

Ordinary Meeting

An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on **May 8, 2007 at 6.00pm** and members of Council are requested to attend.

Paul G. O'Sullivan
General Manager

May 1, 2007



Agenda

Opening of Meeting and Prayer (Mayor)

Apologies and Leave of Absence

Confirmation of Minutes
April 10, 2007

Disclosure of Interest

Public Access Session

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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Questions Without Notice

Confidential Matters – Committee of the Whole



Strategic Plan Summary

Lismore regional city

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

Rescission Motion

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

Councillor Dowell

Councillor Tomlinson

Councillor Irwin

Date April 16, 2007

move:

That the Council decision of April 10, 2007 in regard to the closure of Crozier Field in daylight hours be rescinded.

>

Notice of Motion

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

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 of 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.

Councillor J Dowell

Comment

At its April meeting, Council resolved on a narrow vote to include the provision for the daytime closure of Crozier Field. This was despite overwhelming support for Crozier Field to remain open and only be locked at night.

The recommendation in the report prepared by the Executive Director, Development and Governance was clearly that the provision for daytime closure should be excluded from the Management Plan. The recommendation was based on widespread public support for Crozier Park to remain accessible during the day to the many people who enjoy its amenity for both passive and active recreation. In addition, the independent consultant who chaired the public hearing, also recommended in his comprehensive report that the gates remain open during daylight hours.

As stated in the conclusion to last month's report: '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'

Report

Subject	Sport and Recreation PAG Recommendations
File No	S36
Prepared by	Sport and Recreation Project Officer
Reason	Annual recommendations for funding for the Urban Sportsground Development Fund and the Rural Sportsground Development Fund
Objective	To seek approval for resolutions passed at the 15 March 2007 meeting of the Sport and Recreation Policy Advisory Group
Strategic Plan Link	Quality of Life
Management Plan Activity	Community Services

Overview of Report

Approval is sought for the allocation of funds from the Urban Sportsground Development Fund and the Rural Sportsground Development Fund for a number of development projects recommended by the Sport and Recreation Policy Advisory Group.

Background

In 2006/07 a sum of \$165,200 was allocated to the Urban Sportsground Development Fund and \$22,100 to the Rural Sportsground Development Fund to assist sportsground users and recreation facility providers with the development of sports facilities, surfaces etc. Traditionally submissions have been sought from rural sportsground user groups but this is the first time that submissions have been sought from user groups in the urban area. In previous years these funds were allocated based on the recommendation of the Parks and Recreation section. There has been extremely positive feedback from sporting clubs to this new approach. Parks and Recreation staff were consulted regarding the relative merits of the submissions received.

Advice from Financial Services provides an outline of the funding reserve allocations with respect to the two schemes as follows:

	Urban	Rural
O/Balance	136,300	21,300
2006/07 allocation	<u>165,200</u>	<u>22,100</u>
	301,500	43,400
Less 06/07 expenditure		
Balzer Oval	0	5,000
Basketball	21,900	0
Sports Field Lighting Audit	12,000	0
Riverview Park Lighting	<u>80,000(in progress)</u>	<u>0</u>
Balance	\$187,600	\$38,400

Applications from the following organisations were received by the advertised due date:

Urban Sportsground Development Fund

Organisation	Project description	Amount requested	Total project cost
Parks and Recreation	Lighting Crozier Field – 4 poles, 20 lights	\$103,000	\$103,000
Goonellabah Soccer Club	Construct fence at Weston Park along Jubilee Street – safety issue (the Club has already spent similar amount fencing off car park)	\$10,500	\$10,500
Richmond Rovers Soccer Club	Installation of Field Lighting – Bill Harris Fields – 3 poles , 12 lights	\$26,800	\$53,600
South Lismore Soccer Club	Installation of Concrete modular seating – 20 units – Caniaba Street Reserve	\$20,000	\$27,690
Lismore Little Athletics Centre	Installation of 30 metres of Concrete modular seating at Riverview Park	\$11,000	\$11,000
Lismore Basketball Association	Upgrade and development of toilets within the Centenary Stadium	\$36,100	\$39,100
Goonellabah Soccer Club	Installation of lighting Weston Park No 1	\$20,000	\$32,911
Lismore Little Athletics Centre	Refurbishment of canteen block at Riverview Park	\$29,676	\$32,996
Lismore and District Netball Association	Upgrade of lighting for Courts 4 and 5 – Marie Mackney Netball Courts	\$20,000	\$28,000
Lismore Little Athletics Centre	Installation of a second discus cage at Riverview Park	\$6,867	\$12,305
Thistles Soccer Club	Upgrade existing floodlights	\$11,345	\$13,425
Lismore Kart Club	No submission – letter expressing concern that the funding guidelines made them ineligible	Nil	Nil
TOTAL		\$295,288	\$364,527

Rural Sportsground Development Fund

Organisation	Project description	Amount requested	Total project cost
Clunes Tennis Club	Resurface tennis courts	\$15,000	\$49,500
Dunoon and District Sports and Recreation Club Ltd	Balzer Oval – installation of pathways and steps	\$5,000	\$6,000
TOTAL		\$20,000	\$55,500

Following discussion of each project, the Sport and Recreation Policy Advisory Group (PAG) resolved to recommend funding for the following projects with respect to the Urban Sportsground Development Fund:

1. Sports field lighting for Crozier Field, pending Council approval for the draft Lismore Park Plan of

- Management, \$103,000.
2. Construction of a fence at Weston Park for the Goonellabah Soccer Club, \$10,500.
 3. Sports field lighting for Richmond Rovers Soccer Club, \$26,800.
 4. Installation of concrete modular seating at Caniaba Reserve for the South Lismore Soccer Club, \$20,000.
 5. Installation of concrete modular seating at Riverview Park for the Lismore Little Athletics Club, \$11,000.
 6. Upgrade toilets at Centenary Stadium for the Lismore Basketball Club, \$36,100.
 7. Sports field lighting at Weston Park for the Goonellabah Soccer Club, \$20,000.

The Sport and Recreation PAG made the following recommendations for those projects not funded:

1. That support for the refurbishment of the canteen block at Riverview Park on behalf of the Lismore Little Athletics Centre be put on hold pending a thorough appraisal of the condition of the present building.
2. That support for the upgrade of lighting at the Lismore and District Netball Association be delayed pending the results of a funding submission to the Department of Sport and Recreation.
3. That support for the construction of a second discus cage for the Lismore Little Athletics Club not be approved at this time.
4. That the funding application from Thistles Soccer Club not be supported as the Club is ineligible for funding. (The funding guidelines state that only proposals for improvements to facilities on Council owned land are eligible.)

The Sport and Recreation PAG made the following other general recommendations:

1. That organisations seeking funding for the development of sports facilities that do not qualify under the Urban Sportsground Development Fund Guidelines be encouraged to apply for Sport and Recreation grants through the State Government and/or make a separate application for funding from Council's general fund.
2. That Council is asked to explore the possibility of securing the land currently owned by the Catholic Church on the northern side of Weston Park for use as a sporting field.
3. That the Sport and Recreation PAG supports the development of a Plan of Management for indoor sport to complement the development of the Goonellabah Recreation Centre.
4. That Council proceed with the development of a 5 - 10 year master plan for Crozier Field in order for the field to become a premier regional facility for Rugby League, Football and Rugby Union.

With respect to the Rural Sportsground Development Fund, the following funding recommendations were made by the Sport and Recreation PAG:

1. Installation of concrete paths and steps at Balzer Oval for the Dunoon and District Sport and Recreation Club, \$5,000.
2. Resurfacing of the tennis courts at Clunes for the Clunes Tennis Club, \$15,000. (It should be noted that the Clunes Tennis Club had applied for funding for shade sails, a BBQ area and seating but their submission also indicated that the Club was spending \$49,500 resurfacing the courts. It was decided that it would be more appropriate to provide support for the surface upgrade as opposed to support for auxiliary facilities.)

Comments

Financial Services

The projects recommended by the Sport and Recreation Policy Advisory Group total \$247,400. They are to be funded from the Urban Sportsground Development Fund (USDF) (\$227,400) and the Rural Sportsground Development Fund (RSDF) (\$20,000). The USDF has \$187,600 and the RSDF has \$38,400 available for these projects.

While sufficient funds are available for the RSDF recommended projects, they are not for the USDF recommended projects. To allow for the community based USDF recommended projects to proceed, it is suggested that the Crozier Oval lighting project be deferred for inclusion in the draft 2007/08 Budget with funding to come from the unexpended 2006/07 USDF and the recurrent 2007/08 USDF amount of \$169,000 to be included in the draft 2007/08 Budget. This would leave approximately \$129,200 available for new USDF projects in 2007/08.

Other staff comments

Community Services Manager

The projects recommended for funding are fully supported. They provide a wide range of sports facility improvements that will benefit large numbers of participants and spectators across several indoor and outdoor sports.

Public consultation

Advertisements were placed in the Echo for both grant schemes. Two applications were received for the rural program and two other organisations expressed intent to make late applications. Eight applications were received for the urban grant and Council's Parks and Recreation section included a submission for the lighting of Crozier Field.

A significant amount of interest was generated by this process and numerous meetings and telephone conversations were held with interested parties. There was concern expressed by the Northern Rivers Kart Club and the Thistles Soccer Club that the Urban Grant program was not available to organisations who conducted their activities on land not owned by Council. The Sport and Recreation PAG has recommended that the emphasis for funding remain as intended, ie to assist with the development of Council owned or controlled sports facilities.

Conclusion

The Sport and Recreation PAG recommend a number of facility improvements across a range of sporting and recreational activities. There is some emphasis on improving field lighting which seems justified given the findings of the lighting audit undertaken on Council fields late in 2006. This emphasis on lighting will greatly enhance player safety at a number of council owned fields and should have a significant impact on the usage and flexibility of these venues.

Recommendation

That Council:

1. Adopt the Sport and Recreation Policy and Advisory Group recommendations for projects to be funded from the Urban Sportsground Development Fund.
2. Include Crozier Oval lighting project in the 2007/08 Budget funded from the unallocated 2006/07 Urban Sportsground Development Fund and from the 2007/08 Urban Sportsground Development Fund.
3. Adopt the Sport and Recreation Policy and Advisory Group recommendations for projects not funded.
4. Adopt the Sport and Recreation Policy and Advisory Group other general recommendations.
5. Adopt the Sport and Recreation Policy and Advisory Group recommendations for projects to be funded from the Rural Sportsground Development Fund.

Report

Subject	Special Rate – Clunes Wastewater
File No.	GJH:VLC:S384,S288
Prepared by	Executive Director – Infrastructure Services
Reason	Council request
Objective	To explain the need to introduce a special rate to cover the remaining pre-construction cost of the proposed Clunes Wastewater Scheme.
Strategic Plan Link	Infrastructure
Management Plan Activity	Water and Water Cycle

Overview of Report

This report recommends the introduction of a special rate for properties at Clunes which have the potential to benefit from the installation of a new wastewater scheme. The rate is to cover the remaining pre-construction activities. The reasons to use a special rate rather than a flat charge are explained. The communication and consultation process undertaken with affected residents is also outlined in the report.

Background

Council resolved at the September 2006 meeting -

- “1. Council adopt, in principle , the introduction of a Section 501 charge from July 1, 2007 for those properties that will benefit from the introduction of a sewer system in Clunes and North Woodburn to cover the costs of preliminary investigative work.
2. That a further report be submitted to Council detailing the financial details of expenditure to date on these two projects and proposed expenditure with an suggested charge for each project.
3. That ratepayers who would be the subject of this charge be advised and their views sought for inclusion with the report.”

Council has received advice from the Department of Local Government that we cannot collect funds from all Lismore sewer ratepayers (through a Section 501 charge), to subsidise the capital cost of a new sewer system for Clunes residents. This advice was confirmed by a Sydney law firm, Maddocks.

The legal advice highlights there is a difference in the Local Government Act as to how funds can be raised for capital costs compared to operating costs for a sewer system.

Maddocks advise the appropriate way to raise the capital cost for the Clunes Sewer Scheme is to levy a special rate on properties that will in future be connected to the scheme, using Section 495. One of the disadvantages of using Section 495 is that it is a “rate” and the amount charged will be calculated using property values. Therefore, the amount will vary from property to property.

It would appear once the schemes are up and running the operating costs can be recouped using Section 501 and all Lismore Water customers can contribute to the operating costs of all sewer schemes within the Lismore City Council local government area.

Based on the above information staff have consulted the Clunes Wastewater Committee and the broader community indicating a “special rate” is proposed.

Cost of Clunes Scheme

The estimated capital cost of the Clunes Wastewater Scheme is \$5.6M less DEUS subsidy of \$1.7M, making Council's contribution \$3.9M. Using the following data:

Loan Borrowing	\$3.9M
Loan Repayment Period	20yrs
Interest Rate	7%
Number of assessable properties in Clunes	198

The cost to Clunes sewer ratepayers is an average of \$1,854 per year (ranging from \$4,255 to \$982 per year), just for the capital component of the scheme.

A further charge of \$461 per year for operating costs (based on sharing operating costs across all Lismore sewer ratepayers), is required.

Clearly the above costs make the affordability of the scheme at Clunes unviable under the existing legislation. A change to the Local Government Act is required to allow any new village sewer schemes to be viable. Lismore City Council is not on its own regarding this issue and should receive support from many other regional councils. The General Manager raised the issue with the Minister for Local Government at a meeting recently and a submission to the Department has been sent explaining the unexpected adverse impacts of the existing provisions of the Act.

Introducing a Special Rate

The legal advice supports the proposition of levying a fee prior to the work being carried out and this is supported by the Department of Local Government advice.

The expenditure to date on the Clunes project totals \$506,000.

The expenditure at Clunes however is quite significant and in the interest of fairness and equity the ratepayers who will benefit from the scheme should commence contributing toward costs. Council has received a subsidy of \$241,500 so Council's contribution to date is \$264,500.

It is estimated that an additional \$400,000 is required to complete all pre-construction activities which will take up until July 2008. It is assumed Council will receive a subsidy of 30% on this remaining work. Therefore, approximately \$280,000 is to be recovered from approximately 198 properties at Clunes.

To enable the views of the ratepayers subject to the special rate to be sought, three options were proposed -

Option 1 – Repayment over two years

The pre-construction activities are scheduled to be completed during the 2007/08 financial year. However, tenders still need to be called, the tender let, materials procured and the Government subsidy secured. Realistically works will not be substantially commenced until 2009/10. Therefore, two financial years are available to repay the \$280,000. This would equate to an average rate of \$851 per property (ranging from \$651 to \$1,402).

Option 2 – Similar to Lismore

Clunes properties could pay a rate which on average is similar to Lismore sewer ratepayers, that is \$445 per year. However, because the rate for Clunes properties will be charged under Section 495 of the Act, it will depend on property values and will vary from property to property. Therefore, for an average fee of \$445 the range will vary from \$340 to \$733.

