

# Notice of Council Meeting

## Ordinary Meeting

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An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at  
the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on  
**October 14, 2008**  
and members of Council are requested to attend.

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

October 7, 2008



# Agenda

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Opening of Meeting and Prayer (Mayor)

Apologies and Leave of Absence

Confirmation of Minutes  
Ordinary August 12, 2008  
Extra Ordinary September 30, 2008

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).

Reports

Investments Held by Council August and September, 2008 ..... 7

Committee Recommendations

Minutes of the Traffic Advisory Committee Meeting Held on August 20, 2008..... 17

Minutes of the Traffic Advisory Committee Meeting Held on September 17, 2008 ..... 23

Report of Code of Conduct Committee ..... 28

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Documents for Signing and Sealing ..... 30

Questions Without Notice

Confidential Matters – Committee of the Whole



# Strategic Plan Summary

## Lismore regional city

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

## Notice of Motion

**Councillor V Ekins** has given notice of her intention to move at the next meeting of Council:

That Council make mandatory the installation of rain water tanks on all new residential, commercial and industrial buildings in the Lismore council area.

### Staff Comment

Manager Environmental Health and Building Services

A supportive alternate resolution follows, but first, some background.

The use of rainwater tanks has proven merit however the terms of a Council resolution warrant some care in order to fit with contemporary regulation.

In New South Wales the Government introduced a State Environmental Planning Policy (SEPP) - Building Sustainability Index: BASIX in 2004. The aim of the SEPP is:

- to ensure homes are designed to use less potable water and be responsible for fewer greenhouse gas emissions by setting energy and water reduction targets.
- to ensure consistency in the implementation of the BASIX scheme throughout the state.
- to override provisions of other environmental planning instruments and development control plans that would otherwise add to, subtract from or modify any obligation arising under the BASIX scheme.

BASIX applicable developments are all new dwellings, villa, townhouses, units and dwelling alterations and additions in excess of \$50,000.

Councils in NSW cannot prescribe energy or water savings in excess of the requirements of BASIX for the above developments.

While not being obligatory the installation of rain water tanks is by far the easiest and most utilised method to achieve the water reduction target. Councils Building Services Section is able to report that most if not all new residential buildings have a tank installation with various alignments to toilet flushing, laundry, garden and drinking use.

Furthermore the installation of a rainwater tanks may be obligatory for the installation of swimming pools in excess of 40,000 litres. This is dependent on a number of factors determined by BASIX options.

It is acknowledged that some parts of Council area do not have reticulated potable water supply, therefore the inclusion of additional water tanks are required within these areas.

All new commercial and industrial buildings and some other forms of residential buildings, require compliance with Section J of the Building Code of Australia (BCA). Section J principally relates to energy efficiency. The BCA does not require the mandatory inclusion of water tanks for the preservation or reduction of water consumption within commercial and industrial premises. The BCA does provide opportunity for the inclusion of water tanks for the purpose of fire safety requirements where there is no reticulated water supply or where water pressure is limited.

It should also be noted that Council is working towards a Water Sensitive Design (WSD) Development Control Plan in the near future. This document will require potable water consumption reduction. For commercial and industrial developments this reduction may be achieved by various methods e.g. installing rainwater tanks, cleaner production (i.e. using less water in their production), on site water detention, recycling water, etc. The DCP would not make the installation of tanks obligatory, however,

may achieve reduced water consumption as part of its water sensitive design. Typically commercial and industrial premises have peculiar water needs and rain water harvesting may not be the most effective method of reduced water consumption. In some cases, like residential developments tanks may be the preferred option.

It should be noted that Council works in partnership with Rous Water to utilise their demand management strategy to reduce water consumption highlighting the point that there are many different ways of reducing water consumption in addition to installing rainwater tanks.

### Conclusion

In short the State legislative and regulatory framework (via a State Environmental Planning Policy) does not allow rainwater tanks to be made mandatory for all buildings at a local level. In the case of residential buildings the framework (BASIX) sets a minimum performance standard of 40% water reduction but it does not prescribe specific solutions such as rainwater tanks. Rainwater tanks would certainly be in the mix of specific solutions to meet the minimum standard with such things as shower flow reducers and water tolerant plantings. In the case of non-residential buildings BASIX does not apply and rainwater tanks could be made mandatory through a Development Control Plan (DCP) but it is recommended that the performance standard approach be taken with tanks being in the mix of specific solutions.

As an alternative, the following recommendation could be considered;

That the Water Sensitive Design (WSD) Development Control Plan (DCP) covering all buildings within the City, including the specific solution of rainwater tanks as one method to meet water reduction performance targets be expedited and reported to Council to ensure that it is in place by 1 July 2009.

## Notice of Motion

**Councillor S Clough** has given notice of his intention to move at the next meeting of Council:

That Council prepares a comprehensive policy on community engagement. This policy should cover all aspects of Council's contact with the Community. It should seek to initiate community engagement that is effective for both the Council and the community.

### Staff Comment

#### Communications Coordinator

A review of Council's community consultation policy is currently underway.

The proposal will follow the principles of the IAP2 Public Participation model which has its foundations in being value-based, decision-oriented and goal driven.

The draft policy will promote core values for the practice of public participation and works within the spectrum to Inform, Consult, Involve, Collaborate and Empower.

The timeframe for the delivery of the revised Community Consultation policy is March 2009.

## Notice of Motion

**Councillor S Clough** has given notice of his intention to move at the next meeting of Council:

- a) That Lismore City Council informs the Australian Local Government Association that in a poll conducted at the same time as the election on September 13, 71.10% of voters voted “yes” to the question “Do you support the inclusion of Local Government in the Australian Constitution.
- b) That the result of the poll be presented to the November meeting of the Australian Council of Local Government and that the Council be represented by the Mayor.

### Councillor Comment

The 71.10% support for the poll question is all the more significant because of the lack of publicity from the Local Government Association and the NSW Electoral Commission. It should be noted that 82.56% of voters participated in the voluntary poll and that there was a “yes” majority in every polling booth.

### Staff Comment

#### Corporate Compliance Coordinator

The proposed action is supported to progress this initiative. In addition to the proposed action, correspondence will be forwarded to the local Federal Member and the Local Government Shires Association.

Australian Local Government will also conduct a Constitutional Summit in December. In preparation for the Summit the Association has sought the views of Council in the following terms:

*What objectives does your Council believe would most assist your communities and which could be supported/achieved through Constitutional Recognition of Local Government?*

*Please rank as high / medium / low or nil for each objective.*

1	<i>Simplified/Streamlined Federal Funding (Direct Commonwealth funding rather than through States)</i>
2	<i>Providing a guarantee of funding to some minimum level</i>
3	<i>Symbolic recognition of Local Government</i>
4	<i>Protection of the system of Local Government (require the States to maintain a system of Local Government)</i>
5	<i>Protection for Councils against arbitrary dismissal/amalgamation (require certain minimum principles or processes to be met)</i>

The issues were not individually canvassed in the Poll Question, but did form elements of the Yes/No case. Councillors may feel they are now in a position to determine the weightings that should be attached to the above objectives.



## Notice of Motion

**Councillor G Meineke** has given notice of his intention to move at the next meeting of Council:

That Council fully endorses the concept of a southern Bangalow Bypass as an integral part of the Ewingsdale to Tintenbar Pacific Highway upgrade, and advises the RTA accordingly.

### Councillor Comment

1. The Environmental Assessment for the upgrade is on exhibition until the end of October.
2. It suggests a southern bypass of Bangalow is to be investigated but the bypass is not a certainty.
3. With no bypass, traffic to Lismore would use an upgraded Ewingsdale interchange and still go up and over St Helena (environmentally unacceptable).
4. Therefore 44% of current traffic would still use the current St Helena Road (figures from the RTA assessment).
5. With a southern bypass 97% of traffic would use the new road between the Ewingsdale interchange and south of Bangalow including a tunnel under St Helena (economically and environmentally sensible).
6. All through traffic to Lismore via Bangalow would be eliminated.
7. Justine Elliott and Janelle Saffin support the bypass, as do Thomas George and Don Page. To show the RTA there is a united approach to the bypass it is essential that Lismore Council support the concept.

### Staff Comment

#### Executive Director – Infrastructure Services

The NSW Roads and Traffic Authority (RTA) has selected the preferred route for the upgrade of the highway between Tintenbar and Ewingsdale. The project will link the Ballina bypass at Ross Lane to the existing dual carriageway at Ewingsdale. The Ballina bypass is currently under construction.

Under Part 3A of the *Environmental Planning and Assessment (EP&A) Act 1979*, an application was submitted by the RTA in April 2007 to the Department of Planning to seek the requirements for the environmental assessment of the project. The RTA has finalised the environmental assessment for the Tintenbar to Ewingsdale upgrade. The environmental assessment and refined concept design are on display for community comment. The submission period has been extended to October 31, 2008.

The concept design currently on display does not include the Bangalow southern by-pass option. The RTA undertook a Strategic Access Report in August 2008, in relation to the Bangalow southern by-pass, it concluded;

*"While a southern bypass of Bangalow with an interchange with the Pacific Highway is feasible, it would require an investment of more than \$30 million from the RTA and may not provide either the best value for money or address the most urgent areas for any potential investment to improve the road corridor serving Lismore / Casino and Byron Bay traffic.....Should a southern bypass of Bangalow become justifiable in the future it would remain possible for it to be connected to the alignment of the Pacific Highway upgrade."*

In response to issues raised by the community the RTA are proceeding with further preliminary



## Notice of Motion

investigations on the cost of a bypass and its associated benefits. The RTA propose to place the assessment on display for community comment before a decision is made.

Lismore City Council has lobbied the RTA for many years to upgrade Bangalow Road. This has included encouraging the RTA to examine alternate routes for long term planning and representations from local members. To date only minor localised improvements have been undertaken.

Following a request from Byron Shire Council the former Mayor (Cr King) forwarded a submission to the Department of Planning regarding the environmental assessment in late August 2008. In part the submission stated:

*"Lismore City Council would like to support the proposal put forward by Byron Shire Council that a southern bypass for Bangalow be included as part of the Pacific Highway upgrade works.....Lismore sees the southern Bangalow Bypass as the first step in a series of work needed to bring Bangalow Road up to an acceptable standard."*

# Report

<b>Subject</b>	<b>Investments held by Council – August and September 2008</b>
<b>File No</b>	S178
<b>Prepared by</b>	Management Accountant
<b>Reason</b>	Required by Local Government Act 1993, Local Government (General) Regulations 2005 and Council's Investment policy.
<b>Objective</b>	To report on Council Investments
<b>Strategic Plan Link</b>	Leadership by Innovation
<b>Management Plan Activity</b>	Financial Services

## Overview of Report

Council investments as at 30 September 2008 are estimated to be \$32,635,616 subject to final value of funds held under separate management being advised shortly.

The interest rate reported for September 2008 is estimated to be 6.98% in comparison to 5.71% for September 2007. Council's return of 6.98% is below the Bank Bill Swap Rate for the same period of 7.29%. The final interest return may vary due to actual returns achieved in the funds held under separate management.

Council investments as at 31 August 2008 were \$31,564,964. The interest rate reported for August was estimated to be 6.98% in comparison to 5.71% for August 2007. The Bank Bill Swap rate for the same period was 7.28%.

On 15 August 2008 the Minister for Local Government issued a revised Order pursuant to section 625 of the Local Government Act 1993. This revised Order formalises the recommendations from the recent Review of NSW Local Government Investments ("the Cole Report"), previously supported by Circular 08-10.

Council has been advised that during August and September a further 7 (seven) investments have been downgraded to below the acceptable credit rating of A set by the Minister's Investment Order. There are now 9 (nine) investments within the portfolio that fall outside the Minister's Investment Order. In relation to these investments, advice has been received from Council's independent investment advisor, Grove Research and Advisory. They once again recommend that after taking into account the considerations listed in the Department of Local Government's Circular 08-10, and the new Investment Order, it is not in Council's interests to sell these investments.

As a result of Lehman Brother's filing for bankruptcy, three of the downgraded investments along with two others did not make interest payments of approximately \$33,000 that were due to Council on 22 September, 2008. Lehman's are to provide further information on the status of these investments when it becomes available. As previously reported, interest payments from two other investments have also ceased.

## Background

The Local Government Act 1993 (Section 625), Local Government (General) Regulations 2005 (Regulation 212) 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.

### Report on Investments

- |   |              |
|---|--------------|
| • <i>Confirmation of Investments – at Market Value – 31 July 2008</i>   | \$26,445,495 |
| • <i>Confirmation of Investments – at Market Value – 31 August 2008</i> | \$31,564,964 |
| • <i>Estimated Investments – at Market Value – 30 September 2008</i>    | \$32,635,616 |

The current rate of return on investments for September 2008 is estimated to be 6.98% compared to 5.71% for September 2007. Council's return of 6.98% is below the Bank Bill Swap Rate for the same period of 7.29%. The rate of return reported has been calculated using actual returns where available and estimates based on the previous period balance and interest rates. The methodology used to calculate estimates appears reasonable in light of discussion with the portfolio advisor.

Uncertainty in the investment markets commenced in July 2007 and it continues to impact the market valuation and interest returns of the investment portfolio. The filing for bankruptcy by Lehman Brothers Holding Inc. has also impacted both market valuation and interest returns. Council has \$7.38 million invested through Lehman's and while some of the impact to date is evident with the market value on these products estimated at \$5.2 million, and some interest payments not being received, it is not possible to reliably estimate the final result. Council is receiving information on the situation from both Lehman's and Grove Research and Advisory Pty Ltd, Council's independent investment advisor.

In regards to the total investment portfolio, the strategy adopted is to hold all investment products to maturity so as to minimise the realisation of any market value losses. As this stage, it not intended to change this approach, however the Lehman's bankruptcy action presents a further unknown impact.

### Revised Ministerial Investment Order – Circular 08-48

On 15 August 2008, the Minister for Local Government issued a revised Order pursuant to section 625 of the Local Government Act 1993. The NSW Government adopted all the recommendations from the recent review of NSW Local Government Investments ("the Cole Report"). The revised order confirms the recommendations we had previously followed as set out in Circular 08-10.

