&A Act to forward the amendment to the Minister for Planning with a request that he make the Plan.
3. Following reclassification of Greenhills Park and Riverview Park, proceed with boundary adjustments to rectify the existing building encroachments on the land and reclassify the land back to community land following the boundary adjustment.
(Councillors Irwin/Ekins) (S933)

Voting against: Councillors Swientek and Henry

Snow Street and Cook Street Proposed Link Road

294/07 **RESOLVED** that the report be received and that Council:-

1. Approve in principle the proposed road link between Snow Street and Cook Street based on the amended proposal of a one-way street southbound (ie, from Cook Street to Snow Street), to an area approximately mid-way along the proposed route and from this point further south, the road would be two-way to permit access from Snow Street to potential blocks of land in the newly constructed street.

2. Consider providing funding for the project as part of its 2007/08 budget process.
(Councillors Meineke/Hampton) (R6911:R6935)
Voting against: Councillors Dowell, Tomlinson

Request for Financial Assistance – Westpac Life Saver Rescue Helicopter

S451

The Mayor, Councillor King, declared an interest in this matter, vacated the chair and left the chamber during discussion and voting thereon.

In his absence the Deputy Mayor, Councillor Chant chaired the meeting.

295/07 **RESOLVED** that the report be received and that Council:

1. Agree to provide financial support to the Westpac Life Saver Rescue Helicopter of \$10,000 for 2007 on the basis that the funds be committed to the Lismore 4WD, Caravan, Camping and Marine Show.
2. Negotiate with Lismore Unlimited Opportunities for agreement that a further \$10,000 will be funded in 2007 from the SBRVL Promotion Funds to support the Lismore 4WD, Caravan, Camping and Marine Show, due to its attendees providing potential economic benefits to the businesses of Lismore.
3. That ongoing support for the Lismore 4WD, Caravan, Camping and Marine Show form part of the considerations of the SBRVL review and form part of a strategic review by Council of the Events Promotions and Programs.

(Councillors Henry/Tomlinson) (S164:P331)

Voting against: Councillors Hampton, Ekins, Crimmins and Irwin

At this juncture, Councillor King rejoined the meeting and resumed the chair

Draft LEP Amendment No 35 – Reclassification of Public Lands at 202 & 214A Oliver Avenue, Goonellabah

296/07 **RESOLVED** that the report be received and that Council

1. Adopt Amendment No 35 to Lismore Local Environmental Plan 2000 to reclassify Lots 134 and 135 DP 859549, Oliver Avenue, Goonellabah from community land to operational land; and
2. Use its delegations under s69 of the *EP&A Act* to forward the amendment to the Minister for Planning with a request that he make the Plan.
3. Proceed with the subdivision of Lot 135 DP 859549 following its reclassification to operational land.
4. Land that remains after subdivision for Workers Club use be reclassified as community land.

(Councillors Swientek/Meineke) (S945)

Voting against: Councillor Ekins

At this juncture, Councillor Ekins gave an apology and left the meeting at 8.55pm.

Lismore Airport Charges

297/07 **RESOLVED** that the report be received and that Council:

1. Invite submissions to a public exhibition of a proposal to implement a flat fee head tax arrangement of \$9.57 for up to 65,000 passengers, then an incentive to grow the market by discounting this flat fee by 50% for 65,001 – 69,999 passengers and 100% discount for more than 70,000 passengers be effective from April 11, 2007, from which time they become subject to normal review processes.

2. That a further report be brought to Council detailing the submissions received.
(Councillors Irwin/Graham)(P25804)

Voting against: Councillor Swientek

Lismore Water – SCADA and Telemetry System

298/07 **RESOLVED** that the report be received and that Council:

1. The contract for the Telemetry System upgrade of Lismore Water be awarded to Serck Controls.
2. That an additional \$410,000 be allocated from Sewer Fund Reserves to this project.
3. That \$20,000 from existing Water Fund budgets be reallocated to this project.
4. The Mayor and General Manager be authorised to execute the contract on Council's behalf and attach the Common Seal of the Council.

(Councillors Hampton/Chant) (T27002)

North Coast National A & I Society – Request for Reduction in Trade Waste Charges

S451

The Mayor, Councillor King, declared an interest in this matter, vacated the chair and left the chamber during discussion and voting thereon.

In his absence the Deputy Mayor, Councillor Chant chaired the meeting.

299/07 **RESOLVED** that the report be received and that Council approve the adjustment of the 2007 sewer charges for the A & I Society from \$10,859.94 to \$6,739.55 for the reason that all the water recorded on the metered supply did not infiltrate the sewer system.