Option 3 – Nominal Payment (average \$202)

To pay the \$280,000 for the remaining pre-construction activities Council will borrow the funds. The terms of the repayment will be reviewed in two years when the construction costs are incurred. Therefore, the exact amounts and repayment terms are not critical in the initial few years. However, the principle that the beneficiaries of the Clunes Sewer Scheme should commence to pay for costs incurred is important.

A nominal figure of \$202 (average) is recommended. This equates to the repayment of \$280,000 over 10 years. The range of rates across the Clunes properties is a maximum of \$332 and a minimum of \$154 per year.

Comments

Financial Services

On the basis that Council has resolved in principle to charge those properties that may benefit from the introduction of a sewer system in Clunes and the legal advice received, the levying of a special rate from July 1, 2007 under Section 495 of the Local Government Act 1993 is supported.

Other staff comments

Not applicable

Public consultation

Staff engaged the services of consultants, Phillips Group (communication specialists), to help out with community consultation. Refer to attached report.

Council has received a letter from the Clunes Progress Association who resolved at their last meeting *“That the Clunes Progress Association write to Lismore City Council asking that they do not impose the sewer rate until such times as the Local Government Act is amended so the costs can be apportioned on an equitable basis”*. The association has also written to the Minister for Local Government asking that the Local Government Act be amended to provide a fairer and more flexible method of charging rates to pay for the pre-construction costs and capital works on sewerage schemes.

Conclusion

Council has agreed in principle that the beneficiaries of the Clunes wastewater project should commence contributing towards the scheme. Due to requirements of the Local Government Act the only means available to Council is to introduce a special rate.

The Clunes community has been consulted and invited to comment on three proposals. The overall preference is Option 3 – nominal payment averaging \$202 per property.

Two issues which were highlighted during the consultation process and are of particular note include –

- property owners with existing wastewater management systems, which are functioning satisfactorily will be required to pay the special rate; and
- many residents wish to know the future cost of installation and ongoing operating charges.

Regarding the first point above, the Local Government Act requires all properties which have the potential to benefit from the service, to pay the special rate.

Regarding the second point, the exact cost of installation and operation is not known as detailed investigations are still underway. Also, the anticipated changes in the Local Government Act may impact on charges. Once detailed design and legislative changes are known, Council will undertake a further round of consultation before finalising charges.

Recommendation (IS20)

That Council adopt the introduction of a special rate for Clunes from July 1, 2007 based on Option 3 – Nominal Charge.

Report

Subject	Promotion of Lismore Business
File No	S740
Prepared by	General Manager
Reason	Impacts on 2007/08 Management Plan
Objective	Initiate discussions with Lismore Unlimited Opportunities regarding options for managing business development funds
Strategic Plan Link	Economic Development through support of business
Management Plan Activity	Economic Development

Overview of Report

The Special Business Rate Variation Levy provides \$183,600 from rate revenue which is intended to promote business activity on behalf of all urban businesses. There are mixed opinions among stakeholders about the effective use of these funds and as Council is primarily responsible for approving the use of such resources this report recommends that Council take a more pro-active role in the business promotion arena and discuss with the Board of Lismore Unlimited Opportunities options for future management of the promotional funds.

Background

For some time Councillors have expressed concerns that the rate collections derived from the Special Business Rate Variation Levy (SBRVL) are not being deployed with optimum effect for the purposes originally envisaged when this additional rate levy was introduced in 1998.

The 2006/07 SBRVL comes in two parts:

- 1 Funding of \$137,500 for the City Safe Program which principally entails recurrent costs associated with the CBD safety cameras and foot patrols. All properties in the defined city centre are levied these rates.
- 2 A pool of \$183,600 for the purposes of promoting business activity and thus economic development in the Lismore urban area, and to which all urban business contribute.

The concerns relate to the second part and translate to a lack of confidence that the ratepayer base from which the funds are collected is obtaining commensurate promotional value from their investment. One aspect of contention is the measured success of the annual Health and Herb Festival, which is the most costly single promotion, and which has in fact been contracted out to Council's events staff in recent years, albeit on a constrained budget. That event has failed to live up to its anticipated promise as a self supporting signature event and may not be run in 2007.

Council, in February asked Lismore Unlimited Opportunities (LUO) to provide details of its proposed promotional budget for 2007/08 for consideration with next year's budget, management plan and rating regime. It is understood that LUO's report is being compiled. Council has asked that this report address a number of inconclusive and contradictory findings which were highlighted in the December 2006 independent evaluation report pertaining to the LUO promotions fund.

Notwithstanding that introduction of the SBRVL was an initiative of LUO, Council is the organisation ultimately responsible for the expenditure of rate collections and as its 2007/08 management plan is currently being drafted, there is good reason for Council to take a more deliberate role in managing the SBRVL promotional fund on behalf of all Lismore businesses. It is fair to say that Council has enhanced its events promotion and management skills in the past five years to the point that there is a high level of confidence about outcomes. For that reason, with a wider resource base at its disposal and a perspective arguably broader than the membership base of LUO, Council should discuss with LUO the best model for managing the proceeds of the SBRVL.

Any change to the status quo may have an adverse financial impact on LUO's operations for the reason that some \$30,000 of SBRVL funds are applied to augment LUO's administrative and management structure. That situation bears consideration because the intention of supplementing LUO's budget in this way was negotiated in 2002 on the understanding that LUO would grow its membership base over a three year period and thus free up these funds for active promotional purposes. That objective should be maintained.

Comments

Financial Services

Funds from the SBRVL Promotion Fund are expended by Lismore Unlimited Opportunities (LUO) in accordance with a Three Year Strategic Plan which is adopted by Council. As part of LUO's annual acquittal of these funds, a financial statement must be prepared and must be independently audited. Also, an independent evaluation must be provided attesting to and quantifying the results. LUO have provided this information up to June 30, 2006 which is the last completed financial year.

Other staff comments

Economic Development

As I have accepted the discretionary annual position of the "Additional Committee Member" on the Board of LUO (section 13.d. of the Constitution), I have a conflict of interest. I will however, make my comments based on observations that are in the public domain, together with my 5½ years career experience as the regional manager for an employers association servicing the Northern Rivers.

LUO has consistently maintained that its membership base, over time, would become more representative of the SBRVL rate base. LUO's membership has remained steady at around 180 members for the past 2 years, with the SBRVL being collected from 1,100 property owners (which translates conservatively to around 2,000 businesses) in the Lismore urban area – a representation of less than 10%. It would appear that the management of the SBRVL promotion & marketing fund and the attendant manifestation of SBRVL initiatives has not, of itself, led to the anticipated increase in membership. For the past 15 years, employer organisations, such as Chambers of Commerce nationwide, have been struggling for relevance to their members. This situation has been partly brought about by globalisation, improved infrastructure in transportation and communication, together with the information explosion aided & abetted by the World Wide Web. What we are witnessing here is no real exception.

Over the past 12 months, there has been active dialogue at Council involving key stakeholders, such as LUO, on the concept of "centre management for the CBD". As part of the discussions with LUO in relation to the best model for managing the proceeds of the SBRVL, it is recommended that this centre management concept be fully explored, with the Economic Development Unit most willing to bring our wide resource base in promotion and management skills to the table.

Executive Director – Development and Governance

Council's Economic Development Unit has developed a high level of skills in the promotion and management of events for the City and is well placed to expand this role. The Unit considers any promotion in the context of the whole of the City and would welcome the opportunity to be more actively

involved in the development of a new strategy for the expenditure of the SBRVL Promotional funds.

Public consultation

There has been no formal public debate on this matter per se but there is anecdotal feedback that the promotional funds are not managed as effectively as they could be. LUO has conducted surveys which return mixed views on this subject.

Conclusion

Council should consider a more active involvement in the application of its SBRVL promotional fund and engage in dialogue with the Board of LUO with a view to establishing a cost effective, measurable management model which is supported by the Lismore business community.

Recommendation

That the General Manager initiate discussions with the Board of Lismore Unlimited Opportunities with a view to presenting to Council in May, options for future management of the SBRVL funds in conjunction with consideration of recommendations from LUO pertaining to its forward priority promotional action plan.

Report

Subject	Sustainable Environment Policy Advisory Group – Membership
File No	S908
Prepared by	Manager-Environmental Health & Building Services
Reason	To advise Council of the need for a climate change representative on the Sustainable Environment Policy Advisory Group
Objective	To seek approval from Council to advertise for a climate change representative on the Sustainable Environment Policy Advisory Group.
Strategic Plan Link	Natural Environment
Management Plan Activity	Environmental Health

Overview of Report

At the Council meeting of April 10, 2007, discussion was held by Councillors on the options to monitor Council's progress towards achieving its Cities for Climate Protection (CCP) goal of 20% reduction in greenhouse gases by 2012. It was decided that the most suitable forum to ensure implementation of the Local Action Plan was the Sustainable Environment Policy Advisory Group (SEPAG). In order for the SEPAG to progress this new responsibility, it is necessary for a suitable representative from a local climate change organisations be appointed to the SEPAG. This report seeks approval from Council to advertise for a suitable representative and also updates Council on membership of the SEPAG.

Background

At Council's meeting of April 10, 2007 Council endorsed Milestone 3 of the CCP program - a Local Action Plan which describes tasks the community and council can undertake to reduce greenhouse gas emissions by 20% of 2001 levels by 2012. Councillors also discussed how best to ensure that actions nominated for implementation are achieved. Discussion covered establishing a Policy Advisory Group specifically for implementation of the CCP, however it was considered that the existing SEPAG is most suitable, and that a climate change representative be included on its membership.

At the SEPAG meeting of April 18, 2007 it was agreed that an additional member be appointed to its membership representing a local climate change group/s.

It should also be noted that since the SEPAG established – the 2 state agency positions (DIPNR & DPI) have dissolved due to agency restructure and resource constraints. This new position therefore does not increase the total number of members of the SEPAG. Representation from all other groups has been well sustained.

Criteria for the proposed position will include:

- A knowledge of the CCP Program and Lismore City Council's Local Action Plan
- Membership of a recognised local climate change organisation/s
- Ability to work in a team environment

The proposed new position on the SEPAG will be advertised in local media, with the preferred selection forwarded to Council for endorsement.

Conclusion

Council's meeting of 10 April 2007 suggested that the SEPAG provides a suitable forum to oversee implementation of actions described in Council's Local Action Plan to reduce greenhouse gases, and that a climate change representative be included to the SEPAG's membership.

Approval is now sought from Council to advertise for a representative of 'a recognised local climate change organisation/s' on the Sustainable Environment Policy Advisory Group.

Recommendation (PLA2)

That Council advertise for a representative of 'a recognised local climate change organisation/s' for membership on the Sustainable Environment Policy Advisory.

Report

Subject	Development Consent No. 2002/399– Section 96 Modification Application No. MC07/1 – Alterations & Additions to Lismore Square
File No	DA 2002/399
Prepared by	Development Assessment Planner
Reason	Section 96 Application to Modify Consent requires the Consent of Council as the Original Development Application 02/399 was reported to Council.
Objective	Council determination of the Section 96 Application to Modify Consent.
Strategic Plan Link	Economic Development
Management Plan Activity	Development Assessment

Overview of Report

This report provides an assessment of a Section 96 Application to Modify Consent (DA2002/399) for Alterations and Additions to the Lismore Square, particularly the payment of \$62,000 in lieu of constructing the footpath as required by part of Condition 27(c) and Condition 27(e) of the Development Consent.

Background

Council at its meeting of December 10, 2002 resolved to grant consent, subject to conditions, to Development Application 2002/399 for “Alterations & Additions to Lismore Square”.

Those approved Alterations & Additions to the Lismore Square have been completed.

The applicant now seeks to modify the Development Consent No. 2002/399 by proposing the payment of \$62,000 in lieu of constructing a footpath required by part of Condition 27(c) and Condition 27(e) of the Development Consent. Condition 27 is set out as follows:

27. The proponent shall construct a minimum 2m wide reinforced concrete, paving block or equivalent footpath, in the following locations:
 - a. From Uralba Street along Diadem Street (west side) to Ballina Street
 - b. From Uralba Street along Brewster Street. (east side) to Ballina Street
 - c. From Diadem Street along Magellan Street (northern side) to Dawson Street
 - d. From Diadem Street along Uralba Street (south side) to Brewster Street
 - e. From the intersection of McKenzie and Brewster Streets between the active open space areas to Dawson Street

The final location and design with regard to (e) shall be submitted to Council for approval prior to the commencement of works. Consultation with the Lismore & District Sports Assoc. is to be undertaken

All works to be in accordance with Council's Development, Design and Construction Manuals (as amended). Any costs shall be the responsibility of the proponent. PA1

Reason: To meet the anticipated demand for pedestrian facilities generated by the development.

The proposed modification seeks to accommodate the following factors:

- At the time of construction of the development it was identified that part of the footpath required by Condition 27(c), being the section of footpath from Diadem Street along Magellan Street (northern side) to Brewster Street, was impractical to construct due to an existing large open drain;
- Following the adoption of 'safer by design' principles for crime prevention, the appropriateness of directing pedestrians on an unlit footpath through the ovals (required by part (e) of Condition 27) where there is no passive surveillance was questioned; and
- Council was investigating the option of constructing a covered walkway between Lismore Square and the CBD. In discussions with the developer, it was proposed that the money the developer would have spent on meeting the requirements of part (e) and part of part (c) of Condition 27 could be put towards the costs of constructing the covered walkway. The developer supported this proposal, however at that stage Council had not resolved to commit to the covered walkway. These works were bonded to enable the development to proceed and the issue to be resolved at a later date.

Proposal:

The proposal nominates the provision of \$62,000 in lieu of constructing part of the footpath required by Condition 27(c), being the section of footpath from Diadem Street along Magellan Street (northern side) to Brewster Street and a footpath required by Condition 27(e), being the section of footpath from Brewster Street, through active open space areas, to Dawson Street. A copy of the plan of the footpath required by Condition 27(e) is provided within the attachments.

Applicant:

McConaghy Projects Pty Ltd.

Location:

Lot 10 DP 1091987, Corner of Uralba and Brewster Streets, Lismore.

Zoning:

The Lismore Shopping Square is zoned 3(a) – Business Zone, under the provisions of the Lismore Local Environmental Plan 2000.

Key Issues:

The provision of a monetary contribution to Council in lieu of undertaking public works (footpath) required by a development consent.

Public Notification

The Section 96 Application to Modify Consent was exhibited and adjoining owners notified in accordance with Council Policy. At the close of the exhibition period, no submissions were received.

Assessment

Monetary Contribution in Lieu of Construction of Footpath

The proposal for a covered walkway between Lismore Square and the CBD has not been included in the Infrastructure Services budget by Council. A determination on this proposal is yet to be made, however it is unlikely to proceed in the immediate future. In view of this, the options available to Council to resolve the outstanding compliance with Condition 27 include:

- (a) to require the construction of the footpaths as originally conditioned, which is not supported for reasons of construction, practicality and crime prevention; or
- (b) to delete the requirement, which is also not supported as there is a need for upgraded pedestrian facilities associated with this development; or
- (c) as proposed within this application, to require the payment to Council of an amount equivalent to the estimated cost of the works (\$62,000) in constructing the footpaths as required by part of Condition 27(c) and Condition 27(e). This payment will be utilised for future expenditure on pedestrian facilities in the vicinity of the development. This could include a covered walkway or any other future proposals for pedestrian facilities within the area.