### Investment outside Minister's Order

During August and September, 7 (seven) investments have been downgraded to a rating that falls outside the Minister's Order.

- Aphex (Glenelg) downgraded from AA- to BBB. Council has \$500,000 invested in Aphex (Glenelg) with a maturity date of 22 December 2014.
- Zircon (Merimbula) downgraded from AA- to C. Council has \$300,000 invested in Zircon (Merimbula) with a maturity of 30 June 2013
- Helium (Scarborough) downgraded from A+ to BB-. Council has \$200,000 invested in Helium (Scarborough) with a maturity of 23 June 2014
- Zircon (Coolangatta) downgraded from AA to C. Council has \$500,000 invested in Zircon (Coolangatta) with a maturity of 20 September 2014
- Zircon (Miami) downgraded from AA to C. Council has \$50,000 invested in Zircon (Miami) with a maturity of 20 March 2017.
- Cypress (Lawson) downgraded from AA to A-. Council has \$500,000 invested in Cypress (Lawson) with a maturity date of 30 December, 2010.

- Corsair (Torquay) downgraded from AA to BBB+. Council has \$500,000 invested in Corsair (Torquay) with a maturity date of 20 June 2013.

The 3 Zircon investments along with Beryl (Esperance 2) and Beryl (Global Bank Note) did not receive the interest payments due to them on 22 September, 2008. This is due to the bankruptcy of Lehman Brothers Holdings Inc. who acted as a guarantor or credit support provider to the swap counterparty. The Australian Paying Agent has confirmed that interest payments were not made. The Trustee has advised that as a result of the bankruptcy “there is no reasonable expectation that the Swap Counterparty/Guarantor will perform under the Swaps”. It has been advised that the downgrade to C in relation to the Zircon investments reflects the missed coupons rather than the notion that all the principal is gone. The bankruptcy is a default event under the Swaps however it is not an event of default under the notes. We have not been advised of any further downgrade to the ratings for Beryl (Esperance 2) or Beryl (Global Bank Note) at this stage.

As previously advised, DLG Circular 08-10, and now the new Investment Order, lays down guidelines as to processes for assessing whether it is in fact practicable to sell securities once they fall outside the Minister's Order. Grove Research & Advisory, after considering these guidelines in relation to Aphex (Glenelg), Cypress (Lawson) Helium (Scarborough) and Corsair (Torquay) have advised that the value realisable on sale will almost certainly understate the income value to be expected in retaining this security. In relation to the Zircon investments they have advised to hold as there is no market available for sale and there is a likelihood of early termination of the investments.

In regards to the other securities, they have advised that there will be no restoration of investment grade ratings in the foreseeable future, however there is no indication that coupons will fail to be paid when due in the near future for the majority of investments.

## Attachments

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

- Summary of Capital Value Movements on Investments including name of institution, lodgement date and maturity date.
- Schedule of Estimated Interest showing interest rate and estimated interest earned for the period.
- Total Investment Portfolio 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

### Responsible Accounting Officer

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 policy.

### Other staff comments

N/A

### Public consultation

N/A

## Conclusion

A report on investments is required to be submitted to Council monthly. This report meets that requirement. For September 30, 2008, investments total \$32,635,616 and the annualised rate of return was 6.98%.

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 policy.

A downgrade in credit ratings of 7 (seven) investments is reported, but based on advice received from Council's independent investment advisor, it is recommended that Council continue to hold these investments.

## Recommendation

That

1. The report be received and noted.
2. After considering the Department of Local Government's Circular 08/10 and advice from Council's investment advisor, the investments in Cypress (Lawson), Corsair (Torquay), Zircon (Merimbula), Helium (Scarborough), Zircon (Coolangatta), Zircon (Miami) and Aphex (Glenelg) be maintained.

Summary of Investments  
Investments held as at  
30-September-2008

## Capital Value Movements

Name of Investment / & Counterparty	Type of Investment	Rating	Purchase Date	Maturity Date	Last Date Confirmed Valuation Available	Base Capital Value	Estimated Current Market Value (Note 4)	
<b>Cash Based Returns</b>								
Fishburn AA - Shield Series 18 / CBA	CDO	AA	14/12/2003	4/12/2008	29/08/2008	\$ 1,000,000	\$ 990,000	Note 1
Longreach - Series 25	Equity Linked Investment	AA-	2/4/2007	4/4/2014	31/08/2008	\$ 1,000,000	\$ 675,200	Note 1,2
Aberdeen Income Fund	Managed Fund	A	14/3/2005	N/A	23/09/2008	\$ 3,252,702	\$ 3,130,971	Note 3
Blackrock Diversified Credit Fund	Managed Fund	A	23/5/2007	N/A	23/09/2008	\$ 3,919,657	\$ 3,797,332	Note 3
Macquarie Bank Income Plus Fund No 1	Managed Fund	A	31/5/2004	N/A	23/09/2008	\$ 1,686,001	\$ 1,669,105	Note 3
Merrill Q A/A FRN / CBA	Floating Rate Note	A+	22/3/2005	8/6/2010	29/08/2008	\$ 1,000,000	\$ 948,840	Note 1
Summerland Credit Union	Subordinate Debt	Not Rated (Note 7)	21/5/2004	21/5/2009	08/02/2008	\$ 1,000,000	\$ 1,000,000	Note 1
Perpetual Trustee Ltd ATF Wollemi Trust	Floating Rate Note	AAA	9/6/2004	8/10/2008	08/04/2008	\$ 1,000,000	\$ 1,000,000	Note 1
ASPRIT III Trust	Equity Linked Investment	AA	13/7/2007	13/7/2013	31/07/2008	\$ 2,000,000	\$ 1,614,000	Note 1,2
Southern Cross Credit Union	Term Deposit	Not Rated (Note 7)	24/9/2008	24/10/2008	24/09/2008	\$ 2,000,000	\$ 2,000,000	Note 1
Southern Cross Credit Union	Term Deposit	Not Rated (Note 7)	27/8/2008	1/10/2008	27/08/2008	\$ 1,000,000	\$ 1,000,000	Note 1
St George Bank	Term Deposit	A1	17/9/2008	17/10/2008	17/09/2008	\$ 3,000,000	\$ 3,000,000	Note 1
Summerland Credit Union	Term Deposit	Not Rated (Note 7)	24/9/2008	24/10/2008	24/09/2008	\$ 2,000,000	\$ 2,000,000	Note 1
CBA Business On Line Banking A/c	Cash Management Account	Cash	N/A	N/A	24/09/2008	\$ 4,595,000	\$ 4,595,000	Note 1
ANZ Principal Protected Yield Curve Note	Euro Bond	Not Rated (Note 7)	1/9/2006	17/7/2017	31/08/2008	\$ 100,000	\$ 87,200	Note 1,5
Deutsche Bank CG Yield Curve Note	Euro Bond	Not Rated (Note 7)	1/9/2006	18/10/2011	31/08/2008	\$ 250,000	\$ 210,250	Note 1,5
Bendigo Bank FR Sub Debt	Subordinate Debt	Not Rated (Note 7)	1/9/2006	14/12/2015	31/08/2008	\$ 500,000	\$ 473,300	Note 1,5
Elders Rural Bank Sub Debt	Subordinate Debt	Not Rated (Note 7)	1/9/2006	16/3/2016	31/08/2008	\$ 1,000,000	\$ 927,300	Note 1,5
Bishopsgate (Wentworth)	Floating Rate CDO	AA+	1/9/2006	20/9/2010	31/08/2008	\$ 500,000	\$ 465,550	Note 1,5
Herald Limited (Quartz)	Floating Rate CDO	A-	1/9/2006	20/12/2010	31/08/2008	\$ 30,000	\$ 21,195	Note 1,5
Cypress (Lawson)	Floating Rate CDO	A-	1/9/2006	30/12/2010	31/08/2008	\$ 500,000	\$ 459,800	Note 1,5
BELO (Kalgoorlie)	Commodity Backed Security	AA+	1/9/2006	27/2/2012	31/08/2008	\$ 700,000	\$ 586,250	Note 1,5
Magnolia (Flinders)	Floating rate CDO	AA	1/9/2006	20/3/2012	31/08/2008	\$ 300,000	\$ 225,000	Note 1,5
Omega (Henley)	Floating Rate CDO	AAA	1/9/2006	22/6/2012	31/08/2008	\$ 400,000	\$ 264,040	Note 1,5
Beryl (Esperance 2)	Floating rate CDO	AAA	1/9/2006	20/3/2013	31/08/2008	\$ 400,000	\$ 214,400	Note 1,5
Corsair (Torquay)	Floating Rate CDO	BBB+	1/9/2006	20/6/2013	31/08/2008	\$ 500,000	\$ 257,500	Note 1,5
Zircon (Merimbula)	Floating Rate Note	C	1/9/2006	20/6/2013	31/08/2008	\$ 300,000	\$ 88,350	Note 1,5
Corsair (Kakadu)	Floating Rate CDO	B+	1/9/2006	20/3/2014	31/08/2008	\$ 500,000	\$ 209,300	Note 1,5
Helium (Scarborough)	Floating rate CDO	BB-	1/9/2006	23/6/2014	31/08/2008	\$ 200,000	\$ 109,160	Note 1,5
Beryl (Global Bank Note)	Floating Rate Note	AAA	1/9/2006	20/9/2014	31/08/2008	\$ 150,000	\$ 117,120	Note 1,5
Zircon (Coolangatta)	Floating Rate CDO	C	1/9/2006	20/9/2014	31/08/2008	\$ 500,000	\$ 159,500	Note 1,5
Aphex (Glenelg)	Floating Rate CDO	BBB	1/9/2006	22/12/2014	31/08/2008	\$ 500,000	\$ 292,700	Note 1,5
Zircon (Miami)	Floating Rate CDO	C	1/9/2006	20/3/2017	31/08/2008	\$ 50,000	\$ 20,010	Note 1,5
Macquarie Cash Management Trust	Cash Management Account	Not Rated (Note 7)	1/9/2006	NA	31/08/2008	\$ 27,243	\$ 27,243	Note 1
<b>Investment on Hand</b>						<b>\$ 35,860,603</b>	<b>\$ 32,635,616</b>	

## Investments Redeemed during period (Note 6)

Bank of Western Australia	Term Deposit	A1	2/9/2008	2/10/2008		\$ 6,000,000	\$ 6,000,000
						<b>\$ 41,860,603</b>	<b>\$ 38,635,616</b>

## Total Capital Movement - Gain/(Loss)

**\$ (3,224,987)**

Note 1: Base Capital Value is the face value of the investment  
 Note 2: Capital Guaranteed note if held to maturity  
 Note 3: The Base Capital Value is the Market Value as at 30/6/08 plus additions less redemptions during the year.  
 Note 4: Latest estimates based on information provided by investment managers and prior period performance.  
 Note 5: Market Value is the Capital Value of the Investment before any accrual of income.  
 Note 6: These investments were redeemed during the period and impact on the interest return for the period. They are not part of the Balance of Investment Held.  
 Note 7: These Counterparties & Products are authorised under the Minister Order and require no minimum Credit Rating.

**"Indicative" Source of Funds**

Externally Restricted	22,061,676
Internally Restricted	10,573,940
	<u>\$ 32,635,616</u>



Summary of Investments

Investments held as at  
30-September-2008

Estimated Interest

Name of Investment / & Counterparty	Type of Investment	Rating	Annualised Coupon / Interest Rate	Estimated Current Value (Note 6)	Estimated Interest for Period	Weighted Interest for Period
<b>Cash Based Returns</b>						
Fishburn AA - Shield Series 18 - CBA	CDO	AA	8.20%	\$ 990,000	\$ 6,668	0.24%
Longreach - Series 25	Equity Linked Note	AA-	0.00%	\$ 675,200	\$ -	0.00%
Aberdeen Income Fund	Managed Fund	A	4.31%	\$ 3,130,971	\$ 11,091	0.39%
Blackrock Diversified Credit Fund	Managed Fund	A	2.14%	\$ 3,797,332	\$ 6,679	0.24%
Macquarie Bank Income Plus Fund No 1	Managed Fund	A	11.78%	\$ 1,669,105	\$ 16,161	0.57%
Merrill Q A/A FRN - CBA	Floating Rate Note	A+	7.55%	\$ 948,840	\$ 5,884	0.21%
Summerland Credit Union	Subordinate Debt	Not Rated	9.96%	\$ 1,000,000	\$ 8,186	0.29%
Perpetual Trustee Ltd ATF Wollemi Trust	Floating Rate Note	AAA	7.73%	\$ 1,000,000	\$ 6,353	0.22%
ASPRIT III Trust	Wholesale Managed Investment	AA	0.00%	\$ 1,614,000	\$ -	0.00%
Southern Cross Credit Union	Term Deposit	Not Rated	7.80%	\$ 2,000,000	\$ 12,822	0.45%
Southern Cross Credit Union	Term Deposit	Not Rated	7.80%	\$ 1,000,000	\$ 6,411	0.23%
St George Bank	Term Deposit	A1	7.72%	\$ 3,000,000	\$ 8,249	0.67%
Summerland Credit Union	Term Deposit	Not Rated	7.85%	\$ 2,000,000	\$ 2,581	0.09%
CBA - Business On Line Banking A/c	Cash Management Account	Cash	6.65%	\$ 4,595,000	\$ 25,115	0.89%
ANZ Principal Protected Yield Curve Note	Euro Bond	Not Rated	8.25%	\$ 87,200	\$ 678	0.03%
Deutsche Bank CG Yield Curve Note	Euro Bond	Not Rated	8.25%	\$ 210,250	\$ 1,695	0.07%
Bendigo Bank FR Sub Debt	Subordinate Debt	Not Rated	8.28%	\$ 473,300	\$ 3,401	0.13%
Elders Rural Bank Sub Debt	Subordinate Debt	Not Rated	8.48%	\$ 927,300	\$ 6,970	0.27%
Bishopsgate (Wentworth)	Floating Rate CDO	AA+	9.34%	\$ 465,550	\$ 3,838	0.15%
Herald Limited (Quartz)	Floating Rate CDO	A-	9.32%	\$ 21,195	\$ 230	0.01%
Cypress (Lawson)	Floating Rate CDO	A-	9.14%	\$ 459,800	\$ 3,755	0.15%
BELO (Kalgoolie )	Commodity Backed Security	AA+	8.49%	\$ 586,250	\$ 4,885	0.19%
Magnolia (Flinders)	Floating rate CDO	AA	9.32%	\$ 225,000	\$ 2,297	0.09%
Omega (Henley)	Floating Rate CDO	AAA	8.63%	\$ 264,040	\$ 2,837	0.11%
Beryl (Esperance 2)	Floating rate CDO	AAA	0.00%	\$ 214,400	\$ -	0.00%
Corsair (Torquay)	Floating Rate CDO	BBB+	9.02%	\$ 257,500	\$ 3,705	0.15%
Zircon (Merimbula)	Floating Rate Note	C	0.00%	\$ 88,350	\$ -	0.00%
Corsair (Kakadu)	Floating Rate CDO	B+	8.82%	\$ 209,300	\$ 3,623	0.14%
Helium (Scarborough)	Floating rate CDO	BB-	9.14%	\$ 109,160	\$ 1,502	0.06%
Beryl (Global Bank Note)	Floating Rate Note	AAA	0.00%	\$ 117,120	\$ -	0.00%
Zircon (Coolgangatta)	Floating Rate CDO	C	0.00%	\$ 159,500	\$ -	0.00%
Aphex (Glennelg)	Floating Rate CDO	BBB	9.03%	\$ 292,700	\$ 3,709	0.15%
Zircon (Miami)	Floating Rate CDO	C	0.00%	\$ 20,010	\$ -	0.00%
Macquarie Cash Management Trust	Cash Management Account	Not Rated	6.49%	\$ 27,243	\$ 145	0.01%
<b>Investment on Hand</b>				<b>\$ 32,635,616</b>	<b>\$ 159,471</b>	<b>6.18%</b>

