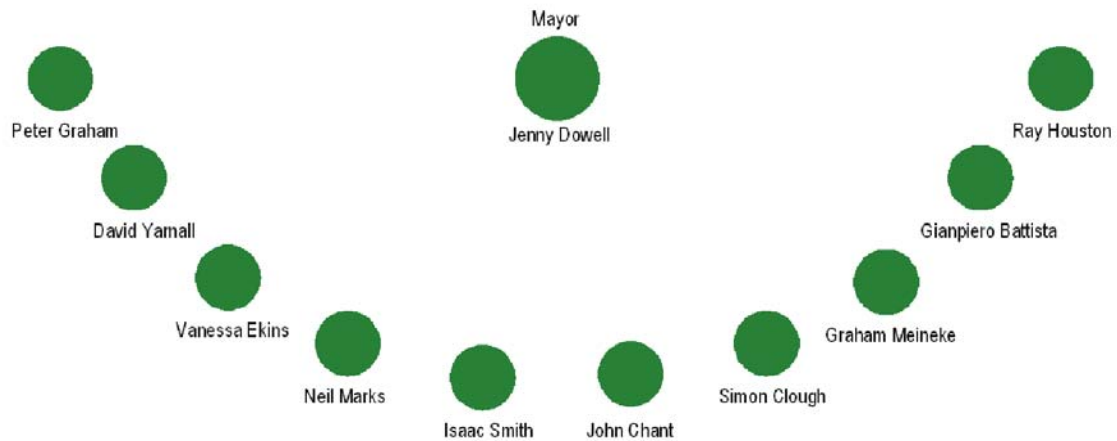


# Notice of Council Meeting



## Ordinary Meeting

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An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at  
the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on  
December 9, 2008  
and members of Council are requested to attend.

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

December 2, 2008

# Agenda

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Opening of Meeting and Prayer (Mayor)

Apologies and Leave of Absence

Confirmation of Minutes

**Ordinary Meeting held November 11, 2008**

Disclosure of Interest

Public Access Session

Public Question Time

Condolences

Mayoral Minutes

**Regional & Local Communities Infrastructure Program – Nominated Projects  
(To be separately distributed)**

Notice of Rescission Motions

Notice of Motions

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Councillor Meineke – Cameron Road LEP Amendment No. .... 2

Altering Order of Business

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# Strategic Plan Summary

## Lismore regional city

STRATEGIC PRIORITY	AIMS	INITIATIVES
<b>Economic development</b>	<p>Build Lismore's reputation as a regional city for residents, businesses, education providers, health services and government.</p> <p>Increase regional economic development, tourism and job creating investments.</p>	<ul style="list-style-type: none"> <li>▶ Pursue ongoing CBD growth and development</li> <li>▶ Develop and support cultural, sporting and tourism activities, services and facilities</li> <li>▶ Foster the business climate to encourage business growth, investment and jobs</li> <li>▶ Identify and support key industries that drive economic development in Lismore including existing industries</li> <li>▶ Foster a co-operative and proactive approach on major regional development issues</li> </ul>
<b>Quality of Life</b>	<p>Make Lismore a safe, healthy and caring community in which to live.</p>	<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>
<b>Leadership by Innovation</b>	<p>Lead the region by demonstrating innovative practices in governance, customer service, communication, consultation, virtual amalgamation and financial management.</p>	<ul style="list-style-type: none"> <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>
<b>Natural Environment</b>	<p>Preserve and rehabilitate Lismore's natural environment.</p>	<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>
<b>Infrastructure</b>	<p>Further enhance Lismore's transportation, parking and pedestrian networks.</p>	<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>
<b>Water and Waste Cycle</b>	<p>Educate our community and lead the state in water and waste-cycle management.</p>	<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 S Clough has given notice of his intention to move at the next meeting of Council.

1. That Council investigate means of opening the Climate Implementation Fund, for which it is to be congratulated, to the public by way of small low interest loans that will allow ratepayers to fit photo voltaic and solar hot water systems as well as water tanks.
2. One proposal that should be investigated is that Council make funds available to local credit unions which undertake to administer the loans on a no profit basis.

### Councillor Comment

#### Councillor Clough

The effects of climate change require that ratepayers collect more of their own water and take advantage of our weather to produce solar hot water and electricity. Many ratepayers are making the change, many would like to but are restricted by lack of funds. This motion seeks to establish the best way for Council to assist ratepayers in making a contribution to limiting carbon emissions.

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### Staff Comment

#### Manger - Environmental Health and Building Services

The Climate Protection implementation fund was established to progress councils effort in reducing greenhouse gas (GHG) emissions in regard to Councils operations. Project proposals are required to demonstrate a reasonable pay back period for the funding to be approved. Projects approved to date include replacement of Councils Corporate Centre air conditioning unit and retrofit of Councils Corporate Centre lighting system with more energy and GHG efficient technology. Both projects have been hugely successfully demonstrating a reasonable loan payback period with ongoing financial savings to Council and lowering GHG emissions.

Solar panels for hot water systems range from approximately \$3,000- \$5,000 with rebates eligible from both state and federal governments of between \$1000-\$3000 dependent on system type and taxable incomes of the applicant. Photo Voltaic (PV) solar panels utilised for the generation of solar power range in price from approximately \$10,000 with \$8,000 federal rebate for applicants with less than \$100,000 taxable income.

Summerland Credit Union have advised that they have established a loan known as the "Solar panel initiative" available to the public for the installation of solar panels. The variable loan rate is currently at 7.81% (apparently their cheapest loan), and the loan has no establishment fee. They advise that most loans are paid off over a short period of approximately six to twelve months.

#### Manager - Finance

The CCP Implementation Fund uses part of Council's investment portfolio to implement initiatives that reduce greenhouse gas that have a acceptable payback period. The reason an acceptable payback period is required is typically all Council investments are held for a specific purpose and the funds need to be returned to allow the specific purpose to proceed.

While this approach historically was possible, Council's cash flow is being constrained by a combination of factors including illiquid investments, negative impact on the operating budget as a result of the global credit crisis and economic downturn and major capital works being partially funded by land sales that have not occurred. For these financial reasons, the concept outlined in **the Notice Motion is not supported at this time.**

If Council was of the mind to support this initiative, an allocation to fund the costs to implement, manage and administer the scheme would need to be considered for inclusion in the annual Budget.

## Notice of Motion

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

That Councillors declare their support or non support for the rezoning application for the Cameron Road LEP Amendment No 20.

### Councillor Comment

Councillor Meineke

At the Council meeting in November Council resolved to advise the Minister for Planning of Council's support for the LEP Amendment. This is a procedural Motion designed to ensure the Minister is advised of each Councillor's position

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### Staff Comment

General Manager

This Notice of Motion needs to be supported to allow the intent of Minute No. 221/08 of November 11, 2008, to be conveyed to the Minister.

It is a two step process. This Notice of Motion should be voted on. If passed by a majority then the Mayor will call for those Councillors present to declare their support or otherwise for the rezoning proposal at Cameron Road.

# Report

<b>Subject</b>	2008/09 Budget Review – Target \$500,000+ Surplus
<b>File No</b>	S960
<b>Prepared by</b>	Manager – Finance
<b>Reason</b>	To mitigate impact of global financial crisis and economic downturn on 2008/09 Budget
<b>Objective</b>	For Council to approve variations and constraints to budget allocations and funds within the 2008/09 Budget
<b>Strategic Plan Link</b>	Leadership by Innovation
<b>Management Plan Project</b>	Various

## Overview of Report

With the current and ongoing financial turmoil, it is likely that there will be further negative economic impact on the 2008/09 Budget and beyond. An assessment of the potential dollar impact on revenue streams was discussed at the October 21, 2008 Workshop. It was agreed that it would be prudent to mitigate this situation by reviewing the 2008/09 Budget to create a surplus or buffer of at least a \$500,000.