Option (c) provides flexibility in how the pedestrian facilities are provided and it ensures that the developer meets an obligation to provide the facilities.

Staff comments

Council's Development Engineer raises no objection to the proposed modification and is satisfied that the proposed monetary contribution of \$62,000 is an appropriate amount in lieu of constructing part of the footpath required by Condition 27(c), being the section of footpath from Diadem Street along Magellan Street (northern side) to Brewster Street, and the footpath required by Condition 27(e), being from Brewster Street, through active open space areas, to Dawson Street.

There was no other requirement for input from Environmental Health, Building Services or Lismore Water.

Conclusions

In the circumstances, it is considered reasonable to permit the payment of \$62,000, in lieu of constructing part of the footpath required by Condition 27(c) and the footpath required by Condition 27(e), for future expenditure on pedestrian facilities in the vicinity of the development.

Recommendation (PLA1)

- A That Council, as the consent authority, approve Modification of Consent MC07/1 for the provision of \$62,000 in lieu of constructing part of the footpath required by Condition 27(c), being the section of footpath from Diadem Street along Magellan Street (northern side) to Brewster Street, and the footpath as required by Condition 27(e), being the footpath from Brewster Street, through active open space areas, to Dawson Street.

In approving the application to Modify Consent, Condition No. 27 is to be amended to read:

The proponent shall construct a minimum 2m wide reinforced concrete, paving block or equivalent footpath, in the following locations:

- a. From Uralba Street along Diadem Street (west side) to Ballina Street.
- b. From Uralba Street along Brewster Street (east side) to Ballina Street.
- c. From Diadem Street along Magellan Street (northern side) to Dawson Street.
- d. From Diadem Street along Uralba Street (south side) to Brewster Street.
- e. From the intersection of McKenzie and Brewster Streets between the active open space areas to Dawson Street.

The final location and design with regard to (e) shall be submitted to Council for approval prior to the commencement of works. Consultation with the Lismore & District Sports Assoc. is to be undertaken.

Alternatively, in lieu of and in full satisfaction of:

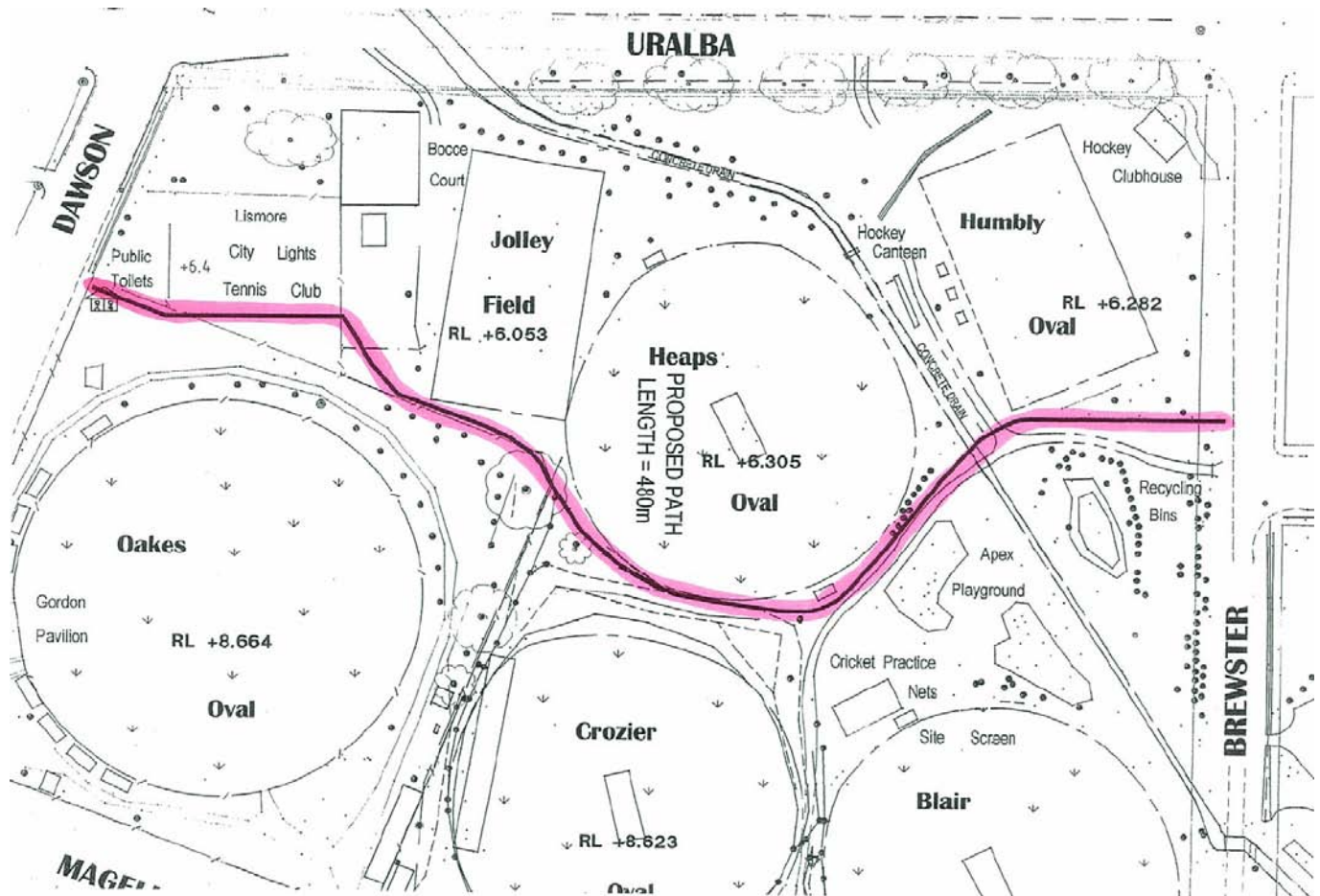
- Part (c) of this condition the developer may construct a minimum 2m wide reinforced

concrete, paving block or equivalent footpath from Brewster Street along Magellan Street (northern side) to Dawson Street, together with a contribution of \$12,000 to Council to be spent on pedestrian facilities within the immediate vicinity of the development; and

- Part (e) of this condition the developer may pay a contribution of \$50,000 to Council to be spent on pedestrian facilities within the immediate vicinity of the development.

All works to be in accordance with Council's Development, Design and Construction Manuals (as amended). Any costs shall be the responsibility of the proponent.

Reason: To meet the anticipated demand for pedestrian facilities generated by the development.



Report

Subject	Management Plan Review 2006-2007 – quarter ended March 2007
File No	S4
Prepared by	Executive Services Coordinator
Reason	Requirement of Local Government Act S.407(1)
Objective	Information of Councillors
Strategic Plan Link	Leadership by Innovation
Management Plan Activity	General Manager

Overview of Report

This report relates to the performance of programmes and activities highlighted in the 2006/07 Management Plan during the quarter ended March 2007.

Background

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

GENERAL MANAGER/CHIEF EXECUTIVE

Management Plan Review Quarter ended March 2007

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

Corporate Management

- Mayor of Lismore Scholarships** – Four scholarships have been awarded for 2007. Three Mayor of Lismore Scholarship for Academic Achievement were awarded to undergraduate students and one postgraduate student was awarded the Waste Water Management Scholarship, which this year studies the effect of traditional human activities on the river system.
- Ensure Efficient Governance of Council:**
Work began on the 2007/08 management plan
- Risk Management:**
Planning commenced for a comprehensive audit of all councils buildings to be undertaken in respect to OH&S, public safety, building maintenance, asbestos and valuations.

Street tree maintenance to remove dangerous limbs underway. Program to be incorporated in Street Tree Master plan.

Communications

1. Community Consultation

Consultation on the topics listed below has been undertaken using the following modes – meetings, personal one-on-one visits, flyers, letters, surveys, and some media releases.

- Community Flood Education
- Clunes Waste Water Project
- Rural Recycling
- Ballina Road renaming
- Lismore Park Plan of Management

2. Media and Communications

24 media releases issued (Jan - Mar 07)

Human Resources and Organisational Development

- Commenced 2007 sessions in the Culture, Leadership and Management Development Program for GM, Executive and Program Manager levels - Invercauld House - *'Giving and receiving feedback/performance management'*
- HR Officer received accreditation in *'Conflict Coaching'* - assist with staff conflict issues
- Commenced collation of information gathered during first round of staff Performance Review process - Nov 2006
- Progressed formation of project working group to implement Council's Asbestos Management Plan
- Received preliminary estimate of Workers Compensation premium calculation reflecting positive trend generally with injury management
- Called for further round of enrolments from staff for the regional management development program with SCU
- Progressed the planning for new on-line induction program for new staff
- Further reviewed options on new salary system as part of the review process - focus on job evaluation system
- Prepared for HR module implementation of the Authority system
- Continued to advise on staffing arrangements - Lismore Memorial Baths
- Continued discussion to explore resource sharing and HR service provision opportunities
- Finalised two protracted staff disputes relating to job changes from the restructure

Finance

1. **Replacement of corporate financial and land information systems** – General ledger created and module set ups for training have commenced and are ongoing.
2. **Remote water meter reading** – Initial investigation commenced but deferred pending outcome of resource sharing proposal with Rous Water.
3. **Review of new general valuations for rating purposes** - Valuations received from Valuer General for application from 1/7/07. Executive summary indicates an average increase of approximately 20%. Implications on rating categories including the farmland 20% maximum have been assessed and a report was considered at the Strategic Plan Steering Committee in February 2007.
4. **Clunes Sewerage** - Solicitors advice received agreed with the DLG that the LG Act 1993 prohibits Council using the monies levied for the Lismore Scheme for the capital costs of establishing two new sewerage schemes in Clunes and North Woodburn. Letters have been written to the Minister and DLG expressing Council's concerns.

5. **Fair Value** - Council is required to account for all its assets on a fair value basis with the timeframe being water and sewerage infrastructure by June 30, 2007. Lismore Water has engaged a consultant to undertake the works to meet this requirement. For June 30, 2008, all land and buildings must be accounted for on a fair value basis.
6. **2007/08 Budget & Fee and Charges** - Economic assumptions to be applied by management and supporting timetable agreed to by the Strategic Plan Steering Committee at its February 2007. Submissions to the draft were advertised and received during March 2007.
7. **Lismore Showgrounds Trust** - Discussion with the Trust on the course of action information requested for reporting to Council by March 31, 2007

INFRASTRUCTURE SERVICES

Management Plan Review Quarter ended March 2007

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

Parks and Recreation

- Held a successful Parramatta – Titans NRL Match at Oakes Oval in February 2007.
- Completed minor sporting field renovations to Baxter Field, Nielson Park, Richards Oval and Caniaba Street Reserve.
- Completed major landscape planting of Carrington Street Upgrade Project.
- Continued assistance with the Showground and maintained the booking system and customer liaison.
- Continuing a trial pro-active maintenance system of our street trees.
- Completed a benchmarking exercise, results obtained and currently interpreting data.
- Engaged consultant to develop a Street Tree Masterplan.
- Engaged Asset Services to survey Oakes Oval and Heritage Park assets
- Proposal to Sport & Recreation PAG re: Finals Allocations to football codes for September.

Roads

- Construction of Carrington Street completed. Minor landscaping items remain.
- Finalised design of architectural features of the Carrington Streetscape Upgrade Project.
- Completed road reconstruction of Oakeshott Street (Lismore Heights)
- Commenced road reconstruction of High St (Lismore Heights).
- Completed construction of new roundabout at intersection of Leycester and Dawson Streets for RTA.
- Planning works for RTA Blackspot Programme including Ballina/Dibbs St Intersection Seagull, Bruxner Hwy Hazard Reduction Program and Bruxner Hwy reconstruction at Bunnings.
- Completed reseal and overlay work for RTA on Bangalow Road and Dawson Street.
- Completed road reconstruction MR306 Dunoon rd, Modanville, Length = 0.5km.
- Completed road reconstruction MR306 Dunoon Rd north of Bentley road, Length = 1.5km.
- Completed road reconstruction Duncan Road Length = 2.5km.
- Completed road reconstruction Stony Chute Road Length = 1km.
- Commenced Broadwater Road reconstruction.
- Commenced Tatham Bridge Replacement.

Road Safety

Road Safety Officer commenced duties and is developing a new Road Safety Action Plan for Lismore including continuation of programs such as the late nighter bus service, RRISK (Reduce Risk Increase Student Knowledge), GLS (Graduated Licence Scheme) and participation at local events e.g. Lismore Race Day.

Asset Management

- The contractual issues with the company that undertook the assessment and subsequent reporting on the financial sustainability of Council's road network have been resolved. A final draft report is now with Council and it is expected that the results will be reported to the next meeting of the Roads PAG.
- Implementation of Council's new asset management software, AIM, is progressing well. A hierarchy structure has been established for all assets and more detailed management features will be progressively developed. Plant has been a focus of the initial work in this area and will progressively expand to Roads, Parks, Water and Sewer and Properties.
- The NSW Department of Local Government has required all Councils in NSW to progressively

revalue their assets on the basis of "Fair Value". A consultant has been appointed to undertake this valuation for water and sewer assets which is due on 30 June 2007. Other assets must be revalued by 30 June 2008 (land and properties) and 30 June 2009 (roads and drainage).

Properties

- Council has either sold or is finalising negotiations with potential purchasers for all blocks at the Airport Industrial Estate.
- Preparations are in progress to market and sell the excess commercial land in Simeoni Drive adjacent to the site of the Goonellabah Recreation Centre.

Traffic, Emergency Services and CitySafe Operations

Construction of the new headquarters for the Lismore SES is complete. The SES will progressively move into the premises over the coming weeks. An official opening is being planned for mid year once the SES has established its operations in the new premises.

Fleet Operations, Workshop and Signshop

Building improvements are continuing at the workshop to comply with relevant building code, OHS and EEO requirements. Construction of female and accessible toilet facilities are complete and improvements to fire safety facilities in the building to comply with the building code as a result of a fire safety audit are continuing.

Northern Rivers Waste

1. Recycling Services Implementation

- New urban collection service operational
- Rural recycling collection operational.
- Resource Recovery Facility (Transfer Station) tender advertised – closes mid May.
- Material Recovery Strategy expressions of interest advertised – close mid April.

2. Organics Strategy

- Contract with Tryton finalised
- Mulching operations commenced

3. OH&S Compliance Improvement

- Audits undertaken
- Systems implementation under way
- Training commenced

Northern Rivers Quarry and Asphalt

1. Implement Plant Upgrade

- Plant commissioned
- Production trials continuing.

2. Development Approval Update – Blakebrook

- Review of conditions completed
- DA application made to NSW Dept Planning – preliminary meeting conducted
- Feedback on requirements for submission received.
- Obtaining prices for completion of submission from appropriate consultants.