Note 4

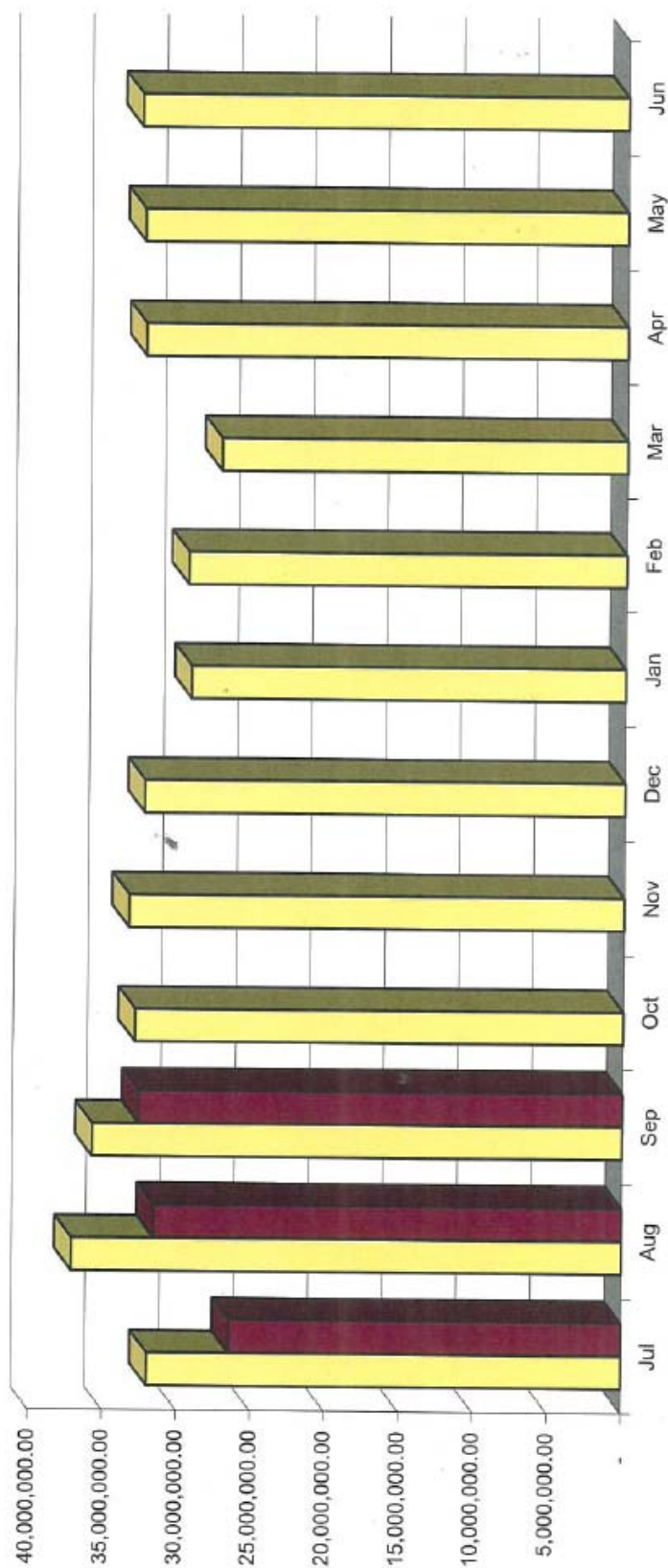
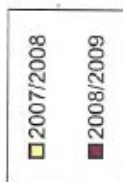
Investments Redeemed during period

Bank of Western Australia	Term Deposit	A1	7.30%	\$ 6,000,000	\$ 20,400	0.80%
				\$ -	\$ -	0.00%
				<b>30/9/2008</b>	<b>6.98%</b>	
				<b>\$ 38,635,616</b>	<b>\$ 179,871</b>	

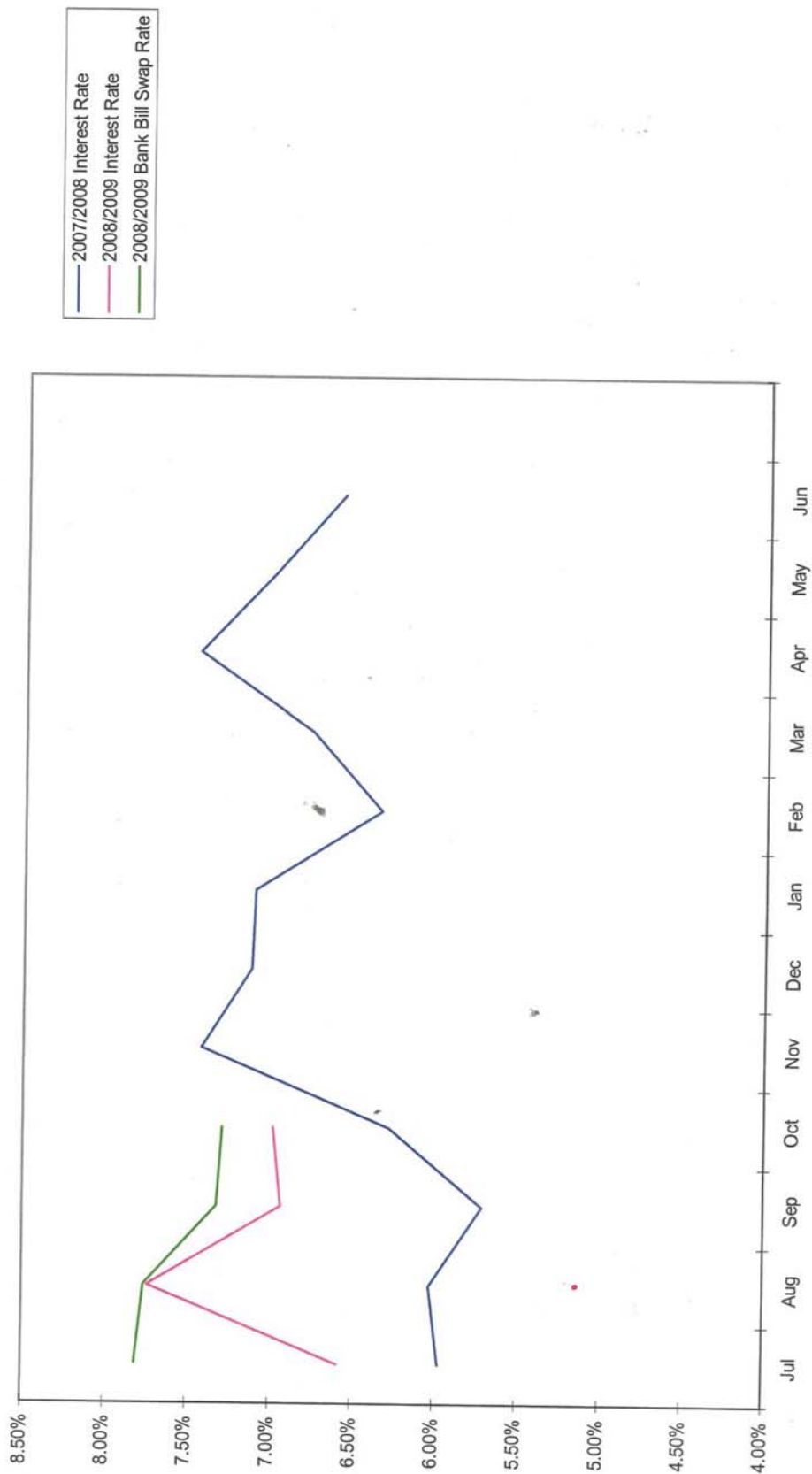
- Note 1: Interest return is calculated on (actual interest + plus accrued interest + plus realised gains - losses on disposal - expenses) / principal value
- Note 2: Capital Guaranteed note if held to maturity
- Note 3: Managed Funds interest rate is calculated as an annualised rate based on the interest earned for the previous quarter.
- Note 4: Estimated Interest for Period is calculated by multiplying the annualised rate by the estimated current value and reflects both interest accrued and received.
- Note 5: No Coupon currently payable under terms of the investment.
- Note 6: Latest estimates based on information provided by investment managers and prior period performance.