Management prepared a range of options to achieve a surplus of \$874,700 for discussion at the November 24, 2008 Workshop and this report has been prepared to seek Council's endorsement of the preferred options.

## Background

The current turmoil in financial markets is impacting all sectors of the community including Council. The most obvious for Council is with the investment portfolio where the market value was written down by 10.33% as at June 30, 2008. In addition, the bankruptcy of merchant bankers Lehman Brothers and RBA reducing the cash rates will result in interest from investments being significantly less than originally anticipated.

Also, in uncertain financial times, it is not uncommon to see the economy contract as spending and investment decline. Following on, it is realistic to expect some of Council's revenue streams to be impacted and potentially income budgets not achieved. Finance estimates that this could be a negative impact of approximately \$200,000.

At the October 21, 2008 Workshop, Councillors agreed that it would be prudent to take steps to mitigate this situation by reviewing and making changes to the 2008/09 Budget to realise a surplus of at least \$500,000. Management were requested to provide a range of options to achieve this result that:-

- a) did not involve the loss of permanent jobs,
- b) may include not filling vacant positions, but consideration to the impact on service delivery must be given,
- c) review all contracted works to ascertain if they could be undertaken in-house,
- d) deferral of project, capital works or non essential projects/initiatives, and
- e) the range of options are to come from across the organisation.

Based on these parameters, the 2008/09 Budget was reviewed and a list of options capable of achieving an \$874,700 surplus was prepared and is attached to this report.

The options are primarily revenue based or uncommitted funds rather than a reduction in expenses. While the proposal also includes the deferral of capital works, realistically, there will be little impact on service levels in 2008/09.

At the November 24, 2008 Workshop, the options were openly discussed. The consensus view was that that all options be supported with a review of deferred works by the Council in March, prior to the 09/10 Budget sessions. This review will determine whether any of the deferred capital or other works should be undertaken in 2008/09 or alternately whether they should be given priority in the 2009/10 Budget.

## Comments

### Other staff comments

Not required

### Public consultation

As there will be little impact on service levels and Council will be reviewing deferred capital works in March 2009, no additional public consultation of this action is proposed.

## Conclusion

The decision to mitigate the impact of the financial crisis and economic downturn on Council's budget is considered to be a prudent and fiscally responsible approach. The creation of a surplus in 2008/09 provides Council will a significant buffer to manage this situation.

The list of options to achieve the surplus is primarily revenue based and realistically will have little impact on service levels to be delivered in 2008/09.

A review of the targeted surplus result and deferred capital or other works will be reported to Council in March 2009. This will allow Council to determine if works are to proceed in 2008/09 or be given priority in the 2009/10 Budget.

## Recommendation

1. That Council adopt the list of options totalling \$874,700 to mitigate the impact of the financial crisis and economic downturn on the 2008/09 Budget.
2. A review of the targeted surplus result and deferred capital or other works be reported to Council in March 2009.



### 2008/09 Budget Review - \$500,000+ Surplus

Opening Surplus Balance		128,700
September Quarterly Review	181,900	
StateWide Risk Management	36,800	
Planning & Subdivision Fees	(40,000)	
Interest on Investments	(50,000)	
Tea Tree Farm - Additional revenue		50,000
Staff vacancies (Finance & Community Services)		75,000
Quarry Dividend - Increase from \$370,000 to \$470,000 for 2008/09.		100,000
Contractors Reserve - Dividend payment		100,000
Interest income from the deferral of loan funded capital works to 2009/10		12,000
Works deferred include:-		
Flood Mitigation	114,000	
Lismore Homeless Shelter	100,000	
Trunk Drainage	150,000	
Cycleways	100,000	
Assets & Support Services		20,000
Engineering Equipment Reserve	5,000	
Street Lighting Upgrade Reserve	10,000	
Savings in Traffic Safety/CitySafe	5,000	
Property Demolition Reserve - Balance		24,100
Human Resources		20,000
Performance Criteria Development	10,000	
Management Development Program	10,000	
Target a 30% reduction in professional development & training budgets		73,300
Customer Service Project Reserve		40,000
Noxious Fauna Reserve		45,000
Community Services Reserve		15,700
Public Transport	3,700	
Pedestrian Access	12,000	
GSAC - Delayed opening & additional loan costs		13,400
Interest on deferral of Winterton Parade (\$400,000) and Conway St Stage 2 (\$400,000) works		20,000
Homeless Shelter Operating Costs		20,000
Kadina Park		18,000
Project not likely to receive grant funding this year as such matching funds not required		
Matching Grants Reserve		21,500
Sister City Reserve		8,000
Dividend Waste - Increase from \$40,000 to \$70,000.		30,000
Waste Minimisation Administration Costs		5,000
Community Link Expenses		5,000
Legal Expenses		30,000
	<b>Total Surplus</b>	<b>874,700</b>

# Report

<b>Subject</b>	<b>Clunes Wastewater Preferred Option</b>
<b>File No.</b>	S288
<b>Prepared by</b>	Strategic Engineer
<b>Reason</b>	The provision of a cost effective, environmentally sound wastewater system for Clunes
<b>Objective</b>	To provide a comparison of various options for provision of wastewater services to Clunes and to recommend a preferred option to Council.
<b>Strategic Plan Link</b>	Infrastructure, Water and Waste Cycle
<b>Management Plan Project</b>	Wastewater

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## Overview of Report

This report has been prepared in response to a resolution of Council, made 10 June 2008, requesting that staff review the option of connecting Clunes by pipeline to the existing Lismore sewage treatment system. The 'pipeline' option for Clunes is in contrast to an alternative option, developed by the Clunes Wastewater Committee, involving on-site treatment of sewage and re-use of recycled water through irrigation of a property recently purchased by Council located in James Gibson Road.

This report summarises the results of an analysis comparing the two options referred to above. The results of this analysis indicate that the option proposed by the Clunes Wastewater Committee is the more cost effective solution.

This report recommends that Council formally adopt the option developed by the Clunes Wastewater Committee as being the preferred option for the provision of wastewater services to Clunes. It further recommends that Council proceed with the preparation and public exhibition of an Environmental Impact Statement for this proposal.

## Background

Since 1998 Council, with assistance from the Clunes Wastewater Committee (CWC), has been investigating various options to provide wastewater services to Clunes.

In May 2006 this culminated in the CWC considering four options for the sewerage of Clunes. Options considered at this time included:

- provision of a new sewage treatment plant in the vicinity of Clunes with reuse of treated effluent through irrigation;
- provision of on-site treatment on each lot within Clunes, with collection, disinfection and re-use of treated effluent through irrigation;
- piping of sewage to Lismore for treatment and disposal;
- the 'do nothing' option.

A pressure sewer reticulation within Clunes was common to the first three options.

The CWC considered a detailed analysis of the above four options, including consideration of economic, social and environmental criteria. Following this consideration, the CWC recommended the 'on-site' option as the preferred option, with the pipeline option being identified as the second most preferable option.

Since May 2006, progress has been made implementing the preferred option identified by the CWC, including purchase of a site for reuse of treated wastewater and conducting an 'Inquiry by Design' workshop to determine the preferred design for this site. Council has agreed to the purchase of this land, and thereby given tacit agreement to the option being pursued. However, to date, Council has never formally adopted the option proposed by the CWC as being the preferred option for the provision of wastewater services to Clunes.