3. Improve Production Efficiency

- Production planning under way.
- Pit design and extraction plan review commenced.

4. Improve Staff Performance

- Training plans finalised.
- Team survey completed. Principle issue raised was pay rate recognition for work done.

Lismore Memorial Gardens

1. Assessment of Undeveloped Lands

- Site survey completed.
- Two consultants engaged to provide submissions for design of concept plans for bushland burial area.

2. Chapel Expansion

- Preliminary development strategy scoped.
- To be included in larger plan for development of increased service package for the Memorial Gardens.
- Budget submission for planning and costing stages included in 2007/08 budget package.

3. Install Security Cameras

- CCTV system installation completed

Water Supply Services

1. **Improve Customer Service Levels in Water Services:** Customer service response times remain within the deadlines outlined in the customer charter. Over 95% of service repairs have been attended to within four working hours. Water quality of all 13 sites remains within quality guidelines and continued assessment of our system occurs.
2. **Promote water conservation through demand management:** Lismore Water continues its close working relationship with Rous Water to reduce water usage. Items raised are recycled water substitution, pressure reduction and leak water loss programme preparation.
3. **Implementation of the Water Main Replacement Program:** Lismore Water is continuing to meet its water main renewal programme.
4. **Remote meter reads:** The feasibility study is scheduled for completion by July 2007.
5. **Telemetry Upgrade:** The telemetry contract is finalised.
6. **Integrated Water Cycle Management Strategy:** This task is due for completion by July 2007.

Wastewater Services

1. **Improve Customer Service Levels in Wastewater Services:** During the September quarter Lismore water responded to over 95% of sewer requests within four hours, continues to ensure that 100% of trade waste customer have approval and responds to customer requests within the guidelines of the customer charter.
2. **Clunes Wastewater Project:** Lismore Water has been investigating the preferred option as recommended by the Clunes Wastewater Committee during the September quarter. This option involves onsite treatment and transporting reuse water to a centralised irrigation area. The procurement of suitable land for irrigation is essential to the viability of this proposal. The characteristics of the site may significantly impact on the details and cost of the final scheme. Community consultation is underway
3. **Implementation of the sewer mains replacement programme:** This project remains on schedule.
4. **Telemetry Upgrade:** The telemetry contract is finalised

DEVELOPMENT AND GOVERNANCE

Management Plan Review
Quarter ended March 2007

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

Planning Services

1. Customer Service

- Planning staff available for telephone and counter enquiries between 8.30am and 10am, and at other times by appointment. Temporary Planning Assistant retained to assist with response to written, phone and counter planning enquiries.
- Responses prepared to 9 Councillor requests.

2. Implement adopted land use strategies

- *Industrial Land Strategy*: LEP Amendment No. 31 gazetted in February, enabling industrial development on the 'Pollard estate' land in Wyrallah Rd, opposite Council's depot.
- *Rural Housing Strategy*: Planning Agreements discussed and agreed with applicants in order to provide for road improvements and community services required by the Camerons/Roseview Roads rural residential rezonings.

3. Review and update planning controls

- Draft Development Control Plan No. 1, comprising amalgamation of current DCPs as required by the Department of Planning, prepared for public exhibition.
- Public land reclassifications (draft LEP amendments 33 and 35) reported to Council following public exhibition and hearings.

4. Efficient assessment of development applications

- *DAs received*: 40
- *DAs determined*: 46
- Assessment time
 - integrated/concurrence DAs: 60 days average
 - locally determined DAs: 26 days average
- Miscellaneous applications (modifications of consent, dwelling entitlement searches): 26
- Subdivision Certificates issued: 15

5. Compliance

- 53 land use planning matters investigated.

Environmental Health and Building Services

Building Services

1. **Customer Service** - Standard letters and documents have been amended to reflect Local Government legislative changes. Response to correspondence and enquiries within target timeframe.
2. **Essential Services Program** - Council's Essential Services Program which reviews public safety issues is continuing. Council's temporary Fire Safety Officer (18 hours/wk) has concluded. Interim arrangements with existing staff have been considered for this financial year.
3. **Planning DA referrals** - All assessment of DA's from Planning Services have been undertaken within the statutory turn around time. Forty (40) referrals received from Planning Services. Mean turn around time 10.9 days

4. Application Assessment

Building Statistics – January, February, March

- 145 Development Applications received for this section
- 115 Development applications approved
- Average approval time = 24 days
- 126 Construction Certificates issued
- 138 Construction Certificates lodged
- 8 Building Certificates issued
- Total Cost of Certificates Issued \$6,459,954
- 5 Section 68 Applications received
- 559 Building Inspections performed

5. **Fire Safety Audit** - Councils Fire Safety Audit continues with inspections conducted and Orders to upgrade issued as required. Council is currently dealing with approximately 50 separate properties in regard to fire upgrades. Councils Fire Safety Officer is progressing issues in this area.
6. **Policy Development** – Minor changes to the Building Code of Australia have occurred. Building in bushfire prone areas and BASIX are considered in assessment of Development Applications. Input into the Equity in Access policy has been provided.
7. **Swimming Pool Safety Program** – The swimming pool program continues with 52 new swimming pool inspections and 20 follow up inspections undertaken in the quarter (target 25). Council's swimming pool brochure is being distributed with each inspection.
8. **Law enforcement** - Law enforcement in regard to unlawful building activities and complaints continue to be undertaken as required.

Environmental Health

1. Customer Service

Quarterly complaints received in regard to Animal control, Food complaints, Public Health, Pollution: 105 requests received (3 personally, 93 telephone, 9 written). Mean processing time is 15 days.

2. Development Application Assessment:

Nineteen Onsite sewage management reports have been assessed for the quarter. All assessment of DA's from Planning Services have been undertaken within the agreed turn around time. Forty (40) referrals received from the Planning Services. Median turn around is 12 working days.

3. Cities for Climate Protection:

Cities for Climate Protection (CCP): Stage 4 of the Cities for Climate Protection program has been finalised. Stage 3, which identifies action plans has been approved by Council.

4. Environmental Restoration & Enforcement

- Council continues to implement grants in relation to Restoration of low land forestation on the floodplain and wetland rehabilitation.
- Planning for revegetation in areas of Tucki Tucki and Hollingsworth Creeks are being undertaken by Green Corps and Envite respectively.
- Council has made formal application for the relocation of flying foxes in Rotary Park.
- Planning for revegetation of Currie Park and establishment of bat roosts is proceeding

5. Commercial Premises Management

Councils commercial premises risk strategy continues to be implemented. Council has engaged a public health officer full time for 9 months. The position will be reviewed in this quarter.

Inspections of food premises, hairdressers, beauticians and skin penetration businesses continue to be inspected.

The number of Commercial premises inspected in the quarter is as follows;

- High risk 62
- Medium risk 18
- Low Risk 11
- Skin Penetration 49
- Pre-Purchase 1
- Re-inspections 77
- New premises 5

Complaints 3

6. On-site Sewage Management

The On-site Sewage management inspection has recommenced in January after a temporary appointment to the position the position. 108 inspections have been conducted in this quarter. The annual target is 250.

7. SOE Reporting

The 2006 Supplementary SOE has been reported to Council in November 2006.

8. Emergency Management

- The State Emergency Management Committee representatives addressed staff in relation to finalising Council's Risk Management Plan.
- Council's DISplan has been completed and has been endorsed by the District Emergency Management Committee.
- A Quarterly meeting of the Lismore Emergency Meeting was held in February 2007.

9. Clean Up Australia Day

Clean Up Australia Day will be conducted in March 4, 2007.

10. Contaminated Lands Policy

The Regional Contaminated Lands Policy has been completed. A workshop for Councillors was held February 2007. The policy is currently on public exhibition

11. Sustainable Environment Policy Environment Group(SEPAG)

The SEPAG continues to meet on a regular basis. Seven Policies on Funding, Water, Land, Atmosphere, Biodiversity, Heritage and Waste have been reported to the SPSC after review from the other PAG's.

12. Water Sensitive Urban Design (WSUD)

Progress on WSUD with Development Control Plan policy is continuing. A specification on WSUD principles for developers is currently being established prior to a workshop with Councillors in 2007.

13. Sustainability/CET

A Stormwater Management (Source Control) Workshop was presented by Australia's leading Hydrologist John Argue from the University of South Australia, in February.

14. Grant Funding

Environmental Health staff continue to activate current grants which include:

- Lowland Rainforest restoration-Environmental Trust
- Wetlands rehabilitation - CMA
- Catchment Education Program-Rainforest to the Sea Program – CMA
- Tucki Tucki Reached based river rehabilitation

15. Catchment Management

The Stormwater services Charge (SSC) is being utilised by Environmental Health staff who are compiling relevant information in regards to catchments within the urban area of Lismore. A table of actions proposed for the 2006/07 financial year is being established. A workshop on Council's Stormwater Management plan has been held and a report to Council is being prepared on the issue.

16. Environmental Monitoring

- Environmental Monitoring is continuing with monthly water monitoring being undertaken as per the 06/07 management plan.
- The Regional contaminated lands Policy has been completed and was reported to the November meeting of Council. A workshop was held in March 2007.
- Investigation of environmental issues continues on a regular basis. Relevant legislation including the POEO Act has been utilised for enforcement.

Enforcement**1. Control and Regulate Parking:**

Parking patrols continue. Recent staff recruitment has enabled this program to be enhanced. Barney Shearman paid car parking continues to operate effectively.

2. Impounding Functions

Rangers continue to impound abandoned vehicles with 9 vehicles impounded in the quarter. 85 companion animals impounded.

3. Community Awareness

Community awareness programs are being planned for the next quarter.

4. Companion Animals Act

Regular patrols for stray dogs and impounding occurs on a regular basis. Pound facilities are maintained daily.

Information Services**1. Corporate Information Systems Replacement**

The implementation of the new Corporate Information System AUTHORITY, from Civica Pty Ltd is continuing to schedule. Workshops have continued through January, February and March for the establishment of key modules including HR/Payroll, Water Billing, Customer Requests, Inventory, Bank Reconciliation, Loans, Purchasing and Plant.

Other key activities have included the loading of a new General Ledger, an asset hierarchy and the organisational chart to support the payroll module. An initial data load from the existing Civil system was completed and a comprehensive Quality Assurance process was commenced where staff were asked to compare data from the old system (Civil) against the new system (AUTHORITY).

Over 60 days of onsite setup/training has now been delivered to 50 staff who will be administering the various modules.

The next 3 months will include a 2nd data load into the system, commencement of operational training, test payroll runs and integration of the GIS into AUTHORITY.

The scheduled Go Live date is Monday July 2nd, 2007.

2. Internet/Intranet Development

Council's 3 major web sites www.lismore.nsw.gov.au (Lismore City Council), www.visitlismore.com.au (Visit Lismore) and www.lismoregallery.org (Lismore Regional Gallery) continue to be developed and enhanced. This quarter has seen the deployment of the public mapping service LisMaps. This services allows members of the public to access mapping information and aerial photography of the Lismore region. Included is the ability to search for an address, identify property boundaries, look up public transport schedules and waste removal timetables.

Other Items

SMS Flood Information System

SMS mobile telephone technology has been put to use to provide an alert service for interested persons during times of flood. The system will provide updated information advising subscribers of a change in flood status for an effected area. The service is free.

Economic Development and Tourism

Incorporating Business Development/Expansion, Tourism, Festivals and Events, Grants, Riverbank Project and Lismore Regional Airport

1. Develop strategic planning material and direction

- Commenced EDU Strategic Review and Forward Plan
- Conducted the EDPAG Visioning Workshop – *Lismore CBD Growth and Revitalisation Study*

2. Develop industry workshops with key industry sectors to broaden networks/information sources

- Quarterly *Lismore Leader* released
- Supported the Nimbin Film Industry Summer Workshops

3. Grants and project co-ordination

- Completed the submission for \$1m Regional Partnership funding request for the Goonellabah Recreation Centre
- Worked with BETC to secure \$700,000 grant towards Small Business Incubator
- Butter Churn Project: attracted \$15,000 from local sponsors and installed the iconic sculptural piece on the Wilsons River levee

4. Upgraded Security Lismore Airport

- All security measures now in place

5. Improvements Lismore Airport

- Courtesy phone and wireless internet service for passengers installed in airport terminal

6. Lismore Airport General Aviation (GA) Sub-Division

- Hangar site being prepared for sale

7. Lismore Airport Market Survey

- Will now be conducted in partnership with REX and SCU CRC Tourism next financial year

8. Manage 2006 Northern Rivers Health and Herb Festival

- Festival completed August 2006

9. Attract four new, major external events to the City

- Darryl Chapman Fun Run (20/05/07); increased involvement in 4WD Caravan, Camping and Marine Show (July 2007); commenced planning for World Youth Day (August 2007); started work on Event Risk Management, Safety and Security Plan for 37th NSW Annual Aboriginal Rugby League Knockout Carnival (28/9 - 1/10/07)

10. Refine management of city events hosted and supported by the Events Office

- Supported the NRL Titans v Parramatta Game (24/02/07)
- Completed the Events Management Guidelines document

11. Further support and enhance development of Nimbin Tourism Industry

- Engaged part-time Tourist Information Officer to support the CTC in the provision of visitor services at Nimbin
- Scoping the Nimbin Walking Trail Project: Conducted fourth and final workshop with the community to develop this new tourism product

12. Implement Tourism Marketing Strategy for Lismore LGA

- Commenced tourism market research study in Nimbin
- Lismore LGA Dining Guide produced and 5,000 copies distributed
- *Lismore Tourism* bi-monthly Newsletter released

13. Revitalise Lismore Visitor Information Centre by implementing volunteer program, stock tracking and new accommodation booking systems

- Gained commitment from tourism operators to the BookEasy accommodation system; implementation will commence next quarter
- Conducted bi-monthly famil for staff and volunteers to Dunoon and surrounds

14. Increase joint activities and co-operation in tourism

- Lismore CBD Street Banners partnership proposal to LUO was successfully received and supported
- SCU Orientation Week (late February 07) – *Discover Lismore Tours* conducted with 30 participants

Community Services

1. Crime Prevention Plan - Funding allocated under the Attorney General's Safer Community Compact grants has been received by Council. Funds have been transferred to the YWCA to facilitate the resourcing of their school holiday programs in Goonellabah.

- A working party has been formed to plan three Indigenous Girls Well Being Camps. This group, which is being facilitated by Council's Aboriginal Community Development Officer, comprises female Indigenous workers from Lismore's community services sector. It is anticipated that the first of these camps will take place in early June.
- The first of two offerings of 'Our journey to Respect' will be delivered to Lismore Indigenous workers during the week 16 - 20th July. The planning of this training, which will be delivered through a partnership between Council and the Department of Juvenile Justice, has commenced.