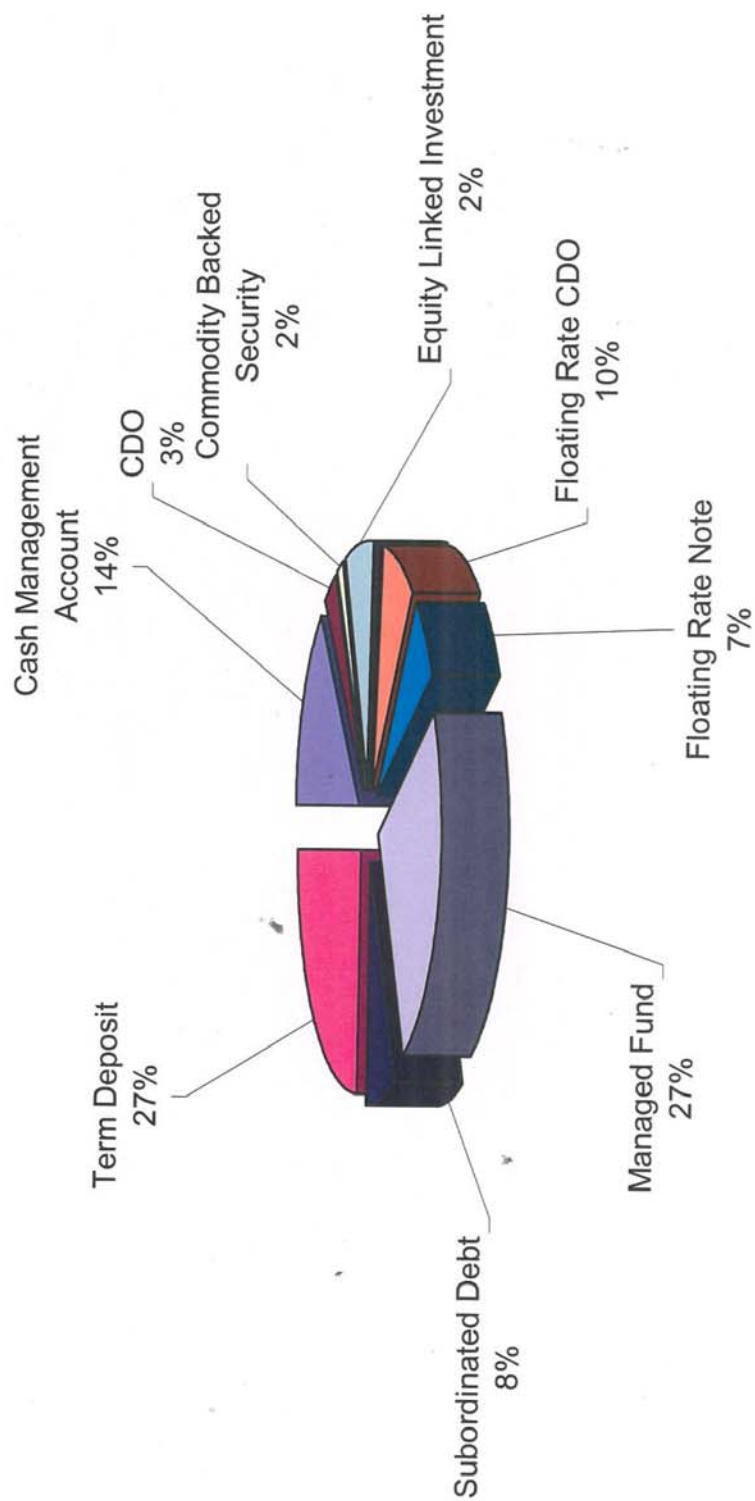
TOTAL INVESTMENT PORTFOLIO



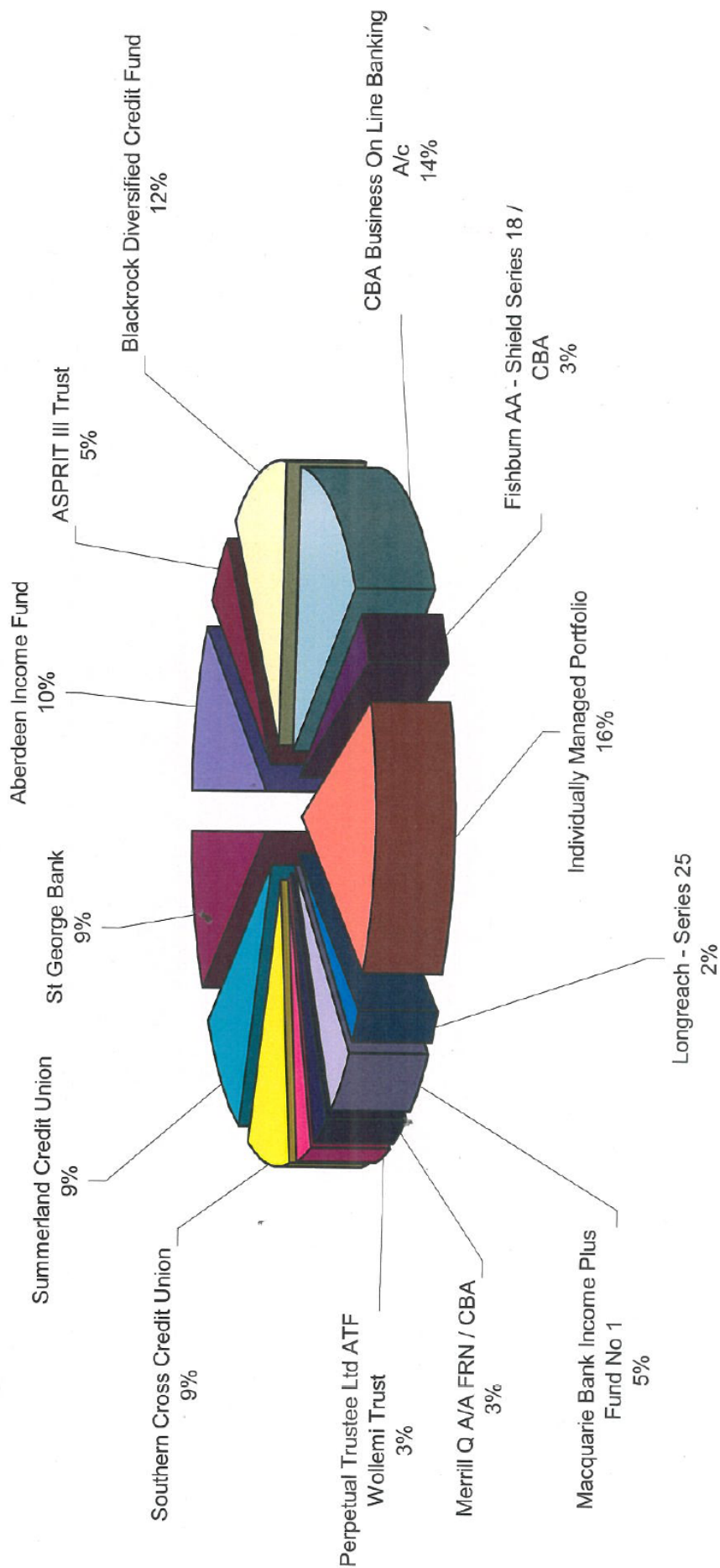
WEIGHTED AVERAGE INTEREST RATE



**INVESTMENT BY TYPE**



# Investment by Institution



**MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING  
HELD ON AUGUST 20, 2008, AT 10.00 AM.**

	<b>Present</b>	Councillor Merv King ( <i>Chairperson</i> ), Bronwyn Mitchell ( <i>on behalf of Thomas George, MP</i> ), Stefan Wielebinski ( <i>RTA</i> ), Snr Const Rob Clarke ( <i>Lismore Police</i> ).
	<b>In Attendance</b>	Councillor Jenny Dowell, John Daley, Salina Runge ( <i>Road Safety Officer</i> ), and Bill MacDonald ( <i>Traffic &amp; Emergency Services Coordinator</i> ).
TAC39/08	<b>Apologies</b>	An apology for non-attendance on behalf of Thomas George, MP, was received and accepted.
TAC40/08	<b>Minutes</b>	The Committee was advised that the minutes of the Traffic Advisory Committee meeting held on July 23, 2008, were confirmed by Council on August 12, 2008.

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**Disclosure of Interest -** Nil

## Part 'A' – Committee Recommendations

Brett Cramp – High Street, Lismore Heights

Supporting the construction of the proposed footpath/ cycleway along High Street in front of his property at No. 284 High Street and requesting consideration of making this dead-end section of High Street 'Residents Only' access and restricting parking along the embankment side of High Street, opposite Nos. 254-286 High Street.

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It would be very difficult to introduce 'Residents Only' access to a public road and even more difficult to enforce. However, there is some merit in prohibiting parking along one side of the road and this in itself has the potential to reduce non-resident traffic movements. Prohibiting parking on one side of High Street would make it safer for motorists to manoeuvre as there is no room for the construction of a turn-around area. It would also make it easier for residents to access their properties. A letter has been sent to all residents immediately affected by the prohibition of parking inviting them to object or further discuss should they wish. Only three (3) responses were received and none objected to the proposed parking restrictions.

**TAC41/08 Recommendation:** That a No Stopping zone be introduced along the embankment side of High Street, Lismore Heights, opposite Nos. 254 to 286 High Street.

*Voting unanimous*

(08-8102:R7117)

Ms Tina Irish – Deegan Drive / Sunnybank Avenue Intersection

Raising concerns about the dangerous conditions at the intersection of Deegan Drive and Sunnybank Avenue, Goonellabah, due to the lack of Give Way signage.

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The layout of this intersection is more of a 'Y' than a 'T' and it may not be obvious to some motorists about who should give way. There is no significant accident history associated with the intersection. However, it may be of benefit to control one leg to ensure greater conformity. By far, the greater traffic volume is via Deegan Drive, straight off Ballina Road and then into Sunnybank Avenue, which services a large residential area beyond. Therefore, it would be logical to control the loop leg of Deegan Drive.

**TAC42/08 Recommendation:** That a Give Way sign be installed on the western leg of Deegan Drive at its intersection with Sunnybank Avenue, giving priority to through traffic on Sunnybank Avenue.

*Voting unanimous*

(08-8297:R6522,R6439)

## Part 'B' – Determined by Committee

NSW Roads & Traffic Authority – Wilson Street, South Lismore  
Thanking Council for its submission for South Lismore Public School to be included in the current roll-out of flashing lights for School Zones and suggesting other measures to improve safety.

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As a result of representations from a school representative, Council wrote to the RTA requesting that South Lismore Public School be included in the current School Zone flashing light program. It would appear that this has been declined. As the school's concerns related mainly to pedestrian activity outside School Zone times, there may be the opportunity to further enhance existing facilities in Wilson Street with the construction of kerb blisters or a centre refuge; kerb blisters being the preferred option. This would reduce the width of road to cross and provide a squeeze point to encourage reduced vehicle speeds.

**B-08-08:1 It was agreed:** That this matter be referred to Council's Design Services Section to investigate and prepare a plan for the construction of kerb blisters and/or a pedestrian refuge at the existing marked pedestrian crossing location on Wilson Street, adjacent to South Lismore Public School.

*Voting unanimous*

(08-8198:R6942,R6408,R5201)

NSW Roads & Traffic Authority (*on behalf of Ms Annette McGrath*)  
Raising concerns at which some motorists are travelling along James Gibson Road, Clunes.

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There are two existing 50kph signs, one on either side of James Gibson Road and some 50m-100m off Bangalow Road. On the other end of the 50kph zone on James Gibson Road, the same conditions exist with an additional '50kph Ahead' sign. As a means of reinforcing the default speed limit of 50kph on James Gibson Road, it may be beneficial to have an additional sign near the intersection of Remnant Drive, Clunes.

**B-08-08:2 It was agreed:** That an additional 50kph speed limit sign be erected on James Gibson Road near the intersection of Remnant Drive, Clunes, for west-bound traffic.

*Voting unanimous*

(08-8348:R3902)

Denis Matthews – Fraser Road, Dunoon  
Raising concerns regarding the unsafe speed at which some motorists are negotiating Fraser Road, Dunoon, and suggesting the erection of an advisory speed limit sign.

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Fraser Road is approximately 3km long with only the first 50m being bitumen sealed, the balance being of gravel formation servicing approximately 12 residences. There are also a number of macadamia plantations that would attract non-local traffic. The recently introduced warning sign that is intended to be used as a standard in such circumstances would be appropriate for this situation given the number of properties, alignment and grade of road. It could also be pointed out to the writer that should known local offenders' details be available, then the Lismore Police may be able to take further follow-up action.

**B-08-08:3 It was agreed:** That a 'Gravel Road Ahead - Drive to Conditions' sign be erected at the end of the bitumen section of Fraser Road, Dunoon. Further, that the writer be advised the Lismore Police may be able to follow-up on any regular offenders should vehicle details be available.

*Voting unanimous*

(08-8350:R3405)

Cr Jenny Dowell – Simeoni Drive, Goonellabah  
Raising concerns on behalf of a resident of Allingham Place regarding the excessive speed of some motorists using Simeoni Drive, Goonellabah.

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## Committee Recommendations

Whilst there is no significant history of accidents in Simeoni Drive, the Lismore Police have been made aware of residents' concerns previously. It should be noted that it is proposed to construct a roundabout at the new intersection of Simeoni Drive and the Goonellabah Sports and Recreation Centre access road. This will impact on the speed of through traffic and hopefully reduce residents' concerns.

- B-08-08:4 **It was agreed:** That the resident be advised that the Lismore Police will endeavour to include this road in their patrol area as resources permit and also of the proposed roundabout.

*Voting unanimous*

(08-8446:R8657)

Ron Campbell – Spring Avenue, Goonellabah

Raising concerns regarding the turning area at the end of Spring Avenue and the dangers being created by motorists reversing in this area, particularly on days when sporting events are being held on the adjacent oval and young children are near, and suggesting a cul-de-sac be constructed so drivers do not have to reverse.

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The existing turning facility at the end of the street is a hammer-head formation and requires motorists to drive into one leg and reverse into the other. Whilst it would be preferable to have a turning circle where motorists could turn in a full forward movement, it is unlikely that this would be a priority given the current funding environment and the part-time nature of the user movements. If this area was used as a drop-off area intended by the existing No Parking signs, then the area may function more efficiently. Enforcement of the No Parking area would assist in this regard.

- B-08-08:5 **It was agreed:** That the writer be advised that it is unlikely funding would be forthcoming to provide a turning circle in the short, to medium time-frame and that the issue of enforcing current parking restrictions would be referred to Council's Rangers and the Lismore Police for their attention.

*Voting unanimous*

(08-8421:R6519)

Warren Williams – Bridge Street, Wyrallah

Raising concerns regarding safety at an existing Bus Stop on Bridge Street in the Wyrallah Village.

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Mr MacDonald advised that he had discussed Mr Williams' concerns with the bus operator, Glen Amos, and had also inspected the area with Snr Const Clarke. An alternative location on Bridge Street had been proposed and investigated, however, the existing location actually provided greater sight distance in both directions and was more central for children who walked to the Bus Stop. Mr Amos undertook to continue to monitor the existing location and make further contact should the need arise.

- B-08-08:6 **It was agreed:** That Mr Williams be advised of the outcome of the investigation and the reasons behind retaining the existing Bus Stop location.

*Voting unanimous*

(R5201)



Glen & Janet Essery – Rous Road, Chilcotts Grass

Suggesting that the recently introduced 50kph zone on Rous Road between Skyline Road and east of Taylors Road, Chilcotts Grass, is unnecessary, impractical and dangerous.

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The section of Rous Road between Skyline Road and McIntosh Road is narrow and winding and contains a number of tight curves. Even though there is a limited number of residences along this section, 50kph is still considered appropriate given these conditions. The section from McIntosh Road and a point 200m east of Taylors Road, (the balance of the 50kph zone), has only one intersection and limited access. The intersection of Rous and Taylors Roads has a protected right-turn lane and the potential to replace the existing 50kph zone in this section with an 80kph zone may be appropriate. As the roadside development is predominately rural, there is likely to be a low compliance by motorists to the lower 50kph speed limit. In light of these conditions, it is suggested that the 50kph zone between Skyline Road and McIntosh Road be retained and that a proposal to introduce an 80kph speed limit between 200m west of Taylors Road and 200m east of Taylors Road be referred to the RTA for determination. An 80kph zone in this area would be consistent with the existing speed limit on Taylors Road.

B-08-08:7 **It was agreed:** That the proposal –

- for the existing 50kph speed limit on Rous Road between Skyline Road and a point approximately 100m east of McIntosh Road be retained;
- to introduce an 80kph speed limit on Rous Road between 200m west of Taylors Road and 200m east of Taylors Road be referred to the RTA for determination;

with classifiers to be installed in both sections to determine 85th percentile speeds.

*Voting unanimous*

(08-8478:R6610)

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Larkin Lane, Lismore CBD – One-Way Traffic Proposal

A proposal to introduce one-way traffic movement on Larkin Lane resulted in a community survey of those businesses and property owners most affected. Feedback from the survey indicated that, particularly from those businesses with direct access onto the lane, that they preferred the status quo to be maintained. Overall results were 12 - yes and 12 - no. From those with direct access to the lane, results were, 8 – no and 3 – yes. The original request came from Country Energy due to a proposal they had to upgrade power which necessitated relocating a number of power poles as well. This work has now been completed without the need for major modifications to pole positions. In light of the responses, it is suggested that the status quo remain.

B-08-08:8 **It was agreed:** That Larkin Lane, Lismore, remain a two-way traffic flow.