(Councillors Hampton/Graham) (S518:P331)

At this juncture, Councillor King rejoined the meeting and resumed the chair.

Community Services Policy Advisory Group Membership

300/07 **RESOLVED** that the report be received and that Council endorse membership nominees, Samantha Standish (Child and Family representative) and Luciana Trojer (Multicultural representative) to fill vacant positions on the Community Services Policy Advisory Group.

(Councillors Dowell/Irwin)(S389)

Proposal for Council to Adopt the ACON 'Safe Place' Project

301/07 **RESOLVED** that the report be received and that Council participate in ACON's 'Safe Place' Project and that relevant staff participate in the project training sessions prior to 'Safe Place' stickers being displayed on Council Buildings.

(Councillors Irwin/Swientek) (S917)

Strategic Plan Steering Committee Recommendations

A MOTION was MOVED that the report be received and:

That the recommendations 4, 5, 6 and 1 from the February meeting of the Strategic Plan Steering Committee as detailed within the report be adopted.
(Councillors Swientek/)(S4)

The MOTION lapsed for want of a seconder

- 302/07 **RESOLVED** that the report be received and that the recommendations from the February meeting of the Strategic Plan Steering Committee as detailed within the report be adopted.
(Councillors Irwin/Chant) (S4)
Voting against: Councillor Swientek

February 2007 – Investments held by Council

- 303/07 **RESOLVED** that the report be received and that the report be received and noted.
(Councillors Irwin/Chant) (S178)

Committee Recommendations

Traffic Advisory Committee February 21, 2007

- 304/07 **RESOLVED** that the minutes be received and adopted and the recommendations contained therein be adopted.
(Councillors Irwin/Swientek) (S352)

Documents for Signing and Sealing

- 305/07 **RESOLVED** that the following documents be executed under the Common Seal of Council:

S88B Instrument -- Request to vary Restriction on the use of Land over Lot 16 in DP 258946 at 89 Mountain View Drive, Goonellabah. (P6985)

Council, being the body expressly empowered to release vary or modify the restriction on the use of land created by the registration of DP258946 has been asked to release "restriction (a) of the restrictions secondly referred to created by the registration of DP 258946". The creation of this restriction predates the current Lismore Local Environmental Plan (LEP) and the said "restriction (a)" is in contradiction to the LEP. The restriction purports to preclude more than one "single private dwelling house" which is at variance with the LEP which is likely to allow the construction of a duplex.

Council has been asked to effect a clarification of the current situation by releasing the restriction. All costs associated with this release are to be born by the applicant.

Deed of Lease - Council and The Animal Rights and Rescue Group Inc (P29655)

Lease over part Lot 62 DP 755737 (1/135 Three Chain Road, South Lismore) comprising an area of 0.83 ha, for the permitted use as an animal welfare centre and refuge for a period of 10 years. The site is part of the South Lismore Sewerage Treatment Works.
(Councillors Hampton/Irwin)

Financial Assistance - Section 356

306/07 **RESOLVED** that in accordance with Section 356(1) of the Local Government Act 1993, the assistance to persons as listed is hereby approved.

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

Budget: \$11,700 To date: \$12,837

Mr Brian Whelan on behalf of the Lismore Swing Dance Camp requesting a donation for the hire of the City Hall for the seventh annual Lismore Swing Dance Camp from January 21 to January 26, 2007 (P6816, S164:07-1420)

Recommendation: In accordance with Clause 2 of the policy a donation of 20% of hire fee apply \$892.82

e) Council Contributions to Charitable Organisations

Waste Facility – Policy 5.6.1 (GL2033.15)

Budget: \$6,000 To date: \$6,721.08

Animal Right and Rescue	21.64
Challenge Foundation	153.91
Five Loaves	71.09
Friends of the Koala	16.36
Lismore Soup Kitchen Inc	51.00
LifeLine	170.00
Saint Business De Paul	12.36
Salvation Army	97.36
Westpac Life Saver Helicopter	10.91
Shared Vision Aboriginal Corporation	5.45

In accordance with policy.