2 Development of Cultural Precinct – a report was considered at the December Council meeting which resolved to commit \$6 million towards the development of a Regional Gallery and Exhibition Centre building within the Cultural Precinct. It was also resolved to continue to support the Richmond River Historical Society at 165 Molesworth Street, and to undertake a strategic review of the future needs of the Historical Society. Arts Northern Rivers have been engaged to undertake the review which should be completed by end February 2007. Just prior to the Christmas break Council staff and the Mayor began to lobby the federal government for matching funds for the Regional Gallery and Exhibition Centre building, engaging with Senator Rod Kemp, Federal Minister for the Arts, and Ian Causley. Lobbying will continue with both federal and state governments.

- 3 **Bundjalung Stories** – The Bundjalung Elders Stories project was finally completed in March 2007. 100 copies of the DVD and booklet were distributed to all libraries and schools in the region, providing a valuable resource for future generations.
- 4 **Lake Gates** – No change to the September quarter report.
- 5 **Social Plan implementation – Lismore's Living Library** – now held every month and coordinated by Lismore City Library staff.
6. **Harmony Day** – more than 100 participants attended a function held at the back of the library building on Harmony Day. Participants came together to celebrate and enjoy their cultural differences. Activities included multicultural singing and dancing performances on stage, the Fire Brigade provided information on fires and safety, and people brought food from their different cultures for a lunch celebration.
7. **Goonellabah Recreation Centre** – Staff prepared a brief for the two tenderers in January, providing specific detail regarding the aquatic requirements for the centre. An assessment panel reviewed the entire proposals in early March and the Spantech proposal and design and construction team was recommended as the preferred tenderer. At the April Council meeting Council resolved that staff would commence negotiations with Spantech to resolve outstanding issues with the proposed design, and that the contract be divided into separable portions for the skate park and the rest of the project. Community consultation regarding the proposed design will be undertaken in May 2007.
8. **Lismore Park Plan of Management**
A public hearing was held in late January regarding the Lismore Park Plan of Management. The external consultant engaged to conduct the meeting gathered feedback from participants which was forwarded to Council staff for incorporation into the Plan of Management.
9. **Lismore Memorial Baths**
Council continues to manage the staff and operations at the Memorials, however staff are employed via JHA Staffing. The final seating and shade structures were installed in February. Approximately 20 school carnivals were held in this quarter, and staff, students and parents were extremely positive about the recent improvements. Learn to Swim program was introduced, catering for approximately 500 weekly participants. Staff researched options for installing shade over the 25m pool. Pool staff continue to develop staffing and operations manuals for the Baths.

Lismore Regional Gallery

- Exhibitions for the Quarter included works by local group Red Inc, an Indigenous exhibition about waterways of our region, and a large exhibition by U3A members during the U3A Conference.
- Artwork donations to the Permanent Collection for the quarter exceeded \$100,000, with one work donated by artist Lawrence Dawes valued at \$80,000.
- A delegation from Lismore City Council met with the Prime Minister's Chief of Staff, the Federal Arts Minister and Ian Causley in Canberra to make representation for the new Gallery as a prospect for Federal funding.

Child Care

Koala Child Care Centre

- Enrolment figures for the nine months of the financial year was a daily average of 28.19 children or 82.91% occupancy capacity.
- The National Childcare Accreditation Council's Validation visit took place on 30-31 January. The centre is now at the Moderation stage and final accreditation status will be known by the end of June.
- 2006 ASPARD Documentation and thus recurrent funding has been approved for the 07/08

financial year.

- Staff Inservice options have included Children's language and literacy, indigenous perspectives to early childhood settings and children's emotional development from a neuroscientific perspective.

Lismore Outside of School Hours Care.

- Staff completed Quality Assurance training areas 1-5
- All Staff completed First Aide training
- Negotiated lease of school canteen to prepare daily afternoon tea
- Purchase of new table tennis table and air hockey games for children.

Gingerbread House

- Epi pen workshop held for all staff.
- Centre supported families undertaking parenting courses at Child and Family Health and Family Support.
- Fundraiser held – Lamington Drive.
- Front playground inspected for OHS issues. Continual planning for redevelopment of this area.
- Estimated daily average is approximately 12 children per day.

Recommendation

That the report be received and noted.

Report

Subject	March 2007 Quarterly Budget Review Statement
File No	S929
Prepared by	Principal Accountant
Reason	Clause 7, Local Government (Financial Management) Regulations 1993
Objective	To gain Council's approval to amend the 2006/07 Budget to reflect actual or anticipated results
Strategic Plan Link	Leadership by Innovation
Management Plan Activity	Various

Overview of Report

Council's 2006/07 Budget has moved from a balanced result in December 2006 to a \$239,000 surplus as at March 2007. It is recommended that the surplus of \$239,000 be transferred to reserves for use in the 2007/08 budget.

A summary of the major items impacting the surplus has been included in the body of the report with some being: savings in salary costs due position not being filled \$39,500; savings on interest and principal repayments for the 2006/07 loan program due to funds being drawn later than budgeted \$170,500; additional rates income \$74,500; legal fees savings \$40,000; Stars Under the Big Top event not proceeding in 2006/07 \$35,000; flying foxes movement and roosts (\$120,000); additional contribution to Lismore Levee (\$96,000). Additional comments have been provided in the body of the report in relation to these movements.

Revenues – overall are currently within expectations. There have been other adjustments to revenue as a result of additional grant funding, developer contributions to works and increased collections however these have not impacted on the operating result as they have been tied to specific programs or works.

Expenses – other than those reported impacting the operating surplus, are overall in-line with expectations. Some other adjustments have been made to expenses which have resulted from adjustments to grants, developer contributions to works and increased collections however these have not impacted on the operating result.

Background

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

General Fund

The 2006/07 Management Plan provided for a balanced budget. The September review reported an accumulated surplus of \$28,800, with the December review reporting a balanced result. The March review details an operating surplus of \$239,000. It is recommended that the amount of \$239,000 be transferred to reserves for use in the 2007/08 budget. The accumulated annual result at March 31, 2007, after the recommended transfer to reserve, will be a balanced budget.

A summary of this movement follows:

Budget Movements for Quarter	Amount \$
Opening Balance at December 31, 2006	Nil
Plus – savings on interest and principal on loans as loans drawn latter than originally budgeted.	170,500
Plus – additional rates income	74,500
Plus – salary savings due to unfilled positions.	39,500
Plus – dog kennels project not proceeding	20,000
Plus – stars under the big top funding not required as event not proceeding	35,000
Plus – savings to budget in legal fees	40,000
Plus – contribution fire fighting	13,600
Plus – additional income and expenditure saving operational budget	71,400
Less – Lismore Levee Contribution	(96,000)
Less – Flying Foxes relocation Council resolution March 2007	(100,000)
Less – Bat roosts Currie Park	(20,000)
Less – Section 356 donations increase (Waste charges \$3,000, City Hall rental \$3,000, Rates and charges \$3,500)	(9,500)
Closing Surplus Balance at March 31, 2007	239,000
Less recommended transfer to reserves for use in the 2007/08 budget	(239,000)
Closing balance as at March 31 2007	Nil

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

Human Resources Management

Additional allocation of \$15,000 has been transferred to reserves for the review of the current salary system; this has been funded from existing allocations and therefore has no impact on the operating surplus.

Waste

There has been increase in allocation for the purchase of rural bins \$150,000 (funded from loan funding), a reduction of loan funds used \$1,000,000 due the Material facility project not commencing in 2006/07, Savings in loan repayments (including interest) required, due to loan funds either not being required or drawn later than originally estimated, savings have been transferred to reserves and have no impact on the operating result.

Properties and Community Facilities

An amount of \$20,000 has been transferred from the unexpended funds relating to the Art in the Heart feasibility study to reserves this having no impact on the operating result.

Parks and Recreation

An additional \$10,000 has been in relation to the refurbishment of bushland reserves and has been funded from section 94 contributions.

Roads

An additional \$121,800 has been allocated to rural roads construction and has been funded from section 94 contributions. There has been reallocation of funding to reflect funds being sourced from section 94 contributions instead of the contractor's reserves \$24,200.

Economic Development

A contribution of \$10,000 has been received from Norco in relation to the Wilson River Bank Project with the capital allocation being increased to reflect this funding.

Rangers

An amount of \$36,100 has been transferred to reserves being unspent funds in relation to the hand held ticketing devices. This project has been delayed and will be undertaken in 2007/08.

Koala Day Care

There has been an amount of \$9,000 added for the repairs to roofing, this has been funded from reserves and has no impact on the operating surplus.

Emergency Services

Additional funding of \$ 369,300 has been included in relation to Council's contribution to the Lismore Levee scheme. This has been sourced from unexpended loans and has no impact on the operating surplus.

Lismore Memorial Gardens

Allocation of \$150,000 has been included for future land purchases of the Lismore Memorial Gardens; this amount has been loan funded from the existing loan program and has no impact on the operating surplus.

Northern Rivers Quarry

Savings in loan repayments (including interest) required due to loan funds either not being required or drawn later than originally estimated, savings have been transferred to reserves and have no impact on the operating result - \$114,700.

Change in Net Assets

The 2006/07 Management Plan showed a surplus in the "Change in Net Assets" of \$5,044,700, with the December review reporting "Change in Net Assets" of \$4,891,000. The March review shows showed a surplus in the "Change in Net Assets" of \$4,831,000.

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

Other staff comments

Not required

Public consultation

Not required

Conclusion

Council's budget has moved from a balanced budget in December 2006 to a operating surplus of

\$239,000 at March 2007. It is recommended that the amount of \$239,000 be transferred to reserves for use in the 2007/08 budget.

The major items that have impacted the operating result during the March 2007 quarter are:

Savings in salary costs due position not being filled \$39,500; savings on interest and principal repayments for the 2006/07 loan program due to funds being drawn later than budgeted \$170,500; additional rates income \$74,500; legal fees savings \$40,000; Stars Under The Big Top event not proceeding in 2006/07 \$35,000; flying foxes movement and roosts (\$120,000); additional contribution to Lismore Levee (\$96,000).

Adjustments have made to other operating revenues, expenses and capital programs. These have been funded from within existing programs, reserves, section 94, and revenues with a nil impact on the operating result. A program summary is attached that summarises those changes.

Recommendation

- 1 Council adopt the March 2007 Budget Review Statement for General, Water and Sewerage Funds.
- 2 Council approve a transfer to reserves of \$239,000 for inclusion in the 2007/08 budget.
- 2 This information is submitted to Council's Auditor.

2006/07 Estimates of Income and Expenditure To June 2007						
BUDGET ITEMS	Original 2006/07 \$'000	September Quarter \$'000	December Quarter \$'000	March Quarter \$'000	June Quarter \$'000	Total Budget \$'000
OPERATING REVENUES						
General Manager	25,408	(730)	3	85	0	24,765
Infrastructure	34,656	138	2,163	40	0	36,996
Development & Governance	3,907	(10)	26	(36)	0	3,887
TOTAL OPERATING REVENUES	63,971	(602)	2,191	89	0	65,648
OPERATING EXPENSES						
General Manager	2,956	6	(30)	(346)	0	2,586
Infrastructure	38,172	(620)	2,696	624	0	40,872
Development & Governance	10,261	208	31	(130)	0	10,370
TOTAL OPERATING EXPENSES	51,388	(406)	2,697	149	0	53,828
OPERATING RESULT BEFORE DEPRECIATION	12,583	(196)	(506)	(60)	0	11,821
DEPRECIATION	9,787	0	0	0	0	9,787
OPERATING RESULT BEFORE CAPITAL AMOUNT	2,796	(196)	(506)	(60)	0	2,034
Add: Capital Grants and Contributions						
Non-cash Developer Contributions	800	0	0	0	0	800
Capital Grants and Contributions	124	401	147	0	0	672
Section 94 Contributions (incl. interest)	945	0	0	0	0	945
Gain / (Loss) on Disposal of Assets	380	0	0	0	0	380
Change in Net Assets as per AAS27	5,045	205	(359)	(60)	0	4,831
AVAILABLE FUNDS RECONCILIATION						
Add Expenses Not Involving a Flow of Funds						
Depreciation	9,787	0	0	0	0	9,787
Subtract Income Not Involving a Flow of Funds						
Non-cash Developer Contributions	(800)	0	0	0	0	(800)
Add Non-operating Funds Employed						
Loan Funds Used	12,700	0	0	(330)	0	12,370
Repayments by Deferred Debtors	35	0	0	0	0	35
Subtract Funds Deployed for Non-operating Purposes						
Acquisition of Assets	(28,817)	(2,783)	(565)	707	0	(31,458)
Repayment of Principal on Loans	(1,652)	0	0	186	0	(1,466)
Subtract Unexpended Grants and Contributions Received During Year						
Unexpended Specific Purpose Grants	87	664	189	0	0	940
Developer Contributions Net Movement	(1,055)	144	16	146	0	(749)
Cash Surplus / (Deficit)	(4,671)	(1,770)	(718)	649	0	(6,510)
Equity Movements						
Reserve Funds - Increase / (Decrease)	(4,671)	(1,799)	(690)	649	0	(6,510)
Working Capital - Increase / (Decrease)	0	29	(29)	0	0	0

2006/07 Estimates of Income and Expenditure for Quarter Ended March 2007 - Individual Programs