*Voting unanimous*

(R7315)

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Little Dawson Street, Lismore – One-Way Traffic Proposal

A request had been received from a resident of Little Dawson Street for consideration of installing speed humps and one-way traffic flow. Classifiers were installed to determine the extent of any speeding problem, which indicated that the 85th percentile speed was 27kph. Obviously this is very low so no further action is considered necessary. A community survey was also sent out to gauge support for the introduction of one-way traffic movement. The results were; 8 – no and 6 - yes. Several respondents indicated that they did not see the need for one-way traffic movement but did not object. Several businesses advised that they needed access from both directions at varying times. In light of the majority feedback being in favour of retaining the status quo, it is suggested that no further action be taken.

B-08-08:9 **It was agreed:** That Little Dawson Street, Lismore, remain a two-way traffic flow.

*Voting unanimous*

(R7316)

Intersection of Keen and Zadoc Streets, Lismore

To further consider the need for the existing Give Way signs to be replaced with Stop signs.

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Mr Wielebinski advised that he had inspected the location and proposed a number of measures that he suggested would improve the current situation without the need to introduce Stop signs. These comprised the –

- repainting of the existing continuity lines
- replacement of the existing painted centre median on Keen Street with a concrete median immediately south of Zadoc Street
- relocation of the Give Way signs on both sides of the north-bound lane on Keen Street to a position closer to Zadoc Street including within the new concrete median.

B-08-08:9 **It was agreed:** That the above measures be implemented and the location continue to be monitored.

*Voting unanimous*

(R7313,R7330)

Intersection of Ballina Road and Molesworth Street, Lismore

To review traffic movements at the above intersection, particularly for west-bound traffic on Ballina Road (SH16).

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At present, west-bound traffic on Ballina Road travels in two lanes towards the roundabout at Molesworth Street and then merges into one lane immediately after the roundabout to proceed across the Ballina Road Bridge. This is a restricted movement when both vehicles intend to cross the bridge due to the existence of a guardrail separating through traffic from the road leading down beside the bridge close to the exit. South-bound traffic on Molesworth Street approaches the roundabout in two lanes but restrictions are already in place to ensure the right-lane traffic turns right only and the left lane is dedicated for traffic proceeding straight through or left-turn. There are a number of other roundabouts where these restrictions are already in place and operate without any significant problems.

B-08-08:10 **It was agreed:** That this matter be referred to the RTA for investigation and to recommend any proposed changes as a result that would address current concerns.

*Voting unanimous*

(R6408,R7322)

Cr Dowell – New Ballina Road

Raising concerns on behalf of residents of the ‘top end’ of New Ballina Road regarding the excessive speed of some motorists.

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It was noted that traffic volumes on New Ballina Road may be considerably higher than normal due to the current works on Rotary Drive. Snr Constable Clarke advised that a similar complaint had been received by the Lismore Police. It was planned to increase patrols in this area in order to address concerns.

B-08-08:11 **It was agreed:** That the residents be advised of the above action.

*Voting unanimous*

(R7126)

Salina Runge – Dibbs Street, East Lismore

Raising concerns regarding bus operators who use the Bus Zone on Dibbs Street adjacent to Our Lady of Lourdes School and queue across the driveway to Marion Court, thereby blocking access.

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The Bus Zone is split and should operate without the necessity to block the driveway, however, an investigation will be carried out with a view to contacting bus operators should it be found that a significant problem exists.

**B-08-08:12 It was agreed:** That an investigation be carried out with a view to resolving any current concerns.

*Voting unanimous*

(R6020)

Salina Runge – Ballina Road / Dibbs Street Intersection

Requesting consideration be given to painting an additional arrow in the right-turn lane on Ballina Road (SH16) at Dibbs Street, for south-bound traffic.

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The existing markings do not come into view for motorists until close to the start of the right-turn lane due to the crest when driving up Ballina Road.

**B-08-08:13 It was agreed:** That an additional arrow be painted in the right-turn lane on Ballina Road at the Dibbs Street intersection for south-bound traffic.

*Voting unanimous*

(R6408,R6020)

## Closure

This concluded the business and the meeting terminated at 11.10 am.

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**Chairperson**

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**Traffic and Emergency  
Services Coordinator**

**MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING  
HELD ON SEPTEMBER 17, 2008, AT 10.00 AM.**

	<b>Present</b>	Councillor Merv King ( <i>Chairperson</i> ), Bronwyn Mitchell ( <i>on behalf of Thomas George, MP</i> ), Snr Const Steve Hilder ( <i>Lismore Police</i> ), Stefan Wielebinski ( <i>RTA</i> ).
	<b>In Attendance</b>	Garry Hemsworth ( <i>Executive Director-Infrastructure Services</i> ), Scott Turner ( <i>Manager-Assets &amp; Support Services</i> ), and Bill MacDonald ( <i>Traffic &amp; Emergency Services Coordinator</i> ).
TAC43/08	<b>Apologies</b>	An apology for non-attendance on behalf of Thomas George, MP, was received and accepted.
TAC44/08	<b>Minutes</b>	The Committee was advised that the minutes of the Traffic Advisory Committee meeting held on August 20, 2008, will be considered by Council on October 14, 2008.

**Disclosure of Interest** Nil

**Part 'A' – Committee Recommendations**

South Lismore Public School – Wilson and Kyogle Streets

Outlining concerns relating to the lack of accessible parking at the school located on the corner of Wilson and Phyllis Streets to cater for the needs of those with mobility problems and requesting consideration of introducing a couple of bays on a street adjacent to the school.

An onsite meeting was held with the Principal and she advised that arrangements had been made to reallocate an additional accessible parking space within the school grounds. However, due to demand and existing pressures on onsite parking, it has been suggested that two additional bays be provided onstreet. The proposed locations for the onstreet bays would not adversely affect current demand for parking in general.

TAC45/08 **Recommendation:** That two new accessible parking bays be introduced onstreet, one on the eastern side of Wilson Street, South Lismore, immediately south of the existing pedestrian crossing and the other on the northern side of Kyogle Street, immediately east of the vehicular access to the school grounds.

*Voting unanimous*

(08-9070,S352)

Multitask – Molesworth Street, Lismore

Requesting consideration of providing accessible parking onstreet in front of their premises at No. 296 Molesworth Street and also requesting that the speed limit on Molesworth Street be reduced to 40 kph.

An onsite meeting was held with the CEO of Multitask where it was pointed out that there are sometimes in excess of six disabled vans that need to either pick up clients or employees of the facility. There are two driveways that provide onsite parking and drop-off areas, however, demand is often quite higher. It was agreed that an additional two bays provided onstreet in front of the Multitask facility would greatly assist in reducing current problems. It was pointed out that 40 kph speed limits were specifically for roads that had existing school frontages and that it may be possible to suggest that the Lismore Police patrol the area, particularly in the morning and afternoon peak periods.

TAC46/08 **Recommendation:** That two accessible parking bays be provided on the eastern side of Molesworth Street, immediately south of the main driveway to the Multitask facility at No. 296 Molesworth Street.

*Voting unanimous*

(08-9182:R7322)

**Part 'B' – Determined by Committee**

G & S Volpatti – Dunoon Road, Tullera

Raising concerns regarding the speed of traffic on Dunoon Road outside their residence at No. 472 Dunoon Road, Tullera, and requesting consideration of extending the existing 50 kph speed limit on Dunoon Road, a further 500m.

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The existing 50 kph speed limit on Dunoon Road finishes approximately 200m prior to the Volpattis' property. A crest in the road exists on the Dunoon side of the property which restricts view of traffic coming from Dunoon when exiting the Volpattis' driveway. Development along the section of Dunoon Road in question would be categorised as 'farmland' and accordingly, the existing speed limit of 80 kph would be the most logical to motorists. There may be some benefit in a suitable warning sign being erected prior to the crest for Lismore-bound motorists advising of turning traffic over the crest.

- B-08-09:1 **It was agreed:** That a 'Turning Traffic' and 'Beyond Crest' warning sign be erected on Dunoon Road, Tullera, north of the crest for Lismore-bound traffic.  
*Voting unanimous* (08-8677:R3407)

Lismore Turf Club – 2008 Lismore Cup Racing Carnival

Requesting consideration of barricading the eastern side of Woodlawn Road, North Lismore, on Lismore Cup Race Day to provide a safe area for pedestrians to walk to and from the races.

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A similar proposal was initiated last year and appeared to work quite well. The Turf Club has also verbally requested permission for SES traffic controllers to man the exit/entrance to the Turf Club with a view to making all traffic exiting the Turf Club at the end of the races to turn left onto Woodlawn Road. This is important to ensure traffic both entering to pick up people and those leaving can do so with minor disruption. In past years, if one or two motorists wanted to turn right towards Woodlawn, there were often significant delays due to a constant stream turning in.

- B-08-09:2 **It was agreed:** That the eastern side of Woodlawn Road, North Lismore, be barricaded to prohibit parking in this area and also 'Left Turn Only' signage be provided to assist SES in ensuring all motorists turn left when exiting the Turf Club at the end of the races.  
*Voting unanimous* (08-8838:S352)

B Scourfield – Noel Street, Lismore Heights

Complaining about illegal parking in Noel Street and problems this creates for service vehicles and for vehicles gaining access to his property located at No. 12 Noel Street.

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Noel Street runs parallel to and above Eric Place, both of which are on a steep hill. Some of the residents from Eric Place use Noel Street to park and gain access to the rear of their properties due to the steepness of their accesses off Eric Place. This practice does restrict the width of the roadway of Noel Street, particularly for through traffic when vehicles are parked partly on the bitumen formation of the road. Whilst one property of concern below Noel Street does have a single, narrow vehicular access off Eric Place, the other has no access at all and is totally dependant on access to the rear, off Noel Street.

B Scourfield – Noel Street, Lismore Heights (Cont'd)

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A driveway has been cut in on the bottom side of Noel Street to provide an area off the through road. It is a reasonable expectation from residents of Noel Street that they are able to traverse the street in safety and gain access to their properties. It is suggested that a letter be written to relevant residents below Noel Street, outlining the concerns of Noel Street residents and requesting that they take steps to provide additional parking either onsite, or further off the through road in Noel Street.

- B-08-09:3 **It was agreed:** That letters be written to residents below Noel Street who may be parking partly on the through road, outlining the concerns of Noel Street residents and requesting they take steps to provide additional parking either onsite, or further off the through road in Noel Street, Lismore Heights.

*Voting unanimous*

(08-8962:R6046,R8660)

G & J Donaldson – Intersection of Bangalow/Unara Roads, Bexhill  
Raising concerns for the safety of children who cross Bangalow Road (MR65) to Unara Road, Bexhill, after being dropped off by school buses and requesting consideration of extending the existing 50 kph zone through Bexhill to include the area in question.

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The afternoon drop-off is of most concern as this requires parents and children to cross Bangalow Road. An inspection of the site revealed that three buses use the bus bay on Bangalow Road, opposite Unara Road, with approximately 12 parents and children needing to cross Bangalow Road around 3.50p.m. Through traffic on Bangalow Road at this time is particularly heavy with sun and shade areas contributing to an undesirable situation. There is existing signage in both directions warning motorists of pedestrians crossing in the vicinity, however, these would have little impact. Excessive speed has been a concern of residents who live within the 80 kph zone on Bangalow Road for some time and a review of the existing restrictions may reveal the need for a lower limit in this area.

- B-08-09:4 **It was agreed:** That the need to reduce the existing 80 kph speed limit on Bangalow Road (MR65) be referred to the Roads & Traffic Authority for investigation and determination of the appropriate speed limit.

*Voting unanimous*

(08-8968:R4101)

J & K Ireland and G Patch – Richmond Hill Road

Advising of a recent single vehicle accident on the first bend below the end of the 60 kph zone on Richmond Hill Road and suggesting that the 80 kph speed limit signs be moved further down Richmond Hill Road so that the bend falls within the existing 60 kph speed limit area.

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The 80 kph speed limit on Richmond Hill Road commences approximately 150m above the bend in question. There is an existing 'curve' warning sign for downhill traffic and a number of chevron hazard markers around the bend. It is felt that it would be more appropriate to upgrade existing signage prior to the bend rather than extend the 60 kph speed limit.

- B-08-09:5 **It was agreed:** That the existing 'curve' warning sign on Richmond Hill Road be upgraded to a 'C' size and a 55 kph plate be added beneath.

*Voting unanimous*

(08-8978:08-9080:08-9288,R1012)

Summerland Christian College – Molesworth Street

Outlining a proposal to staging a matinee performance of the school's musical production at the Centre Church in Molesworth Street on Wednesday, September 24, 2008 and requesting consideration of providing a suitable bus parking area close to the facility.

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The Centre Church is located beside Cummings Retravisoin in Molesworth Street. Parking demand in this area is high, however, due to the anticipated number of students who will be attending the matinee, it may be prudent to consider the provision of a single bus zone length in front of the Westlawn building close to Woodlark Street. This could be used to allow bus operators to drop off and pick up students. However, they would need to park elsewhere for the duration of the matinee. The area would need to be barricaded off early in the morning to ensure its availability.

- B-08-09:6 **It was agreed:** That a temporary single length bus zone be provided on the western side of Molesworth Street, immediately south of Woodlark Street on Wednesday, September 24, 2008, until approximately 2.00p.m.

*Voting unanimous*

(08-9180:R7322)

Caniaba Rural Fire Brigade – Caniaba Road

Raising concerns regarding the limited sight distance available of oncoming traffic on Caniaba Road, Caniaba, when exiting the Caniaba Rural Fire Station.

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There is a crest just west of the entry/exit to the fire station which does limit the available sight distance of oncoming traffic when exiting the facility. This is more extreme when the slower fire trucks are exiting. Lowering of the crest would be the obvious solution, however, there are no plans in the current works programme to carry out these works. In the short term a warning sign advising motorists of turning traffic over the crest may assist in reducing current concerns. There may also be the potential to upgrade the entrance to the Caniaba Hall next door, particularly where it joins Caniaba Road to allow brigade members to use this driveway as it provides better sight distance.

- B-08-09:7 **It was agreed:** That warning signage 'Turning Traffic' and 'Beyond Crest' be erected on Caniaba Road, Caniaba, prior to the Caniaba Rural Fire Station for east-bound traffic and, further, that the issue of upgrading the entrance to the Caniaba Hall next door be referred to Council's Operations Section for investigation into the possibility of carrying out some minor maintenance to the driveway, particularly where it meets Caniaba Road.