In June 2008, Council resolved that:

*Council review and workshop the option of connecting Clunes by pipeline to the existing Lismore sewage treatment system and to test this option against the previously developed alternatives.*

Central to the argument proposed in favour of this motion was the need to consider the option of providing a pipeline which would both serve Clunes and also accommodate servicing of other land identified for future urban growth located to the north of Lismore. In this regard, the previous analysis conducted with respect to the pipeline option had not included the potential to serve this additional land through an integrated pipeline proposal.

A detailed analysis has since been undertaken by Council staff of two scenarios as follows:

- Scenario A – combining the preferred option for sewerage of Clunes, as proposed by the CWC, with the existing sewer strategy for servicing of urban growth areas as identified within *Council's Strategic Business Plan for Water Supply and Wastewater Services*.
- Scenario B – considering an integrated pipeline option to serve Clunes and future growth areas.

The analysis conducted by staff included consideration of capital, power and other operational costs and a rudimentary analysis of carbon emissions. The analysis undertaken was presented in detail to Council at a workshop on 25 November 2008. Rather than repeat the details provided at that workshop within this report, a brief summary of results is provided in this report only.

The conclusions of the recent analysis are as follows:

- Scenario B (the pipeline option) has a much higher capital cost when considering the total cost of fully implementing both scenarios. When considered on this basis, the difference in cost between the two scenarios is approximately 8 million dollars. The cost differential between the two scenarios is even more pronounced when considering costs borne by Council and the initial cost of connecting Clunes alone.
- Scenario B also has higher operational costs than Scenario A. Significantly, energy costs and carbon emissions for this scenario are also significantly higher. This would indicate the cost differential between the two scenarios is likely to increase over time.
- The option proposed by the CWC is considered to be the most cost effective solution to provide wastewater services to Clunes. The analysis supports the previous conclusion of the Committee that this option provided the best solution when considered from economic, social and environmental criteria.

The next step in implementing this option would be the preparation and public exhibition of an Environmental Impact Statement for this option.

## Comments

### Financial Services

As a result of this analysis, the option preferred by the Clunes Wastewater Committee is considered to be the most cost effective and is therefore supported.

The costs to construct the Clunes Wastewater System are significant and they have already been factored into the Council's *Strategic Business Plan for Water Supply and Wastewater Services* based on the option preferred by the Clunes Wastewater Committee. As such, adopting the recommendations will not require a change in the future pricing strategy for sewerage services set out in the Business Plan.

### Other staff comments

Not required.

### Public consultation

The subject of providing wastewater to Clunes has been the subject of extensive public consultation over several years. This consultation will continue as Council continues with the implementation of this project.

The next step in this consultation process will involve the preparation and exhibition of an Environmental Impact Statement for this project.

## Conclusion

A rigorous analysis of options for providing wastewater to Clunes has been undertaken, in response to Council's request that the pipeline option be reviewed.

The conclusion of this analysis is that the option proposed by the Clunes Wastewater Committee is considered to be the most effective solution for connecting Clunes to wastewater services.

## Recommendation (IS64)

That:

1. Council formally adopt the option recommended by the Clunes Wastewater Committee as being the preferred method for provision of wastewater services to Clunes - provision of on-site treatment on each lot within Clunes, with collection, disinfection and re-use of treated effluent through irrigation;
2. Council proceed with the preparation of an Environmental Impact Statement which is focussed on this proposal.

# Report

<b>Subject</b>	<b>Clunes Wastewater Committee</b>
<b>File No.</b>	GJH:VLC:S288
<b>Prepared by</b>	Executive Director – Infrastructure Services
<b>Reason</b>	With a new Council term there is a need to review Council's committee structure
<b>Objective</b>	Retirement of the committee
<b>Strategic Plan Link</b>	Water and Waste Cycle
<b>Management Plan Project</b>	Clunes Wastewater Project

## Overview of Report

This report recommends the retirement of the existing Clunes Wastewater Committee as the primary task of the committee has been accomplished. The committee has supported the development of a preferred option up to the environmental impact assessment stage. The newly elected Council is reviewing its current committee structure and it is an opportune time to retire this committee. Council thanks the committee for their valuable work over many years. It is recommended members be invited to participate in future consultation associated with the project when Council determines the appropriate scope and objectives.

## Background

At the end of a Council term all standing committees are retired. The new Council reviews its committee structure and calls for nominations to join the new committees. This is currently underway with the Policy Advisory Groups. The Clunes Wastewater Committee has been in operation since February 2000. It was originally set up as a sunset committee to look at a specific project and then retire. The specialist knowledge built up by the current committee has been very beneficial to Council over the years.

The Terms of Reference for the Clunes Wastewater Committee adopted on May 23, 2005 include;

*Our task is: To assist in developing an integrated sewage and wastewater management strategy for the village of Clunes, based on principles of Ecologically Sustainable Development and which has broad community acceptance.*

The task of the current committee has been achieved. The committee has recommended to Council a preferred wastewater management strategy for the village of Clunes; that is, onsite treatment combined with irrigation of reclaimed water.

## Preferred Option

Following recommendation from the Committee in May 2006, Council has purchased a property at No. 308 James Gibson Road, Clunes, for the purpose of irrigating reclaimed water. An enquiry by design workshop was held in May 2008 where a preliminary concept design was prepared. Options for holding ponds, irrigation, disinfection and wet weather release were identified. Since that time further consultation with property owners neighbouring the James Gibson Road site has taken place. Council has also entered into discussions with the Department of Water and Energy regarding wet weather release and ground water impacts.

It is proposed to move forward with a proposal to irrigate slightly over field moisture content, which will eliminate the necessity to have specific wet weather release treatment. Monitoring of ground water will be required.

A plan showing the proposed layout of facilities at the irrigation farm is attached. It should be noted this is still a draft as all neighbouring property owners are yet to comment on the proposal.

The preferred option has been developed to a point where we can move to the next stage of an Environmental Impact Assessment.

## Pipeline Option

At Council's ordinary meeting of June 10, 2008 it was resolved *"that Council review and workshop the option of connecting Clunes by pipeline to the existing Lismore sewage treatment system and to test this option against the previously developed alternatives"*.

The information presented at the Council workshop was first presented to the Clunes Wastewater Committee at a meeting held November 20, 2008. Generally the Clunes Wastewater Committee were pleased with the findings of the analysis, as the preferred option from the Clunes Wastewater Committee is the option being recommended to Council for endorsement.

The pipeline option is discussed in more detail in a separate report to Council.

## Comments

### Financial Services

Not required.

### Other staff comments

Note required.

## Public consultation

A draft of this report was considered by the Clunes Wastewater Committee at the meeting held November 20, 2008. There was agreement from the representatives from Eltham that their task had been achieved. Some of the Clunes representatives expressed a need for ongoing consultation. They were advised that Council would invite their participation in future consultation once the mechanisms had been determined.

## Conclusion

The Clunes Wastewater Committee has provided valuable service to Council over many years. The primary task, to recommend to Council a wastewater strategy for Clunes, has been accomplished. With a new Council term and the review of all Council committees it is timely to retire this committee.

A separate report to Council will determine which option will be developed further. Regardless of which option Council determines, the project is entering a new phase. The next step is the Environmental Impact Assessment.

When Council indicates which option is preferred it is proposed to review Council's consultation requirements. Certainly community input into issues such as;

- the environmental assessment,
- discussion of the rating or charge system proposed, and
- construction issues

will be required in the future.