31-Mar-07

Group and Program	Operating		Capital		Unexpended		Transfers		Unexpended Grants	Net Result
	Revenue	Expense	Expenditure	Expenditure	Non-cash Movements	Contributions	Developer	Transfers to Reserves		
General Managers/Chief Executive	-	-	-	-	-	-	-	-	-	-
Administrative Services & Councilors	-	(25,000)	-	-	-	-	-	(2,000)	-	(37,000)
Financial Services	(10,700)	(270,000)	-	-	-	-	(369,300)	-	-	(650,000)
Financial Services - General Purpose Revenues	(74,500)	-	-	-	-	-	-	-	-	(74,500)
Corporate Management	-	(26,000)	-	-	-	-	-	-	-	(26,000)
General Manager and Support Services	-	(15,000)	-	-	-	-	-	-	-	(15,000)
Human Resource Management	-	(15,000)	-	-	-	-	-	-	-	(15,000)
Total General Managers Chief Executive	(85,200)	(346,000)	-	-	-	-	(369,300)	(9,000)	(11,000)	(972,500)
Infrastructure	-	-	-	-	-	-	-	-	-	-
Caravan Parks and Nirlin Pool	(15,000)	11,700	-	-	-	-	-	-	-	(3,300)
Lawn Cemetery and Crematorium	-	-	-	-	-	-	(150,000)	150,000	-	(1,700)
Property Services - Commercial	-	-	-	-	-	-	-	-	-	(1,700)
Quarry Operations	-	-	-	-	-	-	-	-	-	77,500
Sewerage Services	-	-	-	-	-	-	-	-	-	114,700
Water Supply Services	-	-	-	-	-	-	-	-	-	77,500
Waste Services	(1,000)	150,000	-	-	-	-	850,000	7,200	-	73,700
Miscellaneous Properties	-	-	-	-	-	-	(1,000,000)	(93,900)	-	(13,800)
Properties & Facilities	(7,600)	(9,000)	-	-	-	-	-	(26,300)	-	(23,900)
Bridges	-	-	-	-	-	-	-	-	-	(6,000)
Blushie Services	(800)	(12,800)	-	-	-	-	-	-	-	(13,600)
Emergency Services	-	465,300	-	-	-	-	-	-	-	465,300
Parks and Recreation	-	-	-	-	-	-	20,000	-	-	10,000
Traffic and City Safe	-	-	-	-	-	-	-	-	-	(10,000)
Roads - Urban	-	-	-	-	-	-	-	-	-	-
Roads - Rural	-	-	-	-	-	-	121,800	(17,700)	-	24,200
RTA Works	-	-	-	-	-	-	-	(148,000)	-	(17,700)
Survey and Design	(15,400)	19,000	-	-	-	-	-	-	-	3,600
Workshop and Field Operations	-	-	-	-	-	-	-	-	-	-
Total Infrastructure	(39,800)	524,300	-	-	-	-	700,000	(708,200)	(174,700)	529,900
Development & Governance	-	-	-	-	-	-	-	-	-	-
Lismore Regional Airport	-	(46,000)	-	-	-	-	(1,000)	(11,000)	-	(16,000)
Art Galleries	-	12,000	-	-	-	-	-	-	-	12,000
Child Care - Koala Day Care Centre	-	9,000	-	-	-	-	-	-	-	9,000
Child Care - Gingerbread Occasional Care Centre	-	-	-	-	-	-	-	-	-	-
Child Care - After School Care	-	-	-	-	-	-	-	-	-	-
Swimming Pools	-	-	-	-	-	-	-	-	-	-
Community Services	-	(67,500)	-	-	-	-	-	-	-	(42,500)
Information Services	-	(3,000)	-	-	-	-	-	-	-	2,700
Public Libraries	-	-	-	-	-	-	-	-	-	-
Economic Development	(13,000)	(22,000)	-	-	-	-	-	-	-	(35,000)
Tourism	-	-	-	-	-	-	-	-	-	-
Planning Services	-	-	-	-	-	-	-	-	-	-
Planning Development	-	-	-	-	-	-	-	-	-	-
Environmental Health & Building Control	49,400	(13,100)	-	-	-	-	-	-	-	36,100
Total Development and Governance	35,400	(129,600)	-	-	-	-	(1,000)	(11,000)	(185,700)	72,400
Council Total	(88,600)	446,700	-	-	-	-	329,700	(707,200)	(146,000)	2,600

Report

Subject	Goods and Services Tax - Council Compliance Requirements
File No	S210
Prepared by	Manager – Finance
Reason	Department of Local Government requirement for councils to supply a ‘certificate of confirmation’ regarding their Goods and Services Tax systems
Objective	For Council to resolve to sign the attached certificate of compliance.
Strategic Plan Link	Leadership by Innovation
Management Plan Activity	Financial Services

Overview of Report

The Department of Local Government requires all councils to provide a statement of compliance or independent review to the effect that their GST management systems are adequate with regards to being compliant with the GST legislation.

Background

With the introduction of the Goods & Services Tax (GST) in July 2000, the Australian Taxation Office (ATO) requested NSW Treasury to provide some assurance that NSW Councils were meeting their GST obligations.

By 8 June each year, the Commonwealth seeks from members of the GST Administration Subcommittee (GSTAS) advice on voluntary GST payments by local government bodies. The timing of this request is to allow the Commonwealth Commissioner of Taxation to make a determination concerning the amount of GST collected in the financial year in question. Information sought by the Commonwealth is simply instances of where voluntary payments should have been, but were not, paid by local government bodies.

Accordingly, local governing bodies are requested to provide the Department of Local Government (DLG) with this advice before 1 June each year. The DLG will then provide the advice to NSW Treasury for confirmation with the Commonwealth Commissioner of Taxation.

Initially, this was achieved by the DLG requiring councils to annually issue their auditor with a statement to the effect that GST management systems were in place to ensure compliance with GST legislation as well as copies of any correspondence regarding outstanding taxation debts that are attributable to the business activity statement.

Based on this, the auditor would undertake an independent review, not a tax audit, on Council's GST management systems. This was completed for 2001, 2002, 2003 and 2004 by Council's Auditor, Thomas Noble and Russell and an appropriate GST Audit Review Report issued.

In 2005, the DLG amended this requirement so that a council could either provide a certificate of confirmation, therefore reduce costs, or at its own discretion (and expense), initiate an external review to support the process. For 2005 and 2006, Council resolved to provide the certificate of confirmation.

For the current reporting period (1 May 2006 to April 30, 2007) the approach from recent years is again

recommended based on the following reasons:-

- a) Council's GST management systems have not had to change since the last independent review completed by Thomas Noble and Russell for 2004.
- b) Council's GST management systems are centralised within the Finance section, predominately computerised and the monthly business activity statement (BAS) prepared and reviewed by the Manager – Finance.
- c) Finance staff undertook refresher training provided by an expert external provider with particular emphasis in the areas of creditors and debtors processing within the last eighteen months.
- d) The vast majority of Council's transactions (rates, water, payment of creditor invoices, issuing of debtor invoices, cash payments, grants, contributions, fees and charges) are consistent from year to year.
- e) A review of current practices is regularly instigated to assess compliance to GST legislation.

General Information

Lismore City Council is registered for GST purposes. Based on this registration, Council is required to submit a monthly Business Activity Statement (BAS). For the period July 1, 2000 to March 31, 2007, a total of 81 BAS's have been submitted on time to the ATO. A summary of the relevant information included on these follows:-

- | | |
|---|--------------|
| • Total number of transactions within the GST scope
(This is not a total of all transactions and excludes those for transactions outside the scope of the GST such as for rates, water, sewerage, some fees & charges, developer contributions, etc) | 597,336 |
| • Total GST payable to the ATO | \$ 9,207,837 |
| • Total GST receivable from the ATO | \$23,537,416 |

During this time, Council has had two compliance reviews undertaken by the ATO with one in August 2003 and the other in September 2006. While the August 2003 review was limited, we were advised that Council '...had achieved a high level of GST preparedness towards ensuring voluntary compliance...'. There was one transaction identified as being non compliant that had to be adjusted. As to the September 2006 review, full disclosure was provided and no issues were raised by the ATO.

Other staff comments

Not required.

Public consultation

No required

Conclusion

The Department of Local Government requires Council to provide a statement of compliance or independent review to the effect that Council's GST management systems are adequate with regards to being compliant with the GST legislation.

Given the reasons included in the report, the recommended approach is for Council to provide a statement of compliance to satisfy this requirement rather than undertaking an independent review.

While April 30, 2007 is a future date at the time of writing this report, if circumstances change, this will be separately reported to Council prior to the May 8, 2007 meeting.

Recommendation

That Council submit a Goods and Services Tax Certificate to the Department of Local Government certifying the payment of voluntary GST for May 1, 2006 to April 30, 2007 signed by the Mayor and Deputy Mayor.

**COUNCIL OF THE CITY OF LISMORE****GOODS AND SERVICES TAX CERTIFICATE****Payment of Voluntary GST 1 May 2006 to 30 April 2007**

To assist compliance with Section 114 of the Commonwealth Constitution, we certify that:

- Voluntary GST has been paid by Lismore City Council for the period 1 May 2006 to 30 April 2007.
- Adequate management arrangements and internal controls were in place to enable the Council to adequately account for its GST liabilities and recoup all GST input tax credits eligible to be claimed.
- No GST non-compliance events by the Council were identified by or raised with the Australian Taxation Office.

Signed in accordance with Council's resolution made on May 8, 2007.

Merv King
Mayor

John Chant
Deputy Mayor

Paul O'Sullivan
General Manager

Rino Santin
Manager – Finance
(Responsible Accounting
Officer)

Report

Subject	April 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 30 April 2007 is estimated to be \$30,162,554 subject to the final value of funds held under separate management being advised shortly.

The interest rate reported over the period of April 2007 is estimated to be 7.22% in comparison to 6.70% for April 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

- *Confirmation of Investments – 31 March 2007* \$33,162,554
- *Estimated Investments – 30 April 2007* \$30,162,554

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 April 2007 is estimated to be 7.22% compared to 6.70% 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

Investment Portfolio
26/04/2007

By Institution	Amount	Lodgement Date	Maturity Date	Estimated Interest Rate	Interest Value	
CBA - Shield Series 18	\$ 1,008,600	14/12/2003	4/12/2008	7.39%	\$ 6,126.00	Note 1,2,3
Summerland Credit Union	\$ 1,000,000	21/5/2004	21/5/2009	8.88%	\$ 7,299.00	
Macquarie Bank	\$ 3,473,886	31/5/2004	30/6/2007	7.11%	\$ 22,799.00	
Westpac - Wollemi AAA	\$ 1,006,700	9/6/2004	8/10/2008	7.09%	\$ 5,862.00	
CBA - Heritage Building	\$ 2,132,900	29/7/2003	29/7/2013	8.10%	\$ 14,196.00	
Merrill Lynch	\$ 999,300	22/3/2005	8/10/2010	6.69%	\$ 5,495.00	
Deutsche Asset Management	\$ 3,965,132	14/3/2005	30/6/2007	6.40%	\$ 20,142.00	Note 1,2,3
ING Enhanced Cashed Fund	\$ 2,938,889	14/3/2005	30/6/2007	6.78%	\$ 15,178.00	Note 1,2,3
LGFS - Ethical Investment Fund	\$ 1,077,273	6/12/2005	30/9/2006	6.00%	\$ 5.75	Note 1,2,3
UBS Brinson Ltd	\$ 2,282,010	30/6/2003	30/6/2007	6.22%	\$ 12,142.00	Note 2,3
Long Reach Utility Linked Note	\$ 1,000,000	2/4/2007	2/4/2014	7.40%	\$ 5,562.00	Note 2,3
Grange - Individually Managed Portfolio	\$ 9,277,864	1/9/2006	30/7/2007	7.40%	\$ 75,000.00	Note 1,2,3
Total Investments	\$ 30,162,554				\$ 189,806.75	

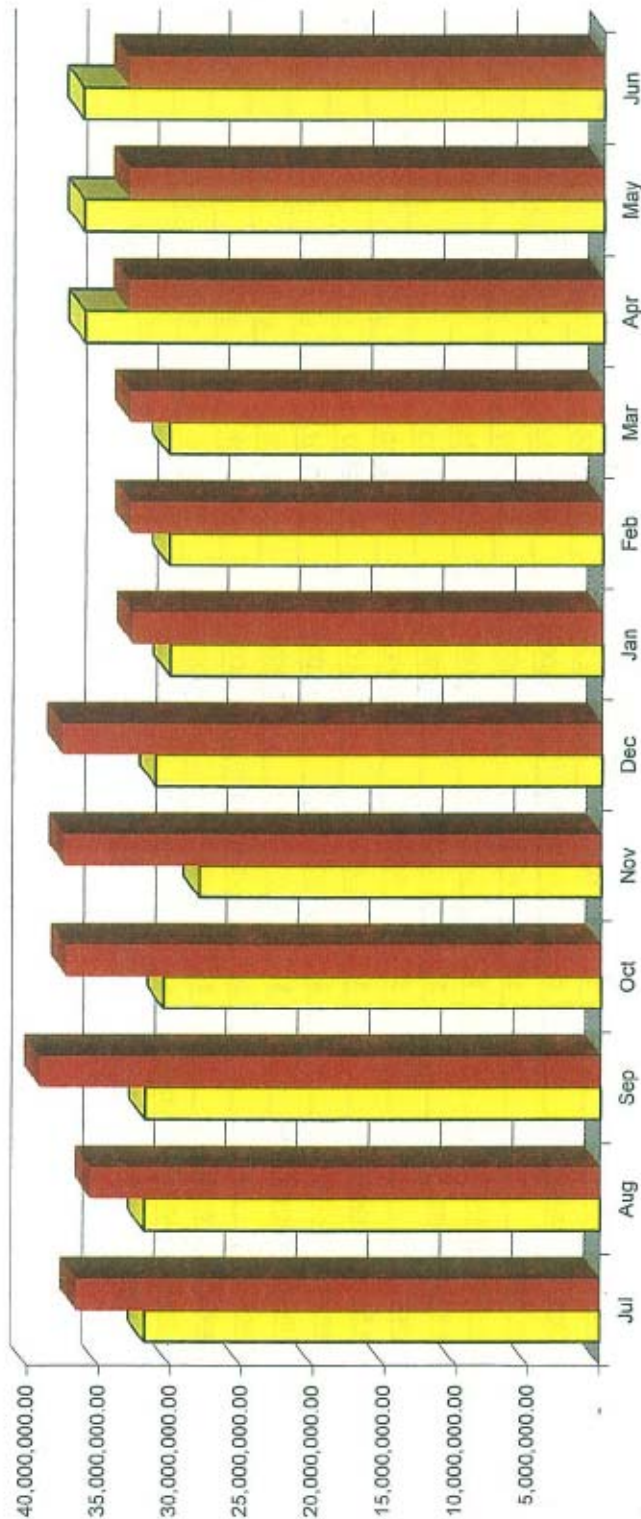
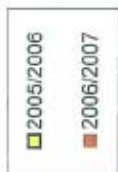
Note:1