*Voting unanimous*

(08-9198:R4701)

Summerland V8 Dirt Modified Association Inc – Street Parade

Requesting consideration of allowing the Association to hold a street parade on Saturday, January 24, 2009, around the CBD Main Block and also seeking permission to hold a barbecue for the public in the closed-off section of Bounty Street near the City Hall Cedar Log.

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The proposed parade would consist of drivers towing their speedway cars on the back of trailers or in their transporters, leaving from the Clyde Campbell Carpark at 11.00a.m. with a view of travelling around the main block. It is not considered that the parade would be a significant imposition to other traffic at this time of year, however, it may not be able to traverse the whole of the inside main block due to the one-way traffic flow on Magellan Street. The precise route would need to be further negotiated.



Summerland V8 Dirt Modified Association– Street Parade *(Cont'd)*

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The dead-end section of Bounty Street is relatively quiet on a Saturday and it is not anticipated the closure would present any real problems. However, a traffic management plan would need to be provided and the closure would need to be advertised as well as advising all of the adjoining premises in the immediate area.

- B-08-09:8 **It was agreed:** That in principal, support be given for the proposed parade with the precise route to be determined after further consultation with the Association and further, that permission be granted for the closure of Bounty Street, east of Carrington Street, for the staging of the proposed public barbecue, provided a suitable traffic management plan is submitted and all other approvals necessary are gained prior to the event.

*Voting unanimous*

(08-9218:S336)

Goonellabah Sports & Aquatic Centre

Consideration of a plan for a proposed roundabout on Simeoni Drive at the intersection with the entry/exit point to the new Goonellabah Sports & Aquatic Centre.

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This was discussed briefly at the last meeting where it was noted that it was now proposed to install a roundabout in lieu of the T-intersection. This is seen as a more appropriate device for this area and will also address concerns of nearby residents regarding excessive speeds on Simeoni Drive by calming traffic in the immediate area.

- B-08-09:9 **It was agreed:** That the Committee support the construction of the proposed roundabout on Simeoni Drive, Goonellabah, provided it was designed and constructed in accordance with Austroads Standards.

*Voting unanimous*

(S736)

SES and Westpac Rescue Helicopter Service – Brunswick Street

Suggesting there needs to be dedicated turning and merging lanes to both facilities off Brunswick Street (MR65) as a result of ongoing concerns from employees and volunteers of both organisations.

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Traffic volumes on Brunswick Street have increased to the extent that it is now becoming unsafe to turn into or out of the Rescue Helicopter Service, the new SES Headquarters or Council's Brunswick Street Workshop, particularly in peak periods. In times of extreme weather events and on regular training days, there is a significant number of turning movements to these facilities that has the potential to create an unsafe situation for all road users.

- B-08-09:10 **It was agreed:** That the need for turning and merging lanes on Brunswick Street, Lismore, adjacent to the Rescue Helicopter and SES facilities, be referred to Council's Design Services Section with a view to preparing a plan and estimate; with this being forwarded to the Roads & Traffic Authority for consideration of approval.

*Voting unanimous*

(R6009)

## Closure

This concluded the business and the meeting terminated at 10.40a.m.

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**Chairperson**

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**Traffic and Emergency  
Services Coordinator**

## REPORT OF CODE OF CONDUCT COMMITTEE

### **Report of Code of Conduct Committee (Merv King, John Chant & David Wolff) following Meeting of 20 August 2008**

The Committee reviewed the lengthy response from Paul O'Sullivan to the request from the Committee from its earlier meeting that he provide a comprehensive list of attempts made by the Complainant to intimidate Council personnel.

**Finding:** In the Committee's view there has not been a prima facie breach of Clause 5.3 of the Code of Conduct.

Accordingly it is the Committee's recommendation that no further action be taken.

**Reasons:** The reasons for the finding of the Committee are set out below:

- (a) The length and nature of the correspondence from Ms Rose (and others) justified the use of the language of the General Manager in his letter of 8 February 2008.
- (b) The personal nature of many of the complaints over a sustained period justified the General Manager's reply to protect the reputation of his staff and attempt to bring such attacks to an end.



.....  
Merv King (Chairperson)

Date: 27.8.08

## Financial Assistance - Section 356

a) **City Hall Reductions in Rental – Policy 8.4.2 (GL390.125.15)**

Budget: \$11,700 To date: \$0

**St John's College Woodlawn** requesting Council consider discounting the hire charges (\$7,860) for the City Hall in October/November 2008 for HSC Examinations (S164&P6816:08-7199).

**Recommendation:** In accordance with Clause 5 of the policy, a donation of 25% of the hire fee applies \$1,965.00

**HGT/East Coast Training** requesting Council consider discounting the hire charges (\$121) for the City Hall on September 20, 2008 so they can hold a recruitment drive aiming to recruit quality school leaver for traineeships and apprenticeship vacancies. HGT Australia Ltd is a not-for-profit company limited by guarantee. No entrance fee is to be charged (S164&P6816:08-8765).

**Recommendation:** In accordance with Clause 5 of the policy, a donation of 25% of the hire fee applies \$30.25

**SHAIDS** requesting Council consider discounting the hire charges (\$213) for the City Hall on December 1, 2008 to hold World Aid Day. The Working Group for World Aids Day is a not for profit group with a very small budget for the day. No entrance fee is to be charged (S164&P6816:08-9468).

**Recommendation:** In accordance with Clause 5 of the policy, a donation of 25% of the hire fee applies \$53.25

b) **Mayor's Discretionary Fund (GL390.485.15)**

Budget: \$2,700 To date: \$450.00

**Anna Parsons** seeking Council sponsorship re reflective tape on art works Lismore Regional Gallery Splendour in the Grass 2008.

\$50.00

**Toni Watson** seeking funding or assistance for daughter Eliza Watson regarding a week scholarship to attend the Whitehouse Institute of Design in Sydney 12 Jan 2009.

\$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 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:

**Airport Hire Car Desk Licence Agreement x four i.e. Hertz, Budget, Thrifty and Avis (T2008-27 / P25804):** The hire car operators are an essential service at Lismore Regional Airport giving airport customers the opportunity of some independence while visiting the region. Four hire car companies have operated out of the Lismore Regional Airport (new) terminal since its opening in December 2000. The original agreements have now expired, resulting in a call for Registration of Interests (ROI's).

Five companies submitted ROI's with four companies being selected for the four available desk spaces and attendant car parking spaces. Each of the hire car operators are associated with world wide brands and are the types of businesses that would be expected at a larger regional destination, i.e. Hertz, Budget, Thrifty and Avis.

All Licence Agreements are virtually identical term, with the exception of the number of car parking spaces required, and are for a 5 year term. Licence Fees have been based on passenger throughput and benchmarking of Lismore Regional Airport car hire licence fees against airports of a similar size.

### **NEWLOG Deed of Agreement**

Four-year agreement expiring July 1, 2012 between Ballina Shire Council (the administrative council), Lismore City and six (6) other councils (North East Weight of Loads Group) to administer legislation under the Australian Road Rules, Local Government Act NSW 1993, Road Transport (General) Act NSW 2005, Road Transport (General) Regulation NSW 2005, Road Transport (Mass, Loading and Access) Regulation NSW 2005, Road Transport (Safety and Traffic Management) Act NSW 1999 and Roads Act NSW 1993.

(08-9778: S976)

**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, AUGUST 12, 2008 AT 6.00PM.**

- Present** Mayor, Councillor King; Councillors Chant, Crimmins, Dowell, Ekins, Graham, Hampton, Henry, Irwin, Meineke, Swientek and Tomlinson, together with the General Manager, Acting Executive Director-Development & Governance, Executive Director-Infrastructure Services, Principle Accountant, Manager Waste, Quarries and Crematorium, Acting Communications Co-ordinator, Manager Planning, Strategic Engineer Water and Sewer, Senior Strategic Planner, Corporate Compliance Co-ordinator and General Manager's Personal Assistant.
- 148/08 **Apologies/Leave of Absence Minutes** A leave of absence was granted for Councillor Henry – August 13 – 28, 2008.  
(Councillors Irwin/Dowell)
- 149/08 The minutes of the Ordinary Meeting held on July 8, 2008, were confirmed.  
(Councillors Irwin/Dowell)
- 150/08 The minutes of the Extra-ordinary Meeting held on July 15, 2008, were confirmed,  
(Councillors Hampton/Graham)
- 151/08 The minutes of the Adjourned Extra-ordinary Meeting on July 22, 2008, were confirmed,  
(Councillors Chant/Graham)  
**Voting against:** Councillors Ekins and Irwin.
- 152/08 The minutes of the Further Adjourned Extra-ordinary Meeting on July 29, 2008 were confirmed subject to it being noted that Clause 6.3 should have referred to Council's Code of Conduct rather than Code of Meeting Practice and that Council Hampton voted against the Notice of Rescission.  
(Councillors Hampton/Crimmins)  
**Voting against:** Councillors Ekins, Swientek, Dowell and Irwin.

## Presentation of Certificates

In recognition of their long service to Council and the Community, the following Local Government Association Certificates were presented to Councillors who were retiring from Local Government.

Councillor King: Certificate of Service 1995-2008, Emeritus Mayor Certificate 2003-2008

Councillor Irwin: Certificate of Service 1991-2008

Councillor Hampton: Certificate of Service 1999-2008

Councillor Tomlinson: Certificate of Service 1999-2008

## Disclosure of Interest

### S451

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Councillor Irwin declared an interest in Document for Signing – Licence Agreement for Sealing Caddies as husband is a director of Caddies.

## 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:

### **Barbara Kerle – Draft Amendment No 36 to Lismore Local Environmental Plan – Pineapple Road**

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Ms Kerle referred to the previous reporting of this matter to Council and the issue of a valuation for the land to be acquired by Council. She acknowledged her acceptance for the evaluation and urged Council to let this matter proceed to exhibition.

### **Tony Gallpen – Swimming Home Club Status**

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Mr Gallpen spoke to the history of the Club and its long association with the Memorial Baths. He cited the improvements to the Pool funded by the association. He claimed that sole home club status would assist in attracting events to the pool.  
(P6768)

### **Jane Varcoe – Swimming Home Club Status**

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Ms Varcoe claimed there was room for both clubs at the pool. Rather than Home Club Status she sought the waiving of lane hire fees and a rostered training arrangement.  
(P6768)

### **Bill Sheaffe – Document for Signing and Sealing**

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#### **S451**

Councillor Irwin declared an interest and left the meeting during the discussion.

Mr Sheaffe sought assurance that the authorisation of the seal would not preclude minor negotiated adjustment of the agreement.

At this juncture Councillor Irwin rejoined the meeting.

## Mayoral Minutes

### **Local Government Caretaker Period**

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153/08 **RESOLVED** that the minutes be received and that the Council make a determination as to those matters included in the circulated agenda which should be deferred for consideration by the Council until after September 13, 2008.  
(Councillors King/Irwin)(S43)

154/08 **FURTHER RESOLVED** that items one to nine be dealt with excluding Item 10.  
(Councillors Hampton/Chant)  
**Voting against:** Councillors Ekins, Swientek and Tomlinson.

A FORESHADOWED MOTION was MOVED that the Notice of Motion – Rainwater Tanks be deferred to the first meeting of the new Council.  
(Councillors Ekins/Irwin)

- 155/08 **RESOLVED** that the Notice of Motion – Rainwater Tanks be deferred to the first meeting of the new Council.  
(Councillors Ekins/Irwin)  
**Voting against:** Councillor Hampton

### **Policy Advisory Groups Annual Reports**

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- 156/08 **RESOLVED** that the minute be received and:
1. That the tabled Policy Advisory Groups' Annual Reports
  2. That Council recognise and commend the support and commitment provided by all Policy Advisory Group members.
- (Councillors King/Hampton) (S36)

## Notice of Motions

### **Installation of Rain Water Tanks**

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(Refer Minute Number 155/08)

## Altering Order of Business

- 157/08 **RESOLVED** that the order of business be altered to debate the following matters raised during Public Access.
- Draft Amendment No 36 to Lismore Local Environmental Plan – Pineapple Road
  - Swimming Club Home Club Status
  - Documents for Signing and Sealing -
- (Councillors Irwin/Graham)

## Reports

### **Draft Amendment No 36 to Lismore Local Environmental Plan – Pineapple Road**

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- 158/08 **RESOLVED** that the report be received and that Council resolve to:
1. prepare a draft amendment to Lismore Local Environmental Plan 2000 Pursuant to Section 54 of the *EP&A Act 1979* to include the subject land in Schedule 4 to allow rural residential subdivision in accordance with concept plan submitted by Newton Denny Chapelle,
  2. notify the Director-General of Planning of Council's decision in accordance with Clause 9 of the *EP & A Regulation 2000*,
  3. consult with relevant government and other agencies pursuant to section 62 of the *EP&A Act*,
  4. prepare two draft planning agreements (one for each landowner) incorporating the proposed requirements as outlined in this report , and



5. advertise the draft LEP amendment and draft planning agreements (when signed by the landowners) for a period of twenty eight days upon receipt of an authorisation to exercise its delegations from the Department of Planning.

(Councillors Dowell/Irwin) (S950)

**Voting against:** Councillors Ekins, Swientek and Tomlinson

### **Swimming Club Home Club Status**

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A MOTION was MOVED that the report be received and that Council:

1. Encourage the potential amalgamation of the Lismore Indoor Team and the Lismore Workers Swim Team.

2. That this matter be brought before the next Sports PAG for further discussion.

(Councillors Swientek/Tomlinson)(P6768)

An AMENDMENT was MOVED that the report be received and that Council:

1. Refuse the request from the Lismore Indoor Swim Team for "home club" status at the Memorial Baths.

2. Encourage the potential amalgamation of the Lismore Indoor Team and the Lismore Workers Swim Team.

(Councillors Dowell/Hampton)

On SUBMISSION to the meeting the AMENDMENT was DEFEATED.