\$610.08

f) Mayor's Discretionary Fund (GL2033.26)

Budget: \$2,700 To date: \$1113.98

Kids Earth Fund – Students from **Whian Whian** Primary School participation in "Our Habitat through Children's Eyes" \$100

Paddle for Life – donation for sign update \$80

Lismore Scout Group – contribution towards plaque \$60

Recommend that the donations above be approved

g) Miscellaneous Donations

1st Lismore Scout Group request to waive the fees for Crozier Field for the 90th Anniversary celebrations on March 18, 2007

Recommendation: That Council waive 50% of fee in recognition that no additional maintenance is required \$127.00

Expired Lease Equipment to Community Groups (GL2033.36)

Budget \$15,000 To date 11,730

Distribution of Council computers to community organisations – 2006 Reserve list.

Each year council donates surplus computers to eligible not-for-profit community organisations with 24 computers being donated last year. An additional 15 organisations were placed on a reserve list. Recently, 10 surplus computers have been identified within Council for donation to community groups.

1.	Nimbin School of Arts Inc.	\$100
2.	Animal Rights and Rescue Group	\$100
3.	Northern Rivers Conservatorium Arts Centre	\$100
4.	Nimbin Agricultural & Industrial Society Inc.	\$100
5.	The Goonellabah Transition Program	\$100
6.	St Carthages Seniors Day Club	\$100
7.	St Carthages Community Care	\$100
8.	Lismore Social Support Program	\$100
9.	Lifeline Northern Rivers	\$100
10.	Relationships Australia – Lismore	\$100

Recommended that the organisations above, in order of priority from the reserve list, receive computers. \$1,000

In accordance with Section 356(1) of the Local Government Act 1993, the assistance to persons as listed above is hereby approved.
(Councillors Irwin/Dowell) (S164)

Closure

This concluded the business and the meeting terminated at 9.25 pm.

CONFIRMED this 10th of April 2007 at which meeting the signature herein was subscribed.

MAYOR

**MINUTES OF THE EXTRAORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE
HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, March 27, 2007 AT 6.00PM.**

Present Mayor, Councillor King; Councillors Chant, Crimmins, Dowell, Ekins, Graham, Hampton, Henry, Irwin, Meineke, Swientek and Tomlinson, together with the General Manager, Executive Director-Development & Governance, Executive Director-Infrastructure Services, Communications Co-ordinator and Corporate Compliance Officer.

**Apologies/
Leave of
Absence
Minutes** Nil
Nil

Public Access Session

Prior to dealing with the circulated reports and associated information, a Public Access Session was held at which Council was addressed by the following:

Phillip Hall (Event Coordinator) and Ray Davison (President Merritt Patten Redfern RLFC) - 37th New South Wales Aboriginal Rugby League Knockout Carnival

Mr Davison detailed the history of the event, highlighting that it had no history of problems. He detailed reasons for moving out of Sydney, citing the strong history of local clubs in the event as one of the reasons that Lismore was selected.

Mr Hall gave a brief description of carnivals held in other cities stressing the success of such carnivals. He spoke of support for the carnival from the local community, business community and State Government. He addressed the issues of concern being accommodation, transport and security.

Extension of Public Access

307/07 **RESOLVED** that Public Access be extended to allow additional speakers on the issue of the 37th NSW Aboriginal Rugby League Knockout Carnival.
(Councillors Dowell/Tomlinson)

R Scollay - 37th New South Wales Aboriginal Rugby League Knockout Carnival

Ms Scollay considered the hurdles raised to the carnival being held could be overcome, and stressed the benefits of the carnival to youth.

Chris Binge- 37th New South Wales Aboriginal Rugby League Knockout Carnival

Mr Binge spoke of the work undertaken on the carnival to date and acknowledged the amount of work yet to be done. On behalf of the local community he expressed disappointment at the decision by the Mayor. He stressed the carnival was an opportunity to make a difference in the local community.

Wes Patten- 37th New South Wales Aboriginal Rugby League Knockout Carnival

Mr Patten spoke of the grass roots nature of the carnival, its importance as a stepping stone to young aboriginals and the role it played in his life. He stressed the positive effect the carnival would have on youth.

Casino Elder- 37th New South Wales Aboriginal Rugby League Knockout Carnival

He spoke of the opportunity the carnival held in Lismore for locals to view and participate in a carnival of this prestige.

Peter Bellew - 37th New South Wales Aboriginal Rugby League Knockout Carnival

Mr Bellew spoke of the development of Crozier Oval with the intent that it would be used to attract events such as this carnival to the City.

Rod Carter – Snow Street and Cook Street Proposed Link Road

Mr Carter spoke against the proposed link road raising issues such as the status of the land as a drainage reserve, impact on adjoining land owners, local residents and the schools.