Note:2

Note:3

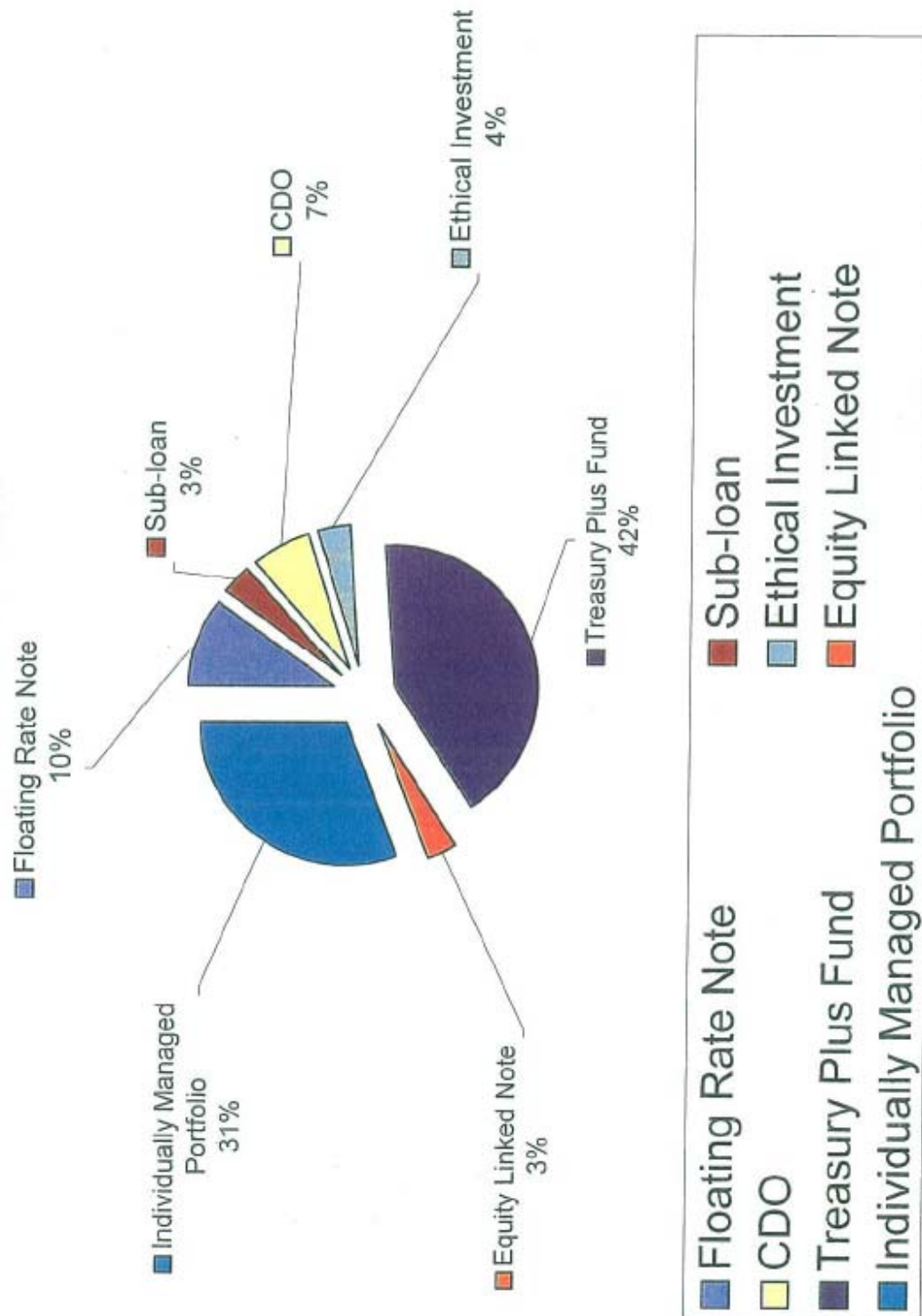
The final balance of investments may vary depending on the final valuation of the funds at month end
 The amount of investment reported includes opening balance from previous month and interest earned in month
 The interest rate used is indicative only, the actual rate received may vary depending on final valuations

TOTAL INVESTMENT PORTFOLIO

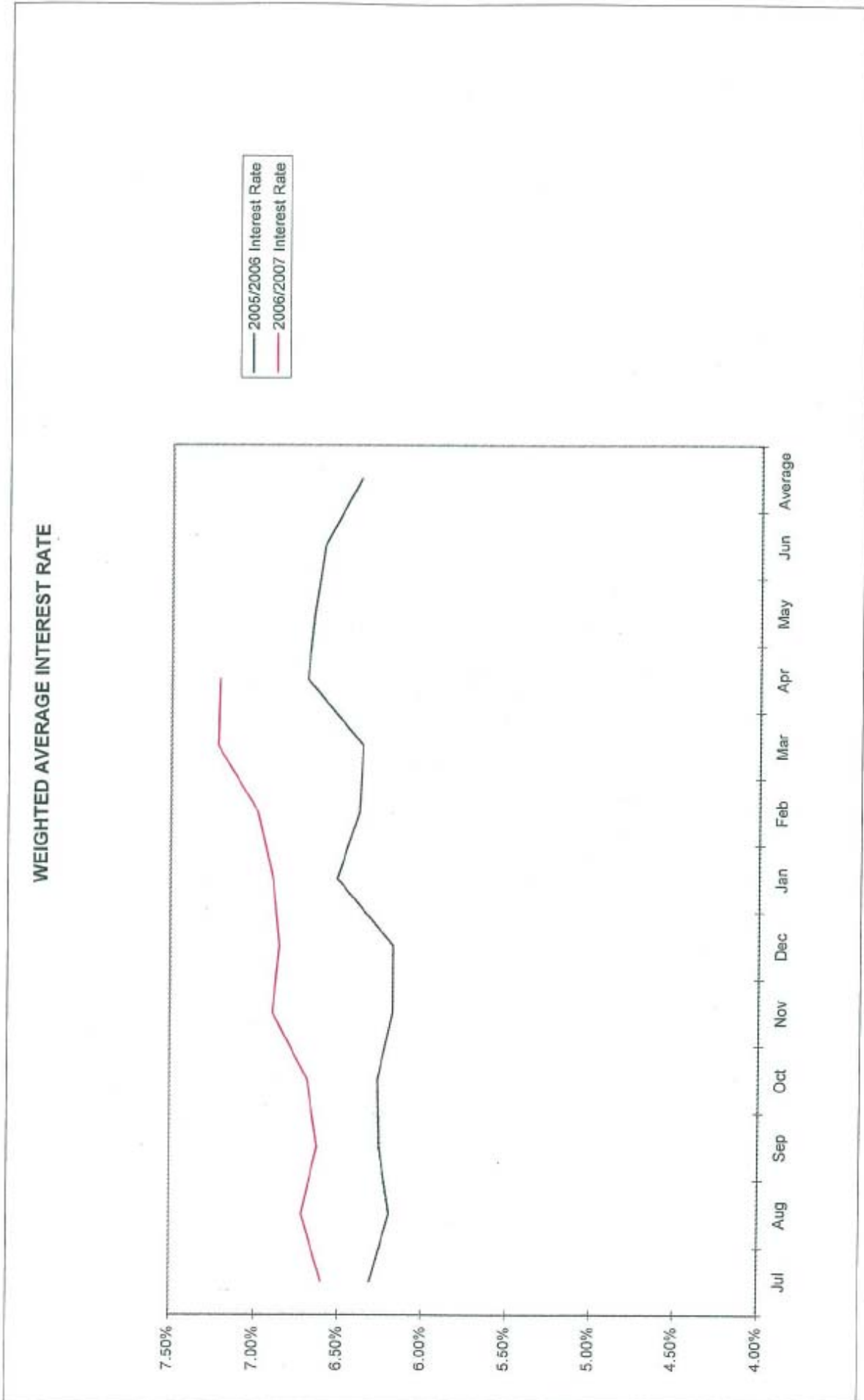


2006-07 Investments.xls

INVESTMENT BY TYPE

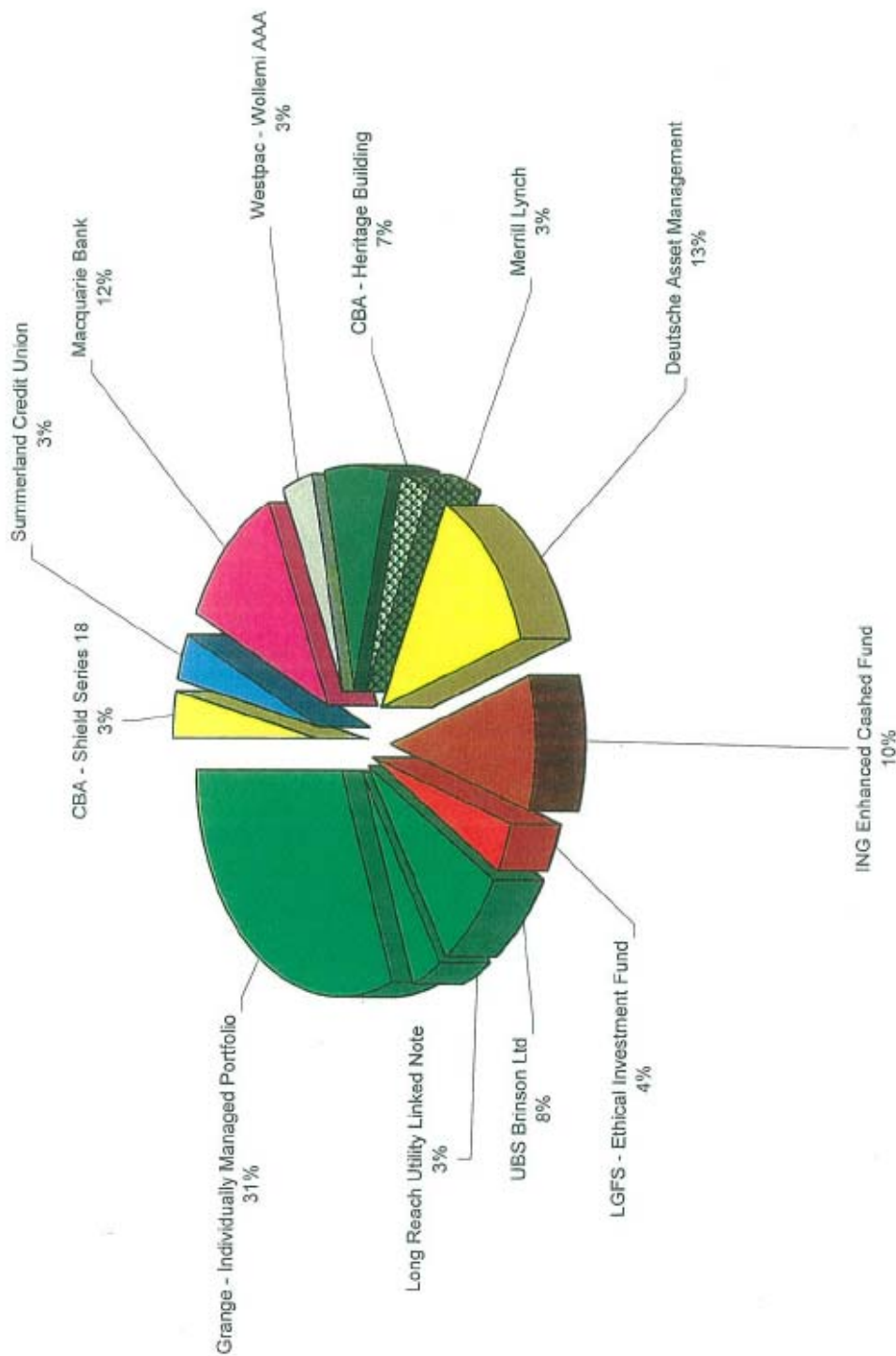


2006-07 Investments.xls



2006-07 Investments.xls

INVESTMENT BY INSTITUTION



**MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING
HELD ON APRIL 18, 2007, AT 10.00 AM.**

	Present	Councillor Merv King (<i>Chairperson</i>), Ms Bronwyn Mitchell (<i>on behalf of Thomas George, MP</i>), Michael Baldwin (<i>RTA</i>), Snr Const Dave Connelly (<i>Lismore Police</i>).
	In Attendance	Councillors Jenny Dowell and John Hampton, John Daley, Salina Runge (<i>Road Safety Officer</i>), and Bill MacDonald (<i>Traffic & Emergency Services Coordinator</i>).
TAC11/07	Apologies	An apology for non-attendance on behalf of Thomas George, MP, was received and accepted.
TAC12/07	Minutes	The Committee was advised that the Minutes of the Traffic Advisory Committee Meeting held on March 20, 2007, were confirmed by Council on April 10, 2007.

Disclosure of Interest

Nil

Part 'A' – Committee Recommendations

Lismore Turf Club; forwarding copy of the Traffic Management Plan the Club wishes to use for the Annual Lismore Truck Parade and Show to be held on Saturday, July 28, 2007.

It was noted that this event had been held for a number of years with the same traffic management plan in place and it had worked very well.

TAC13/07 **RECOMMENDED** that the traffic management plan be approved. (07-2755: S336,P10386)

B Crump; advising of request from some parents of Clunes children who attend the Steiner School in Byron Bay to vary his bus run to include travelling through Clunes.

TAC14/07 **RECOMMENDED** that approval be granted for the bus run extension on the roads as nominated. (07-2845:S352)

Mrs C Riordan; requesting consideration of erecting a T-junction warning sign on Wyrallah Road, prior to Leslie Lane.

An inspection revealed that Leslie Lane was approximately half-way along a long straight section of road but was not visible to motorists travelling along Wyrallah Road until they were relatively close to its location.

TAC15/07 **RECOMMENDED** that a T-junction warning sign be erected on Wyrallah Road, approximately 150m from Leslie Lane, for south-bound traffic. (R5201)

R Ejdys: again raising concerns about the speed at which motorists are travelling over the crest on the new section of Deloraine Road – proposed speed hump.

Whilst it was acknowledged that the new road had been built to the relevant standard, as the residents still appeared to be experiencing problems accessing their properties, it was agreed that the proposed traffic management device would assist in slowing traffic on the new section of Deloraine Road. However, prior to any installation, further discussions would take place with all residents in the immediate vicinity to seek their thoughts on the proposal.

TAC16/07 **RECOMMENDED** that a flat top speed hump be installed on Deloraine Road once funding was available, provided agreement is reached with all immediate neighbours. (R7111)

Darrel Chapman Fun Run – May 20, 2007; Traffic management plan submitted for consideration and approval.

Mr MacDonald advised that further discussions had been held with the organisers of the event and it had been agreed that the traffic management plan would be modified to show traffic controllers in place on roads around the perimeter of the route to warn motorists of the impending hazard ahead rather than have roads closed and detours in place. It was considered that the event being held on a Sunday morning, traffic would be generally light in any case. The organisers had also arranged a letter drop to all residents in the immediate area advising them of the event.

TAC17/07 **RECOMMENDED** that approval be granted for the proposed Fun Run provided the modifications mentioned above are carried out. (S336)

Nimbin Mardi Grass; Traffic management plan submitted for consideration and approval.

It was noted that this was the first year that the organisers had a properly prepared traffic management plan and template and had also provided evidence of the necessary insurance policies.

TAC18/07 **RECOMMENDED** that the traffic management plan be approved. (S824)

Dawson Street Pedestrian Crossing – Near Larkin Lane

Mr MacDonald advised of discussions held with the owners of Jon Tom Motors in Dawson Street who were in the process of expanding their business and were concerned about the proposed location of the marked pedestrian crossing, which would have been in line with the middle of their property frontage. As a compromise it was suggested that investigations would be made into an alternative location towards the northern end of their property, near Larkin Lane. The new plan showed this location.

TAC19/07 **RECOMMENDED** that the vehicle and pedestrian counts along with the new plan be forwarded to the RTA seeking approval for the installation of the marked pedestrian crossing. (R6017)

Part 'B' – Determined by Committee

RTA: advising its intention to hold a series of presentations on the new mandatory guidelines which cover the RTA's delegation of traffic powers to local councils including the role of Traffic Committees, to be held at Grafton on Tuesday, May 22, 2007.

B-07-04:1 Most present indicated their intention to attend the presentation in Grafton. It was left to individuals to respond to the RTA's invitation. (S352)

Cr Dowell; raising concerns on behalf of residents relating to a number of traffic issues in Rosegum Drive, Goonellabah.