Existing members will be encouraged to play an active role in future consultation methods when they are determined.

## Recommendation (IS65)

That,

1. The existing Clunes Wastewater Committee be retired.
2. Members of the committee be thanked for their valuable service.
3. When Council determines its future consultation requirements, members be invited to take an active role.

# Report

<b>Subject</b>	<b>Lismore Promotion Program for 2008/09</b>
<b>File No</b>	S740
<b>Prepared by</b>	Manager Economic Development
<b>Reason</b>	Council resolution to approve a suitable and strategically focussed Lismore Promotion Program for the balance of 2008/09
<b>Objective</b>	Council to take a proactive role in the management and administration of the Special Business Rate Variation Levy (SBRVL) <i>Lismore Promotion Program</i>
<b>Strategic Plan Link</b>	Economic Development through support of business and CBD revitalisation
<b>Management Plan Project</b>	Economic Development

## Overview of Report

This Report gives an overview of the *2008/09 Lismore Promotion Plan* and its formulation earlier this year, together with final recommendations for projects to be undertaken up to 30 June 2009. These final project recommendations have come about as there was a residue of \$126,000 in uncommitted funds in the SBRVL Lismore Promotion Fund.

The results can be summarised as follows:

- three projects with an SBRVL funding request for \$45,500 (GST exclusive) are recommended
- three projects are not recommended
- should all project recommendations be endorsed by Council, this would leave \$65,399 in the Lismore Promotion Fund to potentially fund a Town Centre Manager for 2008/09.

## Background

The *Lismore Promotion Program* is funded by the Special Business Rate Variation Levy (SBRVL). The SBRVL has been levied annually since 1 July 1998, with the income received by Council being indexed in line with rate pegging. The 2008/09 SBRVL comes in two parts:

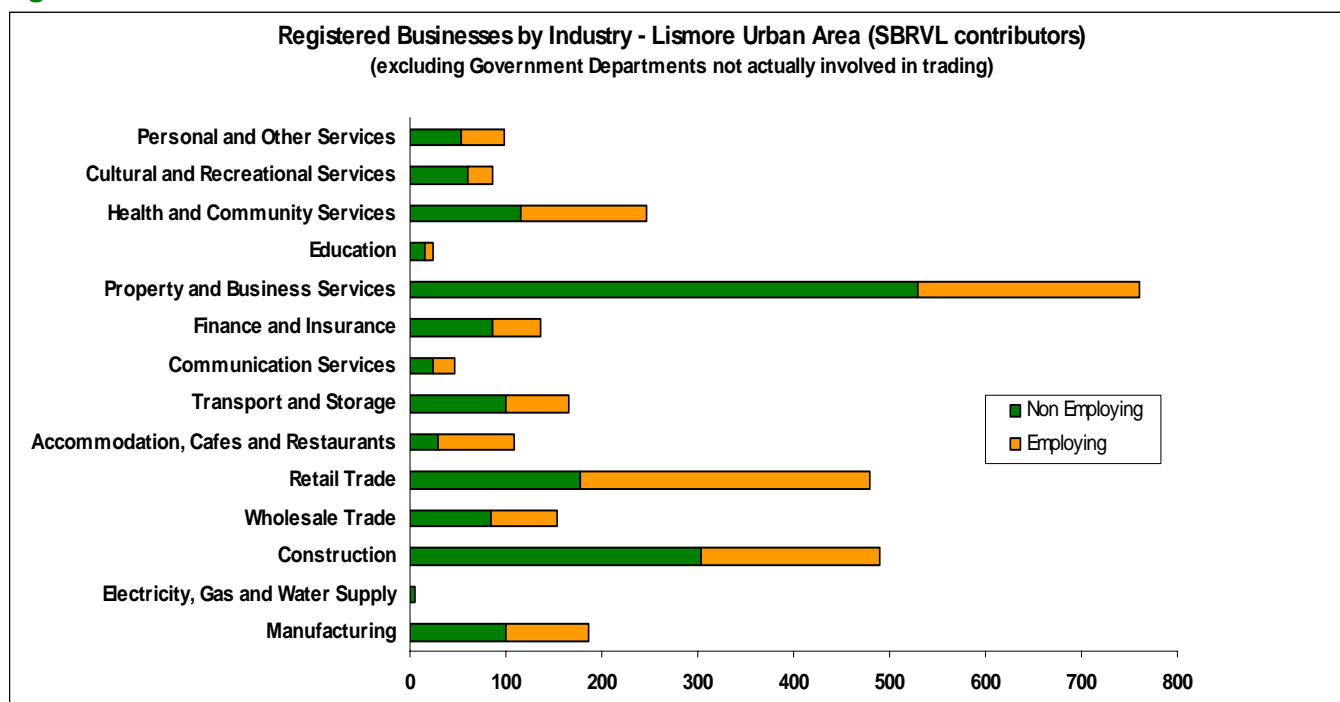
1. Funding of \$144,800 for the *City Safe Program* which principally entails recurrent costs associated with the CBD safety cameras and security patrols in the CBD. All properties in the defined city centre are levied these rates, i.e. the area bounded by Woodlark, Molesworth, Magellan and Keen Streets.
2. A pool of \$195,800 (the Promotion Fund) for the purposes of promoting business activity and thus economic development in the Lismore Urban Area, and to which all urban businesses contribute.

This Report will deal only with the expenditure of the Promotion Fund, which has been managed by the Economic Development Unit (EDU) since 15 January 2008 (Resolution 466/07, part 1).

In 2008/09 there were 1,092 rated property owners and an estimated 2,987 registered businesses in the Lismore Urban Area, directly and indirectly contributing to the \$195,800 comprising the Promotion Fund of the SBRVL – see Figure 1.



Figure 1:



Source: ABS Counts of Australian businesses (including entries & exits) June 2003 – June 2006 (extrapolation)

### Formulation of the 2008/09 Lismore Promotion Plan

The Advisory Group met on 27 February 2008 and formulated their approach to the *2008/09 Lismore Promotion Plan* and developed the Program Guidelines. This approach was subsequently endorsed at the 8 April 2008 Council Meeting. Expressions of Interest (Eols) would initially be invited from the wider public for suitable projects that satisfied the Program Guidelines and primary objective:

*“To promote Lismore in a positive manner which reinforces its position as the regional centre of the Far North Coast of NSW”*

Through this Eol process, suitable existing projects would be identified, then through alignment with the criteria outlined below, gaps would become apparent. Proactive projects to fill these gaps would then be developed by the Advisory Group and introduced progressively into the Promotion Plan.

The Advisory Group determined that the following elements underpin the Plan:

- a) A co-ordinated approach across all disciplines
- b) Alignment of the Promotion Plan with:
  - i) Lismore’s annual events calendar
  - ii) the cycle of Lismore’s retail campaigns
  - iii) tourism campaigns
- c) Consistency in branding of Lismore across all marketing and promotional campaigns, regardless of whether the campaign is funded by the SBRVL *Lismore Promotion Program*
- d) An agreed framework and “mix” of activities to be funded, that is:
  - i) Marketing and promotional campaigns
    - tourism
    - shopping
    - events
  - ii) Education / training for the business community
  - iii) Research
- e) Development of an annual budget with provision for contingency funds for worthwhile projects that become known subsequent to the Lismore Promotion Plan being set

At the 8 July 2008 Council Meeting, the *2008/09 Lismore Promotion Plan* was adopted (Resolution 133/08) – see Attachment 1.