**Voting against:** Councillors Chant, Graham, Henry, Ekins, Swientek, Irwin, Tomlinson and Crimmins.

159/08 **RESOLVED** that the report be received and that Council:

1. Encourage the potential amalgamation of the Lismore Indoor Team and the Lismore Workers Swim Team.

2. That this matter be brought before the next sports PAG for further discussion.

(Councillors Swientek/Tomlinson)(P6768)

## Documents for Signing and Sealing

### **S451**

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

160/08 **RESOLVED** that the following document be executed under the Common Seal of Council:

### **Licence Agreement - Kerbside Dining - Caddies Coffee Company (P20988)**

Licence over part of the footway in Carrington Street outside premises situated at 24 Carrington Street, Lismore comprising an area of 47.5 m<sup>2</sup> for the permitted use as kerbside dining. Licence is in accordance with Lismore City Council Policy 5.2.24 - Carriageway and Kerbside Land Use. Term of licence is five years with a two year option.

(Councillors Dowell/Meineke)

At this juncture Councillor Irwin rejoined the meeting.

## Resumption Standing Orders

161/08 **RESOLVED** that Standing Orders be resumed  
(Councillors Irwin/Graham)

## Reports

### **Draft Lismore Local Environmental Plan 2009**

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A MOTION was MOVED that consideration of this matter be deferred to the next Council.  
(Councillors Swientek/Dowell)(S946)

An AMENDMENT was MOVED that the report be received and that:

1. Council forward the draft Lismore Local Environmental Plan and environmental study to the Department of Planning with a request that the Director-General issue a certificate certifying that the draft plan may be publicly exhibited in accordance with section 66 of the EP&A Act.
2. Council forward copies of the draft LEP and accompanying environmental study to relevant government agencies and public authorities pursuant to section 62 of the *EP&A Act*, inviting them to provide further comment.
3. A further report be presented to Council following receipt of an exhibition certificate from the Department of Planning prior to the draft LEP and environmental study being placed on public exhibition.
4. The area of Ballina Road proposed - additional uses, should remain Heritage Conservation Zone.
5. That Council develop a comprehensive consultation plan to inform the community of the implications of the LEP.

(Councillors Meineke/Graham)

On SUBMISSION to the meeting the AMENDMENT was APPROVED and became the MOTION

**Voting against:** Councillors Swientek, Tomlinson and Ekins

162/08 **RESOLVED** that the report be received and that:

1. Council forward the draft Lismore Local Environmental Plan and environmental study to the Department of Planning with a request that the Director-General issue a certificate certifying that the draft plan may be publicly exhibited in accordance with section 66 of the EP&A Act.
2. Council forward copies of the draft LEP and accompanying environmental study to relevant government agencies and public authorities pursuant to section 62 of the *EP&A Act*, inviting them to provide further comment.
3. A further report be presented to Council following receipt of an exhibition certificate from the Department of Planning prior to the draft LEP and environmental study being placed on public exhibition.
4. The area of Ballina Road proposed - additional uses, should remain Heritage Conservation Zone.
5. That Council develop a comprehensive consultation plan to inform the community of the implications of the LEP.

(Councillors Meineke/Graham)

**Voting against:** Councillors Swientek and Ekins

**Strategic Business Plan and Development Servicing Plans for Water Supply and Wastewater Services**

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163/08 **RESOLVED** that the report be received and that:

1. The following documents be adopted by Council -  
Draft Lismore City Council Strategic Business Plan for Water Supply and Wastewater Services  
Draft Lismore City Council Development Servicing Plan for Water  
Draft Lismore City Council Development Servicing Plan for Wastewater.
2. The following documents be forwarded to the Department of Water and Energy for registration –  
Draft Lismore City Council Development Servicing Plan for Water  
Draft Lismore City Council Development Servicing Plan for Wastewater.
3. That Council congratulate the Staff on the consultation undertaken with the public.  
(Councillors Meineke/Hampton)(S969)

**Commercial and Multiple Unit Dwellings (MUD) Waste Collection Strategy**

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164/08 **RESOLVED** that the report be received and that Council approve the introduction of the 1,100 litre bin collection service to the waste collection.  
(Councillors Dowell/Irwin)(S318)

**Code of Conduct**

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A MOTION was MOVED that the report be received and:

1. That Council adopt the Department of Local Government's Model Code of Conduct as its Code of Conduct.
2. That Council call for Expressions of Interest from people interested in being conduct reviewers and members of the Conduct Review Committee.
3. That David Wolfe be appointed as a Interim Conduct Reviewer pending the permanent appointments by Council.  
(Councillors Henry/Meineke)(S34)

An AMENDMENT was MOVED that the report be received and:

- 1 That Council adopt the Department of Local Government's Model Code of Conduct as its Code of Conduct.
- 2 That Council call for Expressions of Interest from people interested in being conduct reviewers and members of the Conduct Review Committee.
- 3 That an independent Lawyer from a firm that is not Council's legal advisors be appointed as an interim Conduct Reviewer pending the permanent appointments by Council.

(Councillors Irwin/Tomlinson)

On SUBMISSION to the meeting the AMENDMENT was DEFEATED.

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

165/08 **RESOLVED** that the report be received and:

1. That Council adopt the Department of Local Government's Model Code of Conduct as its Code of Conduct.
2. That Council call for Expressions of Interest from people interested in being conduct reviewers and members of the Conduct Review Committee.
3. That David Wolfe be appointed as a Interim Conduct Reviewer pending the permanent appointments by Council.

(Councillors Henry/Meineke)(S34)

**Voting against:** Councillors Ekins Swientek Tomlinson and Dowell

## Matter Arising

166/08 **RESOLVED** that the General Manager obtain a legal opinion as to whether Councillors Dowell, Ekins, Irwin and Swientek breached the Code of Conduct in not attending one or more of the Extra-ordinary Meetings held on 15, 22 and 29 July and whether Councillor Meineke still had a Conflict of Interest when he attended the 29 July Extra-ordinary Meeting. Furthermore, that the resulting opinion be publicly declared by the Mayor when received.

(Councillor Henry/Meineke)

**Voting against:** Councillors Ekins, Swientek, Irwin and Dowell

**Dissenting Vote:** Councillors Dowell, Tomlinson and Irwin on the basis that this is an improper way of dealing with an alleged breach of Code of Conduct.

### **Annual Remuneration Fee for Mayor and Councillors**

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A MOTION was MOVED that there be no increase in fees for the Councillors and the Mayor for 2008/09.

(Councillor Irwin/Dowell)

An AMENDMENT was MOVED that the report received and that the current remuneration stay the same as 2008 /09 until the new Council can use the expenditure review process as opportunity to find savings that could provide opportunities to provide remuneration with a balanced budget.

(Councillors Swientek/Tomlinson)

On SUBMISSION to the meeting the AMENDMENT was DEFEATED.

**Voting against:** Councillors King, Chant, Hampton, Graham, Ekins, Meineke, Irwin Crimmins, Henry and Dowell.

A FORESHADOWED AMENDMENT was MOVED that Council pay the maximum fee for Councillors and Mayor 2008/09.

(Councillors Graham/Meineke) (S38)

On SUBMISSION to the meeting the FORESHADOWED AMENDMENT was DEFEATED.

**Voting against:** Councillors Chant, Henry, Ekins, Swientek, Irwin, Crimmins, Tomlinson and Dowell.

167/08 **RESOLVED** that there be no increase in fees for the Councillors and the Mayor for 2008/09.  
(Councillor Irwin/Dowell)

**Voting against:** Councillor Graham

#### **Adoption of Amendment No 4 to Lismore Development Control Plan – Tree Preservation Order**

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168/08 **RESOLVED** that the report be received and:

1. That Council adopt Amendment 4 of the Lismore Development Control Plan with the modification detailed in the report and the attachment to this report.
2. That Council give public notification of the adoption of Amendment No. 4 to the Lismore DCP in accordance with the *Environmental Planning and Assessment Regulation 2000*.  
(Councillors Irwin/Swientek)(S924)

#### **Adoption of Amendment No 5 to Lismore Development Control Plan – Chapter 7 – Off Street Car Parking**

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169/08 **RESOLVED** that the report be received and:

1. That Council adopt Amendment 5 of the Lismore Development Control Plan in the form in which it was publicly exhibited.
2. That Council give public notification of the adoption of Amendment No. 5 to the Lismore DCP in accordance with the *Environmental Planning and Assessment Regulation 2000*.  
(Councillors Meineke/Crimmins)(S924)

#### **Lismore Homeless Shelter**

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170/08 **RESOLVED** that the report be received and that no action be taken by Council to progress the concepts of a homeless shelter on railway land at South Lismore until a conclusive investigation of the alternative model preferred by the St. Vincent de Paul Society has been completed.

(Councillors Dowell/Crimmins)(S965)

### **Planning Agreements Policy**

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171/08 **RESOLVED** that the report be received and that Council:

1. Adopt the Planning Agreements Policy as attached to this report, and
2. Publicly notify its decision to adopt the Planning Agreements Policy and advise that a copy of the policy may be inspected at Council's Corporate Centre or on Council's web site.

(Councillors Swientek/Hampton) (S9)

**Voting against:** Councillors Irwin and Meineke)

### **Development Application 2008/213 for proposed removal of two fig trees located in Memorial Park**

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172/08 **RESOLVED** that the report be received and:

1. That Council grant delegated authority to the General Manager – subject to the concurrence of the Development Assessment Panel, to approve variations of a minor nature and/or arithmetic nature to conditions of consent applied to this application except where a particular condition has been specifically identified as requiring Council consent if it is to be varied.
2. That Council, as the consent authority, approve Development Application DA2008/313 for the removal of two (2) *Ficus macrocarpa* (Small fruited fig) trees (located closest to Molesworth Street) within Memorial Park, Molesworth Street, Lismore subject to the following conditions:

#### **STANDARD**

1 In granting this development consent, Council requires:

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

and be substantially in accordance with the stamped approved plan(s) No. DA08/313 page 1 and/or supporting documents submitted with the application. A copy of the approved plan is attached to this consent.

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

#### **TREE REMOVAL**

2 The trees must be removed by an appropriately qualified and insured tree removal company and carried out under the direction and instruction of a Certificate IV or V (AQF) Consultant Horticulturalist or Arborist.

**Reason:** *To ensure that no damage is caused to any surrounding vegetation or structures on the same or adjoining lots, including any boundary fence.*

3 Replacement plantings are to be undertaken at the rate of two (2) advanced trees (or one (1) advanced tree and two (2) shrubs) for each tree to be removed within **one (1) month** of removal of the two (2) trees in accordance with Plan DA08/313 page 2. Replacement trees to be in a suitable location that minimises potential damage to tree

roots and incorporates tree protection zones (where necessary) to ensure longevity of life of replacement plantings.

**Reason:** *To comply with the Tree Preservation Order condition to replace removed trees with an appropriate number of new trees.*

- 4 During the removal of the trees signage and traffic control personnel shall be provided to ensure adequate direction is provided for both vehicular and pedestrian traffic. All signage and traffic control personnel shall comply with relevant standards in regard to traffic control, signage and occupational health and safety.

**Reason:** *to ensure activities relating to the development do not interfere with the movement of traffic along the public road. (EPA Act Sec 79C(b)).*

- 5 Upon completion of the tree removal the proponent shall repair any damage to infrastructure within the road reserve and park arising during the works. Any repairs shall be reinstated in accordance with Council's Development, Design and Construction Manuals (as amended)

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

- 6 Tree removal is to incorporate an industry 'Best Management Practice' programme that incorporates standard hygiene practices for all personnel and equipment utilised.

**Reason:** *To minimise the possibility of contagious disease spread of "Ganoderma".*

- 7 Mulching and/or recycling of green wastes resulting from the removal of the trees shall not be disposed of to any vegetative wastes.

**Reason:** *To reduce the potential for spread of "Ganoderma" spores.  
(Councillors Hampton/Irwin)(DA2008/313)*

## Matter arising

173/08 **RESOLVED**

1. That the remaining tree next to the old Council Chambers be protected by a garden bed.
2. That a ceremonial planting be conducted with Richmond River Historical Society.  
(Councillors Irwin/Dowell)

### Solar Heating at Lismore Memorial Baths

174/08 **RESOLVED** that the report be received and:

1. That staff explore avenues to fund the introduction of solar heating at the Lismore Memorial Baths, including a budget submission to the 2009-2010 budget from the CCP Implementation Fund.
2. That an independent cost benefit analysis of the proposal be undertaken to support the 2009-2010 budget submission.  
(Councillors Graham/Hampton )(P6768)



### **Pavilion No 2 at Blair Oval**

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175/08 **RESOLVED** that the report be received and that:

1. Given the identified need in the draft Master Plan for Precinct One of Lismore Park for a multi-purpose building to be provided between Crozier Oval and Blair Oval, Council investigate in detail the possibility of relocating and refurbishing the top floor of the building referred to as Pavilion No. 2 at Blair Oval.
2. The investigation referred to in Point 1. be conducted after finalisation of the Master Plan for Precinct One of Lismore Park and following determination of the needs/ configuration of the proposed multi-purpose building.
3. If the investigation referred to in Point 1. finds that the Pavilion cannot meet the needs, is of inappropriate configuration or that it is not financially viable to relocate and refurbish, then the option of relocating the building to an alternative location be investigated.
4. The building remain closed and secure until the above investigations have been completed.
5. If on completion of the investigations, it is determined that neither option involving relocation of the building is practical or financially viable, the matter be reported back to Council to determine the future of the building.

(Councillors Hampton/Swientek)(P25336)

**Voting against:** Councillors Graham, Irwin and Chant.

### **June 2008 Quarter Management Plan Review**

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176/08 **RESOLVED** that the report be received and noted.  
(Councillors Dowell/Meineke)(S952)

### **Cities for Climate Protection Program**

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177/08 **RESOLVED** that the report be received and:

1. That Council note the report on Council's progress in implementing Milestone 4 of the CCP Program as presented from Environmental Health.
2. In the future the cost of the audit of the payback period be paid by the implementation fund where appropriate.