B-07-04:2 Mr MacDonald advised that he and Snr Const Hilder had met with Mr Ian Bennetts onsite to further discuss the issues of concern, which included the speed of vehicles on Rosegum Drive, some motorists cutting corners and the lack of footpaths in the estate. Mr Bennetts was advised that if information on particular offenders could be supplied to Police in terms of local residents not complying with the road rules then they would follow up with the individuals. It was explained that footpaths were generally installed in areas with high pedestrian activity and bearing in mind the limited funding for such works, it would be unlikely that footpaths would be installed in this estate in the near future. It was up to individuals to take due care when walking along roads, particularly where cars were parked on the roadside. In the meantime it was agreed that a road classifier would be installed on Rosegum Drive in the vicinity of (say) Nos. 9 or 11 to ascertain actual vehicle speeds and the need for any further action. (R6508)

Closure

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

Chairperson

Co-Ordinator - Traffic and
Emergency Services

Financial Assistance - Section 356

a) Banners – Policy 1.4.14 (GL2033.8)

Budget: \$700 To date: \$436.37

RSL Lismore Sub-branch – ANZAC Banner

In accordance with policy.

\$150

Mental Health Support – Musica Viva Charity Concert Banner

IN accordance with policy

\$90

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

Budget: \$2,700 To date:\$1293.89

>

Brooke Avery's participation in YMCA's NSW Youth Parliament for 2007

\$50.00

Recommendation

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

Documents for Signing & Sealing

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

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

Recommendation

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

Richmond River County Council - Requesting extension of financial agreement to June 30, 2008 (S409 07-2895)

Richmond River County Council have written to Council seeking an extension of financial agreement between Lismore, Ballina and Richmond Valley Councils to June 30, 2008. The current arrangement provides for a 40:40:20 basis on the respective constituent councils.

This agreement will bring the financial arrangement onto a financial year basis and if desirable, allow for the possibility of a new contribution arrangements to be considered for 2008/09 and beyond.

Contract for the sale of land, and Transfer - Lot 17 DP 239507 - 45 William Blair Avenue, Goonellabah (P10202)

Council has negotiated an offer of \$148,500 inclusive of GST for the sale of Lot 17 DP 239507 - 45 William Blair Avenue, Goonellabah. The price is consistent with the valuation obtained January 3, 2007. This land was included in Lismore Local Environmental Plan 2000 (Amendment No. 12) - reclassification of public land as operational land.

Agreement to Lease - Northern Rivers Radio Controlled Model Club Inc - Nesbitt Park Old Tennis Courts (P1863)

Lease over Lot 1 DP 129751 and part Lot 1 DP 996500 (129 Casino Street, South Lismore) comprising an area of 3,420 m² being the old tennis courts at Nesbitt Park, for the permitted use as a radio controlled car club for a period of four (4) years.

The Lismore District Cricket Association previously requested to lease this area, however withdrew their application. A current market rental for the subject property was obtained with a nominal rent of \$100 per year to be charged. Proposed lease was advertised in "The Echo" February 28, 2007, with no submissions forthcoming.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, APRIL 10, 2007 AT 6.00PM.

Present

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

- 319/07 **Apologies/
Leave of
Absence** An apology for non-attendance on behalf of Cr Ekins was received and accepted.
(Councillors Irwin/Henry)
A leave of absence granted to Cr King for April 22 – April 27.
(Councillors Irwin/Chant)
- 320/07 **Minutes** The minutes of the Ordinary Meeting held on March 13, 2007, were confirmed. Subject to it being noted that Councillors Irwin and Ekins voted against Minute number 294/07.
(Councillors Hampton/Irwin)
The minutes of the Extraordinary Meeting held on March 27, 2007 were confirmed. Subject to it being noted that Resolution 311/07 referred to the Carnival being held in October 2007.
(Councillors Dowell/Swientek)
The minutes of the Extraordinary Meeting held on April 3, 2007 were confirmed.
(Councillors Hampton/Dowell)

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:

Keelin Turner – Cities for Climate Protection

Ms Turner spoke on behalf of the Lismore Climate Action Group. She strongly supported the Local Action Plan, acknowledged there was a financial impact and urged Council to educate the community on the benefit of the plan.
(S232)

Karl Sprogis - Cities for Climate Protection

Mr Sprogis claimed the policy did not go far enough and urged Council to address the issue of global warming to a greater degree citing examples from other cities and areas.
(S232)

Peter Bellew – Lismore Park Plan of Management

Mr Bellew spoke in support of keeping Crozier Oval open in daylight hours. He raised issues concerning lack of use of the oval, vandalism and the existing conditions of concert.
(S833)

Bill Scheaffe – Dougan Road s94

Mr Scheaffe claimed that the plan did not deal equitably with Dougan Road when compared to other S94 plans.
(S517)

Disclosure of Interest

S451

Councillor Irwin declared an interest in Public Access, S94, Documents Signing and Sealing, (husband owns subject property).

Councillor King declared an interest in Lismore Showgrounds, (member of management committee of North Coast A & I Society).

Mayoral Minute

Goonellabah Recreation Centre

321/07 **RESOLVED** that Council consider the report on tenderers for the Goonellabah Recreation Centre after dealing with the circulated agenda for this meeting, but prior to dealing with the confidential report.
(Councillors King/Swientek)(T27005)

Notice of Motions

Council Carpark Renaming

Formal notice having been given by Councillor Irwin it was **MOVED** that Council write to Mrs Gates to see if she is amenable to Council's car park on the corners of Leycester, Orion and Dawson Streets being named the Bob Gates Car Park .
(Councillors Irwin) (S367)

The MOTION lapsed for want of a seconder.

Art Gallery and Education Centre Naming

322/07 Formal notice having been given by Councillor Irwin it was **RESOLVED** 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.

(Councillors Irwin/Dowell) (S857)

Altering Order of Business

323/07 **RESOLVED** that the order of business be altered to debate the following matters raised during Public Access.

- Cities for Climate Protection
 - Lismore Plan of Management
 - Draft S94 Contributions Plan – Dougan Road, Caniaba
- (Councillors Irwin/Chant)(S43)

Reports

Cities for Climate Protection

A MOTION WAS MOVED that the report be received and 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.

(Councillors Dowell/Tomlinson)(S232)

AN AMENDMENT WAS MOVED that the report be received and:

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.
2. Council establish a Climate Protection PAG to help formulate policy and implementation of the action plan.

(Councillors Swientek/Irwin)

On submission to the meeting the AMENDMENT was DEFEATED.

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

324/07 **RESOLVED** that the report be received and 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.

(Councillors Dowell/Tomlinson) (S232)

Voting Against: Councillor Irwin

Draft Plan of Management – Lismore Park

325/07 **RESOLVED** that the report be received and that Council:

1. Pursuant to section 40 of the *Local Government Act*, adopt the Plan of Management for Lismore Park as exhibited and including 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.
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.
3. Council prepare a S96 application to seek a variation to development consent 97/309 to allow for daytime closure of Crozier Field.

(Councillors Swientek/Graham) (S833)

Voting Against: Councillors Dowell, Irwin, Tomlinson, Henry and King.

Draft S94 Contributions Plan – Dougan Road, Caniaba

S451

Councillor Irwin declared an interest in this matter and left the Chamber during discussion

and voting thereon.

326/07 **RESOLVED** that the report be received and that Council:

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

(Councillors Hampton/Chant)(S517)

Voting against: Councillors Henry, Tomlinson, Dowell

Stormwater Management

327/07 **RESOLVED** that the report be received and 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.
(Councillors Dowell/Hampton)(S722)

Lismore Memorial Baths Shade Option

328/07 **RESOLVED** that the report be received and that Council approve the installation of a shade sail at each end of the 25m pool with funds allocated in the 2006/07 Budget.
(Councillors Tomlinson/Chant)(P6768)

Lismore Airport Charges

329/07 **RESOLVED** that the report be received and that Council 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.
(Councillors Chant/Irwin)(P25804)

Voting against: Councillor Swientek

Secure, Overnight, Paid Parking at the Lismore Regional Airport

330/07 **RESOLVED** that the report be received and that Council implement secured overnight carparking at Lismore Regional Airport as outlined in this report.
(Councillors Irwin/Graham)(P25804)

Lismore Showgrounds

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.

331/07 **RESOLVED** that the report be received and 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

(Councillors Hampton/Swientek)(P331)

Voting Against: Councillor Irwin,

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

Draft S94 Contributions Plan – Woodlawn Avenue to Ballina Road

S451

Councillor Henry declared an interest and left the Chamber during the debate and voting.

332/07 **RESOLVED** that the report be received and 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.

(Councillors Swientek/Chant)(S517)

Rural Recycling Strategy

333/07 **RESOLVED** that the report be received and 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.

(Councillors Swientek/Dowell)(S763)

Pesticide Notification Plan - Adoption

A MOTION WAS MOVED that the report be received and

1. That Lismore City Council Pesticide Notification Plan be adopted.
2. Council place signs on the day that treatment is taking place where people can come into contact with chemical residue.
3. Council pursue the option of an online pesticide and herbicide schedule and advertise widely to the community.

(Councillors Swientek/Dowell)(S953)

AN AMENDMENT was MOVED that:

1. That Lismore City Council Pesticide Notification Plan be adopted.
2. Council place signs on the day that spraying is taking place where people can come into contact with chemical residue.
3. Council pursue the option of an online pesticide and herbicide schedule and advertise widely to the community.

(Councillors Irwin/Henry)

On submission to the meeting the AMENDMENT was DEFEATED.

Voting Against: Councillors Tomlinson, Dowell, Swientek, King, Chant and Crimmins, Hampton.

334/07 **RESOLVED** that the report be received and:

1. That Lismore City Council Pesticide Notification Plan be adopted.
2. Council place signs on the day that treatment is taking place where people can come into contact with chemical residue.
3. Council pursue the option of an online pesticide and herbicide schedule and advertise widely to the community.

(Councillors Swientek/Dowell)

Voting against: Councillors Graham, Meineke and Irwin.

March 2007 – Investments held by Council

335/07 **RESOLVED** that the report be received and noted.
Councillors Irwin/Meineke)(S178)

Cemetery Land Acquisition

336/07 **RESOLVED** that the report be received and

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.
(Councillors Graham/Swientke)(P8791:P9040)

Voting against: Councillor Irwin

Committee Recommendations

Traffic Advisory Committee March 27, 2007

337/07 **RESOLVED** that the minutes be received and adopted and the recommendations contained therein be adopted
(Councillors Irwin/Crimmins)(S352)

Documents for Signing and Sealing

S451

Councillor Irwin declared an interest in this matter and left the Chamber during discussion and voting thereon.

338/07 **RESOLVED** that the following documents be executed under the Common Seal of Council:

DA 2005/710 VC&V Sheaffe - Dougan Road (DO5/710)

Council holds a charge over property as security for roadworks, section 94 contributions and facility charge associated with this development consent.

The deed supporting the charge requires that on completion of the first lot sold or no longer than six months from release of the linen plan, the sum of \$151,929 plus \$33.27 per day for the facility charge must be remitted by the Sheaffe's to Council.

As completion of the first lot is due shortly, the Sheaffe's Solicitor has asked that a discharge of charge be prepared ready for exchange on the payment of the roadworks, section 94 contributions and facility charge.

Once prepared this will be sent to Council's Solicitor ready for the exchange.

(Councillors Henry/Swientek)

Financial Assistance - Section 356

339/07 **RESOLVED** that in accordance with Section 356(1) of the Local Government Act 1993, the assistance to persons as listed is hereby approved.

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

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

Lions Club of Lismore requesting Council waive all the fee for the use of the Fountain Room as part of the Club's 60th Anniversary Celebrations on September 16, 2007(S704, P22789:07-1370).

Recommendation: In accordance with Clause 1 of the policy, a donation of 25%, not the 100% requested, of hire fee apply \$28.25

**b) 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

c) 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

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

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

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

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

(Councillors Graham/Chant)(S164)

Mayoral Minute

Goonellabah Recreation Centre

Confidential Matters – Committee Of The Whole

340/07 **RESOLVED** that Council now exclude the press and public and meet in Committee of the Whole to consider the following matter;

Legal Advice

Grounds for closure: Section 10A(2) (g): advice concerning litigation or advice that would other wise be privileged from production in legal proceedings on the grounds of legal professional privilege

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 could prejudice Council's legal position.

(Councillors Irwin/Meineke)

Resumption of Open Council

When the Council had resumed its former sitting, the General Manager reported that Council, meeting in Committee of the Whole, had RECOMMENDED that Mr Dayne Meares be advised that it is not appropriate to address Council during this meeting or the workshop.

341/07 **RESOLVED** that the General Manager's report of Council meeting in Committee of the Whole be received and adopted.
(Councillors Irwin/Graham)

Suspension of Standing Orders

342/07 **RESOLVED** that the standing orders be suspended to allow a workshop to be held to discuss the Goonellabah Recreation Centre.
(Councillors Hampton/Chant)

Resumption of Standing Orders

At the conclusion of the workshop it was **RESOLVED** to resume standing orders:
(Councillors Irwin/Graham)

343/07 **RESOLVED**

1. As a result of the revised submissions received from two preferred tenderers for the design and construction of the Goonellabah Recreation Centre, Council authorise the General Manager to continue negotiations with SPANTECH Pty Limited on the basis of a contract not exceeding \$13,359,766 (ex GST), subject to the provisions of points 3 and 4 below.
2. Council immediately submit to the Department of Local Government its Capital Expenditure Review application in order to secure the necessary loan funds for the project.
3. The General Manager proceed immediately to deal with the identified risks associated with the proposal from SPANTECH, including agreement on a firm cost variation where applicable, in accordance with the strategies identified to deal with those risks, prior to

entering such contract.

4. The contract be divided into separable portions for the skate park and the remainder of the project as outlined in the report to allow the project to progress without being unduly delayed.
5. The Project Steering Committee oversee the design development process prior to lodging a development application.
6. Council establish a Reference Group as soon as possible to facilitate development of a design for the proposed skate park.
7. The necessary contract documentation be executed under the Common Seal of Council.
(Councillors Henry/Swientek)

Voting against: Councillor Irwin, Tomlinson, Hampton and Chant.

Performance Review 2006/2007 – General Manager (Review Committee)

- 344/07 **RESOLVED** that the review committee convened for the performance monitoring and review process as previously determined by this Council remain in place, being Councillors King, Irwin, Meineke and Ekins.
(Councillors Irwin/Tomlinson)

Confidential Matters – Committee Of The Whole

- 345/07 **RESOLVED** that Council now exclude the press and public and meet in Committee of the Whole to consider the following matters;

Mayoral Minute – Performance Review 2006/2007 – General Manager

Grounds for closure: Section 10A(2) (a): personal matters concerning particular individuals.

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

(Councillors Graham/Swientek)

Resumption of Open Council

When the Council had resumed its former sitting, the General Manager reported that Council, meeting in Committee of the Whole, had RECOMMENDED:

1. That Council endorse the 2006/07 Performance Plan as amended.
2. That Council is satisfied with the performance of the General Manager based on the documented monitoring report.

- 346/07 **RESOLVED** that the General Manager's report of Council meeting in Committee of the Whole be received and adopted.
(Councillors Irwin/Chant)

Closure

Council Minutes
April 10, 2007

This concluded the business and the meeting terminated at 11.45 pm.

CONFIRMED this 8th day of May 2007 at which meeting the signature herein was subscribed.

MAYOR