Importantly, not all Promotion Fund monies were committed for the 08/09 financial year, leaving a

balance of \$126,000 of monies to potentially fund:

- a) two event-based projects, consideration of which had been deferred to the next available Advisory Group meeting (i.e. after the 2008 events had been conducted in June and July respectively – see Resolution 97/08 part 3), together with
- b) projects that came forward from a Final Round of Eols, as well as
- c) projects under development by the Advisory Group (i.e. Town Centre Management)

### Town Centre Management for Lismore City's heart

At a workshop on 12 November 2008, the Advisory Group heard Town Centre Management specialist Stephen Sully present on the relative merits of Town Centre Management and its suitability for Lismore. Following extensive discussion, agreement was reached on the following:

- To introduce Town Centre Management into Lismore's city heart as soon as practicable
- The view that "What's good for the CBD is good for the City as a whole"
- The contract position would command a total salary package of \$80,000 per annum - the person required to fulfil the function would possess appropriate skills and experience to tackle the specific issues faced by the centre, as well as adequate status and authority to develop credibility with the business community and the Council organisation as a whole; they would be able to gain the confidence of the business community and the Council, solve problems and achieve results in the short term
- In broad terms, the Town Centre Manager would be a marketing, co-ordination and management role; an ongoing point of contact
- The position would be based in the CBD co-located with Council:
  - to minimise administrative costs
  - ensure a central location with enhanced access to the business community
  - to facilitate a collaborative approach across all Council departments

The Advisory Group met again on 19 November 2008 and resolved:

- a) That the SBRVL Lismore Promotion Program Advisory Group give "in principle" support to the introduction of Town Centre Management in Lismore, commencing as soon as practicable
- b) That the Town Centre Manager be a contract position for an initial 18 month trial period (until 30 June 2010)
- c) That a Working Group drawn from the SBRVL Lismore Promotion Program Advisory Group be established, comprising 1 x Chamber representative, 3 x business representatives, and 1 x Council / EDU staff member, auspiced by the EDU, tasked to:
  - i. scope the role of Town Centre Management in Lismore
  - ii. write the position description for the Town Centre Manager
  - iii. define the territory for the Town Centre Manager, the red line on the attached aerial map of Lismore's greater CBD being a starting point – see Attachment 2
  - iv. develop the business plan - an integrated plan that ensures that all people and organisations involved are all working towards a common vision for the centre
  - v. determine success factors, how the performance of the program will be evaluated
  - vi. develop the governance model / management board that comprises the key stakeholder groups, i.e. representatives from business, property, the Chamber and Council
- d) That the five Working Group members be as follows:
  - i. Michael Haddin (1 x Chamber representative)
  - ii. Bill Sheaffe, Geoff Gooch and David Martin (3 x business representatives)
  - iii. Ruth Povall / Brent McAlister (1 x Council/EDU representative)
- e) That the SBRVL Lismore Promotion Program guarantees funding for the position for the initial 18 months, with an application to Council in 2009/10 financial year for reimbursement of a proportion of funding from General Rates – the proportion to be determined by the Working Group
- f) That a detailed report on Town Centre Management with recommendations be presented to Council at the 10 February 2009 meeting

### FINAL ROUND - Expression of Interest results for 2008/09

Eols for the Final Round of the *2008/09 Lismore Promotion Plan* were invited from the wider public and closed on 29 September 2008. Six relatively developed projects came forward (one of which subsequently withdrew), in addition to two projects deferred for consideration from the previous meeting.

All seven projects have a total project value of \$548,190 (GST exclusive) with a total request for SBRVL funding of \$98,300 (GST exclusive):

	Project description	SBRVL funding request
09-13 DEFERRED	Marketing and Promotion Campaign for the 2009 Lismore Lantern Parade	\$18,000
09-14 DEFERRED	Marketing and promotion campaign for the 2009 4WD Caravan, Camping and Marine Show	\$15,000
09-17	Promotion to attract more athletes and accompanying partners from a five hour radius of Lismore to the Lismore Masters Games – “Six <sup>th</sup> In The City” (25 – 27 September 2009)	\$15,000
09-18 WITHDRAWN	Australian Cricketers Association “Legends” Tour	\$0
09-19	Marketing and promotional campaign for the Australian Super Sedan Championship to be hosted in Lismore in 2009	\$15,000
09-20	Television marketing campaign for the 19 <sup>th</sup> Annual Lismore GEMFEST to encourage day, overnight and weekend visitors to Lismore using GEMFEST as a major drawcard	\$7,800
09-21	Enjoy Lismore At Night – linking business with culture via NORPA “Dinner and Show” package	\$15,000
09-22R	Lismore’s Christmas Giving Carnival	\$12,500
<b>TOTAL funding request from Eol process</b>		<b>\$98,300 (GST exclusive)</b>

At their meeting on 19 November 2008, the Advisory Group gave “in principle” agreement to the following new approach to event-based projects of a recurrent nature:

- a) **CLUSTERING:** That a smaller, select number of events throughout the year would be funded by the SBRVL, with other promotional activities on the ground clustered around that event and co-ordinated by the Town Centre Manager
- b) **SEED FUNDING:** That SBRVL money would be for “seed” funding only, for a limited number of years

It was agreed that the details would be refined at future meetings of the Advisory Group.

### Projects RECOMMENDED for approval and inclusion in the 2008/09 Lismore Promotion Plan

The following three (3) projects were supported by the Advisory Group.

Table 1:

	Project description	SBRVL funding request SUPPORTED by the Advisory Group	TOTAL project value
09-13	Marketing and Promotion Campaign for the 2009 Lismore Lantern Parade	\$18,000	\$237,000
09-17	Promotion to attract more athletes and accompanying partners from a five hour radius of Lismore to the Lismore Masters Games – “Six <sup>th</sup> In The City” (25 – 27 / 9 / 2009)	\$15,000	\$113,000
09-22R	Lismore’s Christmas Giving Carnival	\$12,500	\$38,500
<b>TOTAL funding request SUPPORTED by Advisory Group</b>		<b>\$45,500</b> (GST exclusive)	<b>\$388,500</b>

Total uncommitted funds for 2008/09 is **\$126,000**. Support for the above three (3) projects would leave **\$80,500** in the Lismore Promotion Fund to potentially fund the Town Centre Manager for 2008/09 (estimated to be no more than \$30,000 to 30 June 2009), leaving a contingency of **\$50,500** for other matters that may arise – see Table 3.

### Projects NOT recommended for inclusion in the 2008/09 Lismore Promotion Plan

The following three (3) projects were NOT supported by the Advisory Group.

Table 2:

	Project description	SBRVL funding request NOT SUPPORTED by the Advisory Group	TOTAL project value
09-14	Marketing and promotion campaign for the 2009 4WD Caravan, Camping and Marine Show	\$15,000	\$91,590
09-19	Marketing and promotional campaign for the Australian Super Sedan Championship to be hosted in Lismore in 2009	\$15,000	\$77,500
09-20	Television marketing campaign for the 19 <sup>th</sup> Annual Lismore GEMFEST to encourage day, overnight and weekend visitors to Lismore using GEMFEST as a major drawcard	\$7,800	\$23,600
<b>TOTAL not supported projects</b>		<b>\$37,800</b> (GST exclusive)	<b>\$192,690</b>

Pending projects that may yet form part of the 2008/09 Lismore Promotion Plan

The following project was not considered by the Advisory Group at the 19 November 2008 meeting, pending further information from the applicant. It was agreed that the applicant would be invited to the next Advisory Group meeting to give the Group a greater understanding of the project and to answer questions that may arise.