Mayoral Minute

37th New South Wales Aboriginal Rugby League Knockout Carnival

A MOTION WAS MOVED that the minute be received and that Council endorse my decision to advise the Organisers that Lismore City Council declines to host the 37th New South Wales Aboriginal Rugby League Knockout Carnival over the October 2007 Labour Day weekend.

(Councillors King/Graham)(S164)

Motion of Dissent

Cr Swientek questioned the appropriateness of the Mayoral Minute given that a notice of motion had already been submitted on the same issue.

He asked the Mayor to withdraw the Mayoral Minute.

The Mayor ruled it was within his right to place such a Mayoral Minute before Council.

Cr Swientek moved to dissent from the ruling of the Chairperson.

On submission to the meeting the MOTION was DEFEATED.

Voting against: King, Chant, Hampton, Graham, Henry, Mienieke and Crimmins.

Cr Henry asked the Mayor to add two aspects to his MINUTE.

1. That Council develop an 'Events Risks, Safety and Security Policy' which includes an assessment of pre, during and post event risks that may impact on the amenity, safety and security of the community.
2. That Council advise the organisers of the NSW Annual Aboriginal Rugby Knockout Carnival that the Council is prepared to host the Carnival in 2008 subject to an acceptable Event Risk, Safety and Security Plan being prepared in consultation with the organisers, Police and associated community bodies.

The Mayor and the Secunder agreed to incorporate the proposed addendum into the Motion so that it would read as follows:

1. That Council endorse my decision to advise the Organisers that Lismore City Council declines to host the 37th New South Wales Aboriginal Rugby League Knockout Carnival over the October 2007 Labour Day weekend.
2. That Council develop an 'Events Risks, Safety and Security Policy' which includes an assessment of pre, during and post event risks that may impact on the amenity, safety and security of the community.
3. That Council advise the organisers of the NSW Annual Aboriginal Rugby Knockout Carnival that the Council is prepared to host the Carnival in 2008 subject to an acceptable Event Risk, Safety and Security Plan being prepared in consultation with the organisers, Police and associated community bodies.

308/07 **RESOLVED** that:

1. That Council endorse my decision to advise the Organisers that Lismore City Council declines to host the 37th New South Wales Aboriginal Rugby League Knockout Carnival over the October 2007 Labour Day weekend.
2. That Council develop an 'Events Risks, Safety and Security Policy' which includes an assessment of pre, during and post event risks that may impact on the amenity, safety and security of the community.
3. That Council advise the organisers of the NSW Annual Aboriginal Rugby Knockout Carnival that the Council is prepared to host the Carnival in 2008 subject to an acceptable Event Risk, Safety and Security Plan being prepared in consultation with the organisers, Police and associated community bodies.

(Councillors King/Graham)

Voting Against: Councillors Irwin, Tomlinson, Swientek, Ekins and Dowell.

Dissenting Vote: Councillor Irwin

Notice of Motions

37th New South Wales Aboriginal Rugby League Knockout Carnival

Formal notice was given by Councillor Irwin to MOVE that Lismore Council advises Merritt-Patten Redfern RLFC that it has reconsidered its position and supports their application to hold the Annual Knockout Carnival in Lismore.

(S164)

The Mayor ruled that based on the previous resolution the Notice of Motion was out of order and should not be considered.

Notice of Rescission Motions

Snow Street and Cook Street Proposed Link Road

Formal notice having been given by Councillors Irwin, Dowell and Tomlinson it was **MOVED** that the Council decision in regard to the link road between Snow and Cook Street be rescinded.

(Councillors Irwin/Dowell) (R6911, R6935)

On submission to the meeting the **MOTION** was **DEFEATED**.

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

37th New South Wales Aboriginal Rugby League Knockout Carnival

309/07 **RESOLVED** that Mr Phillip Hall be permitted to address Council on this issue.
(Councillors Irwin/Dowell)

310/07 Formal notice having been given by Councillors Irwin, Tomlinson and Dowell it was **RESOLVED** that the Council's decision (308/07) in regard to the Rugby League Knockout Carnival be rescinded.
(Councillors Irwin/Dowell)

311/07 **RESOLVED** that Council staff start immediate discussion with the Merrit-Patten Redfern Rugby League Football Club and the Police to develop an appropriate Risk, Safety and Security Plan to be brought back to a workshop of Council and to be in place on an interim basis for this carnival.
(Councillors Irwin/Henry)

Closure

This concluded the business and the meeting terminated at 8.40 pm.

CONFIRMED this 10th day of April 2007 at which meeting the signature herein was subscribed.

MAYOR