(Councillors Irwin/Ekins)(S232)

### **June 2008 Quarterly Budget Review Statement**

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178/08 **RESOLVED** that the report be received and:

1. Council adopt the June 2008 Budget Review Statement for General, Water and Wastewater Funds.
2. This information is submitted to Council's Auditor.

(Councillors Irwin/Crimmins)(S952)

**Voting against:** Councillor Ekins

**Investments held by Council – July 2008**

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- 179/08 **RESOLVED** that the report be received and that after considering the Department of Local Government's Circular 08/10 and advice from Council's investment advisor, the investment in Corsair (Kakadu) is to be maintained.  
(Councillors Irwin/Dowell)(S178)

**Committee Recommendations**

**Traffic Advisory Committee July 23, 2008**

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- 180/08 **RESOLVED** that the minutes be received and adopted and the recommendations contained therein be adopted.  
(Councillors Irwin/Hampton)(S352)

**Financial Assistance - Section 356**

- 181/08 **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 (GL390.125.15)**

Budget: \$11,700      To date:      \$0

**RED Inc.** requesting Council consider discounting the hire charges (\$870) for the City Hall on July 31, 2008 for a performance and July 17 and 30, 2008 for rehearsals. An entrance fee is to be charged (S164&P6816:08-7388).

**Recommendation:** In accordance with Clause 5 of the policy, a donation of 20% of the hire fee applies      \$174.00

**Keith Gasteen (On behalf of the Roberts Family)** requesting Council consider discounting the hire charges (\$206) for the City Hall on July 24, 2008 for the funeral reception for well known aboriginal elder Aunty Agnes Roberts (S164&P6816:08-7388).

**Recommendation:** In accordance with Clause 5 of the policy, a donation of 25% of the hire fee applies      \$51.50

**Goonellabah Quilters Inc.** requesting Council consider discounting the hire charges (\$1,332) for a quilt show at City Hall on August 21-23. The show is being organised by the Goonellabah Quilters Inc. in association with quilters from Lismore and surrounding areas and will be raising funds in support of breast cancer research. An entrance fee is to be charged (S164&P6816).

**Recommendation:** In accordance with Clause 5 of the policy, a donation of 20% of the hire fee applies      \$266.40

**b) Council Contributions to Charitable Organisations**

**Waste Facility – Policy 5.6.1 (GL390.965.15)**

Budget:\$12,000      To date:      \$0

Animal Right & Rescue	\$6.36
Challenge Foundation	\$140.55
Five Loaves	\$180.82
Friends of the Koala	\$25.45
LifeLine	\$210.00

Westpac Life Saver Rescue Helicopter      \$13.64

*In accordance with policy.* \$576.82

**Caroona Opportunity Shop** – requesting Council provide assistance with waste disposal costs at the Wyrallah Road Waste Facility. Proof of charity registration has been determined.

**Recommendation:** In accordance with the policy, assistance with waste disposal to the value of two (2) tonne per month applies.

**c) Mayor's Discretionary Fund (GL390.485.15)**

Budget:\$2,700      To date:      \$100

**Australian Paralympic Athletes** - assist in participating in Beijing 2008 Olympic Games  
**\$250.00**

**Vikings Futsal Association** – assistance for Jessie New who has been selected to represent the NSW 15 years Girls Futsal team in National Schools Championships during September and October.  
**\$100.00**

**d) Donations to Rural Halls – Policy 1.4.11 (GL390.680.15) (GL390.705.15)**

**Recommendation:** In accordance with policy, a donation towards maintenance and rates is made to the following 28 rural halls:-

Rural Hall	Maintenance	Rates	Total
Eltham Public Hall	\$1,000.00	\$570.78	\$1,570.78
Corndale Hall	\$1,000.00	\$557.96	\$1,557.96
Clunes Public Hall	\$1,000.00	\$928.54	\$1,928.54
Keerrong Public Hall	\$1,000.00	\$624.63	\$1,624.63
Rock Valley Public Hall	\$1,000.00	\$535.91	\$1,535.91
Rosebank Public Hall	\$1,000.00	\$804.11	\$1,804.11
Ruthven Public Hall	\$1,000.00	\$459.51	\$1,459.51
Whian Whian Public Hall	\$1,000.00	\$704.11	\$1,704.11
South Gundurimba Hall	\$1,000.00	\$350.79	\$1,350.79
Caniaba Literary Institute	\$1,000.00	\$760.52	\$1,760.52
Blue Knob Public Hall	\$1,000.00	\$478.48	\$1,478.48
Koonorigan Hall	\$1,000.00	\$634.88	\$1,634.88
Coffee Camp Public Hall	\$1,000.00	\$529.76	\$1,529.76
Numulgi Public Hall	\$1,000.00	\$716.93	\$1,716.93
Tullera Public Hall	\$1,000.00	\$804.11	\$1,804.11
Nimbin School of Arts	\$1,000.00	\$1,462.70	\$2,462.70
Goolmangar School of Arts	\$1,000.00	\$683.60	\$1,683.60
Jiggi School of Arts	\$1,000.00	\$624.63	\$1,624.63
Repentance Creek Hall	\$1,000.00	\$634.88	\$1,634.88
Dungarubba Memorial Hall	\$1,000.00	Non Rateable	\$1,000.00
Doroughby Hall	\$1,000.00	Non Rateable	\$1,000.00
Dunoon Hall	\$1,000.00	Non Rateable	\$1,000.00
Wyrallah Hall Association	\$1,000.00	Non Rateable	\$1,000.00

## Council Minutes August 12, 2008

Tregeagle Hall	\$1,000.00	Non Rateable	\$1,000.00
Bexhill School of Arts	\$1,000.00	Non Rateable	\$1,000.00
Roy Waddell Community Centre	\$1,000.00	Non Rateable	\$1,000.00
The Channon Hall	\$1,000.00	Non Rateable	\$1,000.00
Tunable Creek Hall	\$1,000.00	Non Rateable	\$1,000.00
<b>Totals</b>	<b>\$28,000.00</b>	<b>\$12,866.83</b>	<b>\$48,866.83</b>

**e) Donations to Community Organisations – Policy 1.4.14 (GL390.151.15) (GL390.310.15)(GL390.355.15)(GL390.565.15)(GL390.300.15)(GL390.570.15)(GL390.705.15)**

**Recommendation:** In accordance with policy, a donation is made to the following organisations:-

Clunes Old School Association	\$2,000.00
Friends of the Koala	\$2,000.00
Richmond River Historical Society	\$700.00
North Coast Academy of Sport	\$4,400.00
Far North Coast Life Education	\$5,000.00
North Coast National A&I Society	\$2,000.00
NSW Police Citizens Boys Club	\$676.00
Nimbin A&I Society	\$439.80
Nimbin Headers Sports Club	\$584.93

**Nimbin Aged Care and Respite Services** making application for a surplus computer. The application was received during the recent round of computer distributions to community groups but was not assessed in time for distribution during local government week. This Group rates more highly than other organisations on the reserve list. Council has one computer available

**Recommendation** that council donate a surplus computer to the Nimbin Aged Care and Respite Service

**f) Donations to Rural Fire Brigades (GL1080.595.15)**

**Recommendation:** In accordance with the approved 2008/09 Budget, a donation of \$265 is made to the following Rural Fire Brigades:-

Brigade Name	Amount
Northern Rivers Operational Support Brigade	\$265.00
Wyrallah	\$265.00
Tuncester	\$265.00
Tullera	\$265.00
The Channon	\$265.00
Stoney Chute	\$265.00
Rosebank	\$265.00
Nimbin	\$265.00
Lower River	\$265.00
Larnook	\$265.00
Jiggi	\$265.00
Goolmangar	\$265.00
Dunoon	\$265.00
Clunes	\$265.00

Caniaba	\$265.00
Boatharbour	\$265.00
Blue Knob	\$265.00
Bentley	\$265.00
Alphadale	\$265.00
	<hr/>
Total	\$5,035.00

(Councillors Dowell/Graham)

## Documents for Signing and Sealing

182/08 **RESOLVED** that the following documents be executed under the Common Seal of Council:

**Assignment of Kerbside Dining Licence Agreement - La Baracca (P5593)**

Assignment of Licence Agreement for La Baracca at 29 Keen Street, Lismore. Council has received financial and business references for the new business owners.

**Option renewal of Lease - The Left Bank Cafe (P25694)**

Lease (option renewal) over premises situated within Spinks Park for the operation of The Left Bank Cafe. Term of Lease is for five years and is in accordance with the Lease terms. A rental determination was conducted. The Lease is also to be forwarded to the Department of Lands for their approval and execution.

(Councillors Hampton/Meineke)

## Procedural Motion

A MOTION was MOVED that the matter in respect to possible breaches of the Code of Conduct be recommitted to the meeting.

(Councillors Swientek/Tomlinson)

On SUBMISSION to the meeting the MOTION was DEFEATED.

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

## Confidential Matters – Committee Of The Whole

A MOTION was MOVED that Council now exclude the press and public and meet in Committee of the Whole to consider the following matters;

**Formal Performance Review 2007/2008 – General Manager**

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**Grounds for closure:** Section 10A(2) (a)

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

(Councillors Hampton/Graham)

An AMENDMENT was MOVED that Items 1, 2 and 3 be considered in Committee of the Whole and Item 4 be considered in Open Committee.

(Councillors Swientek/Dowell)

On SUBMISSION to the MEETING the AMENDMENT was DEFEATED.

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

183/08 **RESOLVED** that Council now exclude the press and public and meet in Committee of the Whole to consider the following matters;

**Formal Performance Review 2007/2008 – General Manager**

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**Grounds for closure: Section 10A(2) (a)**

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

(Councillors Hampton/Graham)

## Resumption of Open Council

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

That the Council, having met in Committee of the Whole to consider the report on the General Manager's Performance for 2007/08 recommends to the Council that the four recommendations contained in the Mayoral Minute be adopted.

184/08 **RESOLVED** that the Mayor's report of Council meeting in Committee of the Whole be received and adopted.  
(Councillors Irwin/Graham)

## Closure

This concluded the business and the meeting terminated at 11.05 pm.

CONFIRMED this 14th of October 2008 at which meeting the signature herein was subscribed.

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**MAYOR**

MINUTES OF THE EXTRAORDINARY MEETING OF THE  
COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL  
CHAMBER, GOONELLABAH ON TUESDAY, SEPTEMBER 30,  
2008 AT 6.00PM.

**Present:** Mayor, Councillor Dowell; Councillors Battista, Clough, Chant, Ekins, Graham, Houston, Marks, Meineke, Smith and Yarnall, together with the General Manager; Executive Director Infrastructure Services, Executive Director Development & Governance and Corporate Compliance Coordinator, Communications Coordinator and Acting PA to the General Manager.

**Apologies/  
Leave of  
Absence:** Nil

**SUSPENSION OF STANDING ORDERS**

185/08 **RESOLVED** that standing orders be suspended to allow Councillors to make a short presentation to the meeting.  
(Councillors Dowell/Clough)

**RESUMPTION OF STANDING ORDERS**

186/08 **RESOLVED** that Standing Orders be resumed.  
(Councillors Dowell/Graham)

**METHOD OF ELECTION OF DEPUTY MAYOR**

187/08 **RESOLVED** that the method of election for Deputy Mayor be by open voting.  
(Councillors Meineke/Chant)

**TERM OF DEPUTY MAYOR**

A MOTION WAS MOVED that the period of appointment to the position of Deputy Mayor be for 12 months until September 2009.  
(Councillors Chant and Smith)

AN AMENDMENT WAS MOVED that the period of appointment for the deputy mayor be for two years.  
(Councillor Battista).

The AMENDMENT lapsed for the want of a seconder.

188/08 **RESOLVED** that the period of appointment to the position of Deputy Mayor be for 12 months until September 2009.  
(Councillors Chant and Smith)

**Voting against** Councillor Battista



## ELECTION OF DEPUTY MAYOR

### **Nominations**

Nominations were received for the position of Deputy Mayor for Councillors Ekins and Meineke.

### **Election**

At the conclusion of the counting the Returning Officer (General Manager) declared Councillor Ekins elected as Deputy Mayor until September 2009.

## ELECTION OF DELEGATES TO COUNTY COUNCILS

Election to county councils is for the four year Council term.

### **Method of Election**

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Election of delegates was conducted in accordance with Schedule 4 of the Local Government (General) Regulations 2005.

#### ***Far North Coast County Council*** – 1 delegate to be elected.

Nominations were received for Councillors Houston and Graham.

An optional preferential ballot was conducted.

At the conclusion of the counting the Returning Officer (General Manager) declared Councillor Houston elected.

#### ***Richmond River County Council*** – 2 delegates to be elected.

Nominations were received for Councillors Chant, Graham and Smith.

An optional preferential ballot was conducted.

At the conclusion of the counting the Returning Officer (General Manager) declared Councillors Chant and Smith elected.

#### ***Rous County Council*** – 2 delegates to be elected.

Nominations were received for Councillors Battista, Ekins, Marks and Yarnall

An optional preferential ballot was conducted.

At the conclusion of the counting the Returning Officer (General Manager) declared Councillors Ekins and Yarnall elected. (S44)

## ELECTION OF DELEGATES TO EXTERNAL ORGANISATIONS

### NOROC

### Councillor Dowell

### Richmond-Tweed Regional Library Committee

Councillors Dowell and Smith – Councillors Houston and Battista alternate delegates

### **Richmond River Historical Society**

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Councillor Meineke

**Area Assistance Scheme (AAS)**  
**Councillors Houston and Clough**

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**The Northern Rivers (NSW) ACC**  
**Councillor Clough**

**Bush Fire Management Committee**

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Councillor Yarnall

**Lismore Rainforest Botanic Gardens**

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Councillor Houston

**Lismore Floodplain Management Committee**  
Councillors Battista and Clough

**Local Government Conference**  
Councillors Clough and Houston

This concluded the business and the meeting terminated at 7.00pm.

**CONFIRMED** this Fourteenth day of October, 2008, at which meeting the signature herein was subscribed.

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**MAYOR**