Table 3:

	Project description	SBRVL funding request <b>PENDING</b> by the Advisory Group	TOTAL project value
09-21	Enjoy Lismore At Night – linking business with culture via NORPA “Dinner and Show” package	\$15,000	<b>\$25,000</b>
<b>TOTAL pending projects</b>		<b>\$15,000</b> (GST exclusive)	<b>\$25,000</b>

Current status of 2008/09 Lismore Promotion Plan and Promotion Fund

Total uncommitted funds for 2008/09 is currently **\$126,000**. Support for the three (3) projects in Table 1 would leave **\$65,399** in the Lismore Promotion Fund to potentially fund the Town Centre Manager for 2008/09 (estimated to be no more than \$30,000 to 30 June 2009), leaving a contingency of **\$35,399**.

This contingency of **\$35,399** is sufficient to fund the project outlined in Table 3 above, should the Advisory Group subsequently feel it has merit and brings it forward to Council.

The two (2) following charts show the three currently recommended projects, combined with previously Council endorsed projects that make up the 2008/09 Lismore Promotion Plan - by activity category, as well as by dollar value:

Chart 1:

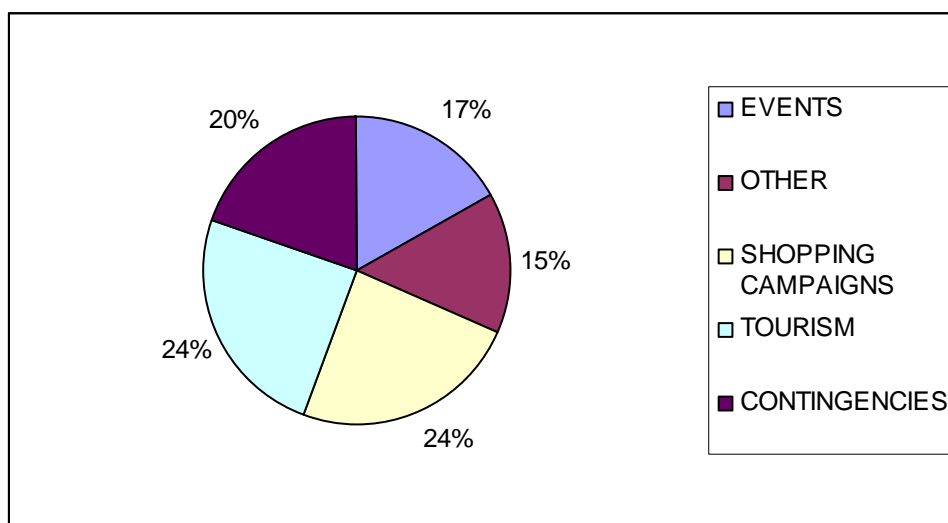
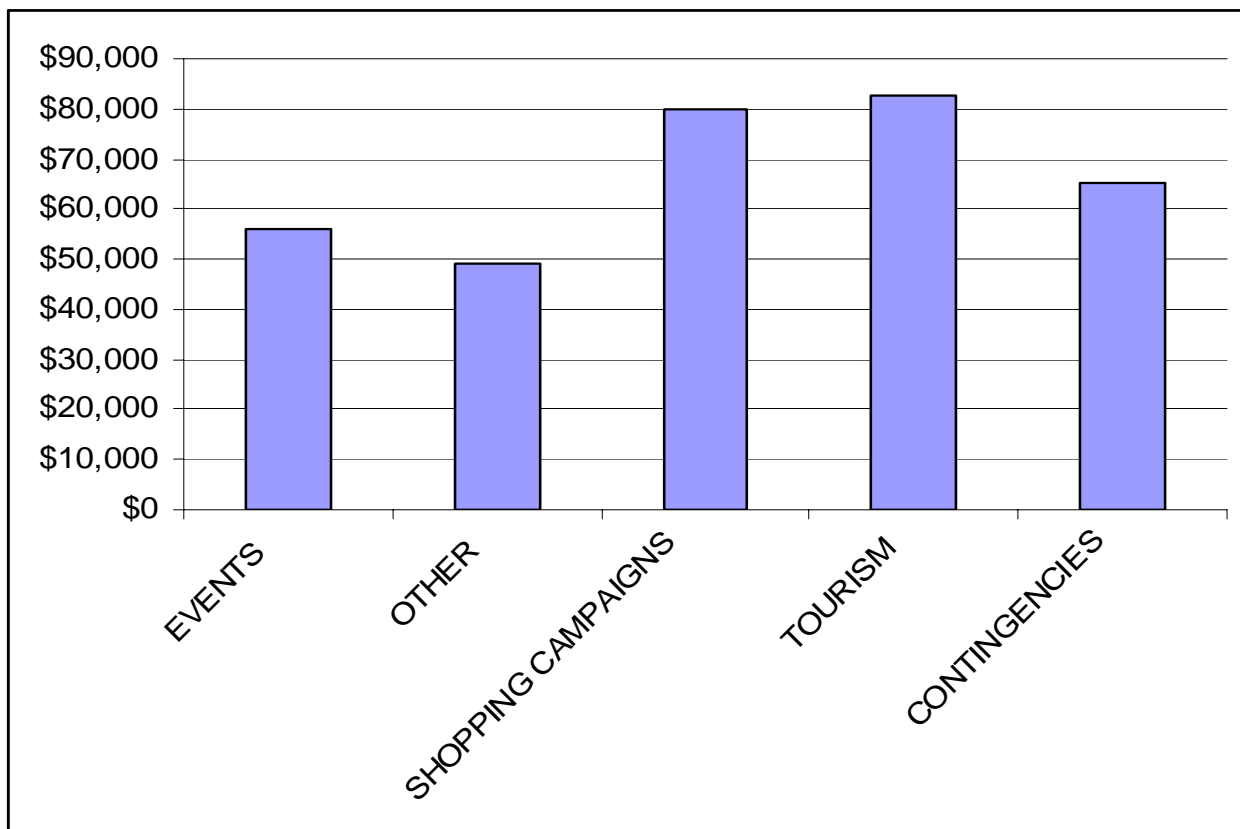


Chart 2:



N.B: All dollar amounts cited above are **GST exclusive**.

Neither chart includes the Town Centre Manager project at this time.

## Comments

### Financial Services

Approximately \$126,000 remains available in 2008/09 for Lismore Promotion Fund projects. If all recommendations are adopted, approximately \$50,500 would still be available for future projects.

In regards to the in principle support for the Town Centre Manager with part funding to come from 2009/10, this assumes that Council will continue to levy the SBRVL Promotion Fund on business rated properties in 2009/10. This is possible, as the amount rated in 2008/09 was \$195,800, and will need to be factored into the draft 2009/10 Budget.

### Other staff comments

Not applicable.

### Public consultation

Not applicable.

## Conclusion

Throughout the past 12 months, the Advisory Group has considerably refined their thinking and approach to the Lismore Promotion Plan and expenditure of the SBRVL Promotion Funds. The Group is becoming more proactive in their approach, and Town Centre Management is now viewed as an important element underpinning a successful Promotion Program. Similarly, there is a clear move towards clustering, i.e. a smaller, select number of events throughout the year be funded by the SBRVL,

with other promotional activities on the ground clustered around that event and co-ordinated by the Town Centre Manager.

## Recommendations

1. That Council approve the funding of the Town Centre Manager position from the SBRVL Promotion Fund for a 18 month trial period (until 30 June 2010) as generally outlined in the report and as per the recommendations of the SBRVL Advisory Group.
2. That Council approve the following projects from the SBRVL Promotion Fund for the 2008/09 year as recommended by the SBRVL Advisory Group totalling \$45,500 (GST exclusive) -

	Project description	SBRVL funding request SUPPORTED by the Advisory Group	TOTAL project value
09-13	Marketing and Promotion Campaign for the 2009 Lismore Lantern Parade	\$18,000	<b>\$237,000</b>
09-17	Promotion to attract more athletes and accompanying partners from a five hour radius of Lismore to the Lismore Masters Games – “Six <sup>th</sup> In The City” (25 – 27 / 9 / 2009)	\$15,000	<b>\$113,000</b>
09-22R	Lismore’s Christmas Giving Carnival	\$12,500	<b>\$38,500</b>
<b>TOTAL funding request SUPPORTED by Advisory Group</b>		<b>\$45,500</b> (GST exclusive)	<b>\$388,500</b>

## Attachment 1



## 2008/2009 Lismore Promotion Plan

### **Background on the SBRVL Lismore Promotion Program**

The Special Business Rate Variation Levy (SBRVL) Lismore Promotion Program is levied annually on all business properties in the Lismore Urban Area.

In 2007/08 there were 1,089 rated property owners and an estimated 2,987 registered businesses in the Lismore Urban Area, directly and indirectly contributing to the \$189,800 comprising the Promotion Fund of the SBRVL.

The Promotion Fund is managed by Lismore City Council's Economic Development Unit (EDU), with a 14 member Advisory Group making recommendations to Council on expenditure of funds. Council makes the final decision, based on the Advisory Group's recommendations.

The Advisory Group is comprised of nine business representatives (endorsed by Council), two Councillors, two members of the Lismore Chamber of Commerce and the Manager – Economic Development.

### **Purpose of the program**

At its inception, the stated purpose of the Lismore Promotion Program was to:

*“Promote Lismore in a positive manner which reinforces its position as the regional centre of the Far North Coast of NSW”*

In a contemporary sense, the aim of the Lismore Promotion Program is to re-invigorate the City's status as a great place to shop, do business, visit and play.

### **Formulation of the 2008/09 Lismore Promotion Plan**

In developing this comprehensive, strategically focussed Promotion Plan, the Advisory Group determined that the following critical elements underpin the Plan's formulation:

- a) A co-ordinated approach across the various disciplines:
  - Alignment of the Promotion Plan with:
    - i) Lismore's annual events calendar
    - ii) the cycle of Lismore's retail campaigns
    - iii) tourism campaigns
  - consistency in branding of Lismore across all marketing and promotional campaigns, regardless of whether the campaign is funded by the SBRVL Lismore Promotion Program
- b) An agreed framework and “mix” of activities to be funded:
  - marketing and promotional campaigns
    - i) tourism
    - ii) shopping
    - iii) events
  - Education / training for the business community
  - Research
- c) Development of an annual “budget” with provision for “contingency” funds for new and worthwhile projects that become known subsequent to the Lismore Promotion Plan being “set”



## Attachment 1



It can be seen from the primary criteria in the *Lismore Promotion Program* Guidelines, that is:

*Projects or campaigns targeted at attracting people to the City of Lismore from outside the 2480 postcode area to shop, do business, visit and play will be highly regarded*

that the Advisory Group's overall strategy is to attract people to the City from outside the Lismore LGA, thereby increasing the potential for all businesses in the Lismore Urban Area to benefit economically – “grow the pie” rather than “pinching customers from each other”.

The projects that came forward loosely fell into three broad categories:

	<b>Campaign Category</b>	<b>Profile of targeted customer</b>	<b>Distance from Lismore</b>	<b>Targeted length of stay</b>
1.	<b>TOURISM:</b> promotional campaigns or motivational material	Family group in mid 30's with children – self drive market	More than 2 hours drive from Lismore; SE Queensland up to Brisbane	a) Minimum overnight b) Average 3.14 nights
2.	<b>SHOPPING:</b> marketing campaigns linked to a novel and significant \$ promotion	Singles, couples and families seeking a “Shopping Experience”	Less than 1.5 hours radius from Lismore; especially inland and to the south	Up to 4 hours
3.	<b>EVENTS:</b> marketing campaigns for events that are relatively novel or unique	Families and couples seeking to maximise their visit via other experiences, eg. dining or shopping	Up to 2 hours radius from Lismore, including SE Queensland up to the Gold Coast	a) Few hours before &/or after the event b) Overnight minimum

It was acknowledged that the three campaign categories would appeal to different customer profiles, hence attracting different types of people to the City with different buying needs.

Given the above strategy, in terms of evaluation, the Group also agreed that 2008/09 was the year for clearly understanding the place of origin for people that came to Lismore as a result of these different campaigns. This type of information has never been consistently collected over the years, hence the recognition of the need for amassing this critical base-line data.

All projects across all three campaign categories have a common requirement to collect and analyse a representative sample of customers' / participants' postcodes of origin, as a minimum. This data will help to determine the direction and composition of future marketing and promotional campaigns.

## Attachment 1



## Projects that form the 2008/09 Lismore Promotion Plan

	Project description	SBRVL funding request	TOTAL project value
08-09R	Walkabout Lismore: Development of marketing material and branding for Lismore's CBD attractions and walking trails, including <i>Café and Culture Trail</i> , the <i>Wilson's River Experience Walk</i> and <i>Historic Interest Walk</i>	\$4,000	\$8,000
09-03	Preparation and distribution of regular SBRVL <i>Lismore Promotion Program</i> newsletters for 2008/09	\$11,440	\$17,440
09-04	Tourism package & promotional campaign for the 2008 Centenary Lismore Cup, designed to encourage stays between 1 and 6 nights	\$15,000	\$45,000
09-05	National media exposure via the <b>Today Show</b> broadcast for Lismore and the <i>North Coast National</i> , featuring the "Sustainable Living Expo"	\$15,000	\$166,460
09-06	Lismore Destination TV Promotions	\$30,000	\$60,000
09-07	Promote sale of weekly tickets & day passes to coastal areas fostering attendance at the 63 <sup>rd</sup> Australian Jazz Convention (Lismore Dec 26 to 31, 2008)	\$8,000	\$68,850
09-08	Lismore SPRING 2008 Mortgage - Rent Buster Promotion and Shopping Campaign (September 2008)	\$20,000	\$61,000
09-09	Lismore CHRISTMAS 2008 Shopping Campaign including Car Giveaway Promotion	\$20,000	\$61,000
09-10	Lismore EASTER 2009 Mortgage - Rent Buster Promotion and Shopping Campaign (March / April 2009)	\$20,000	\$61,000
09-11	Lismore Stocktake Sale 2009 Shopping Campaign including Car Giveaway Promotion	\$20,000	\$61,000
09-15	Production of the biennial Lismore, Nimbin & Villages Visitor Guide for the period 2008/09 - 2010/11	\$33,500	\$98,500
09-16	Lismore Alive: a pilot program aimed at stimulating the heart of the Lismore town centre and bringing about enhanced economic vibrancy	\$15,000	\$50,000
LPPAG a)	Engage a specialist consultant to provide practical input on the overall relevance and effectiveness of the <i>2008-09 Lismore Promotion Plan</i> , and specifically advise on how best to: a) link and optimise the supported projects b) evolve and further progress the program with recommendations for future improvements	\$10,000	\$10,000
<b>TOTAL funding request</b>		<b>\$221,940</b>	<b>\$768,250</b>

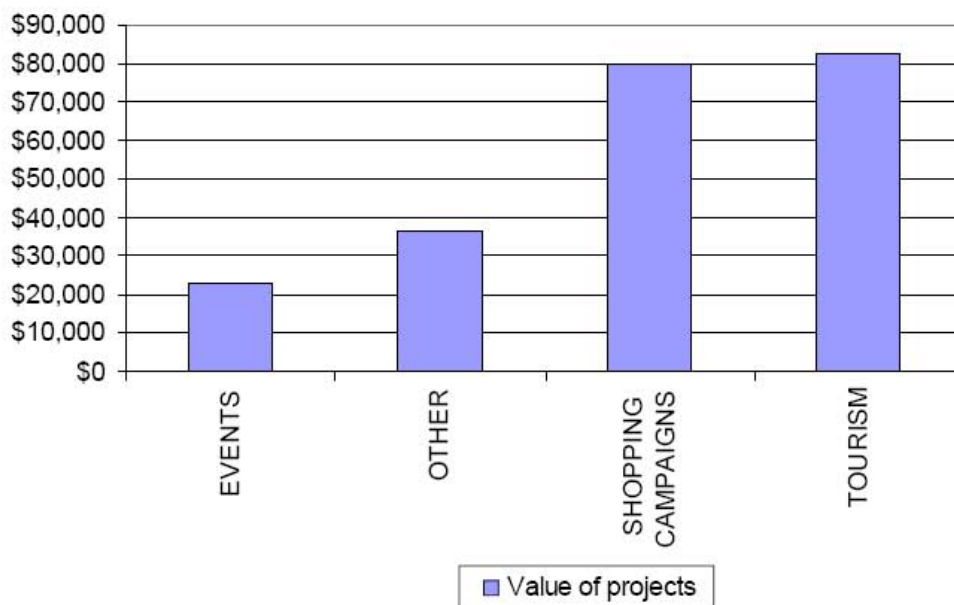
Attachment 1



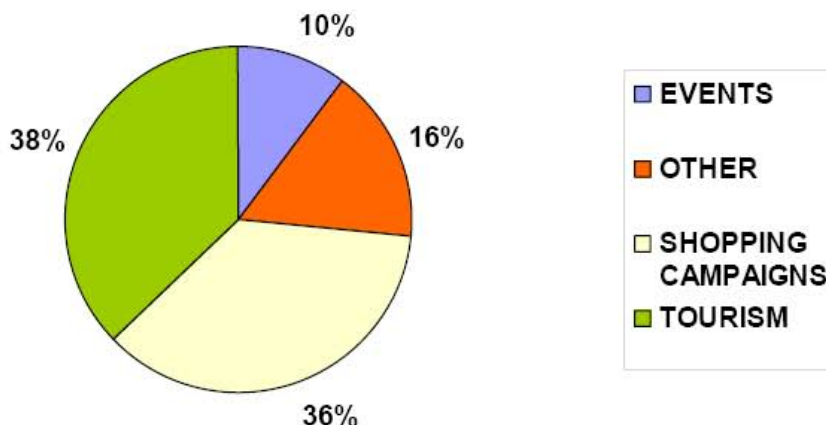
The two (2) following charts give a breakdown of the proposed projects by dollar value, as well as by activity category:

**Chart 1:**

**SBRVL 2008/09 projects by category**



**Chart 2:**



**POTENTIAL Town Centre Management territory**



# Report

<b>Subject</b>	<b>Small Business Incubator in South Lismore</b>
<b>File No</b>	S640
<b>Prepared by</b>	Manager – Economic Development
<b>Reason</b>	To facilitate implementation of a Council decision (June 06) to provide a site for the Small Business Incubator.
<b>Objective</b>	To grow the business base in Lismore, provide cost effective support for fledgling businesses and create jobs.
<b>Strategic Plan Link</b>	Economic Development through support of business, plus assistance with creation of job opportunities and new income opportunities.
<b>Management Plan Project</b>	Economic Development

## Overview of Report

This Report will update Council on significant developments with the Lismore Small Business Incubator and is seeking a resolution on the sale of land to NORTEC Employment and Training Company Ltd, in stead of entering into a long term lease agreement.

## Background

In mid 2005, with 100% assistance of AusIndustry Federal Government funding of \$29,000, Lismore City Council commissioned a Feasibility Study on a Small Business Incubator to operate here in Lismore. The final report was completed in December 2005 - see Attachment A for overview of Feasibility findings.

The Feasibility Study listed the following probable job outcomes for the Lismore incubator:

Tenants: 20 resident (and 20 non-resident/outreach tenants not calculated in the outcomes)  
2 to 4 people in each business  
3 year tenancy

Year 4 of operation: 17 resident tenants  
34 to 68 jobs in the incubator  
5.66 graduates (tenant = 1 business with 2 to 4 people working) / year

Year 10 of operation: 17 tenants X 2 to 4 jobs + (5.66 graduates X 7 years X 2 to 4 jobs)  
= between 113 to 226 jobs  
Allowing for a 20% failure rate = between 90 to 181 jobs after 10 years

Even using more conservative figures again, it can be seen that the Lismore incubator would be a significant creator of jobs.

A search of suitable sites was undertaken with the preferred site being the north east corner of Lot 202 DP1076367, 40 Three Chain Road, Lismore – see Attachment B for aerial view of preferred site.

At the 13 June 2006 Council Meeting, Council resolved to support a joint equity partnership proposal with the BETC (Ballina Skills Development Centre Inc, now known as NORTEC Employment and Training Company Ltd) to establish a Small Business Incubator in Lismore (103/06).

Council's agreed contribution to the proposal was in two parts:

- a) The provision of a suitable site of 5,975 m<sup>2</sup> at 40 Three Chain Road, South Lismore (see Attachments B and C), under a Lease Agreement for a period of 10 x 10 years, with minimal "peppercorn" rent. A buy-out option would be included at the completion of the Agreement.
- b) The provision of fill for the building footprint (approximately 1,000 sq. metres and required car parking) and associated earthworks to compact the fill to the required specifications.

Council's decision to proceed was conditional upon NORTEC securing their investment contribution and confirming these arrangements with Council. NORTEC subsequently contacted Council to confirm these financial arrangements and demonstrated that adequate funds had been secured from both the Federal Government and the private sector to proceed with the project as proposed.

Calculations for the provision of fill for the building footprint and associated earthworks were estimated at \$25,000. Council resolved at their 13 November 2007 meeting to source these funds from the proceeds of the sale of Airport Land (501/07).

The Development Application (2008/33) received consent on 7 May 2008. The pre-fabricated building has been purchased and is flat-packed in storage at Council's Wyrallah Road facility. NORTEC are poised to start on the construction phase and the Federal Government is anxious that their \$700,000 investment is realised before the end of this financial year.

## Current situation

Following recent lodgement of the Construction Certificate by NORTEC, Council re-calculated the provision of fill for the building footprint and associated earthworks and found the estimate to be considerably higher at \$200,000. Funds available in the 2008/09 budget amount to no more than \$25,000. It is clearly understood that Council funds are very tight at present, however the Economic Development Unit remains committed to the facilitation of a business incubator with the potential to create an average of 135 jobs and develop 40 fledgling businesses in the Lismore area over 10 years.

NORTEC too has re-affirmed their commitment to the Lismore Business Incubator and recent discussions canvassed the option for NORTEC to purchase the land outright. In such a purchase NORTEC would also take over the responsibility to provide fill for the building footprint and associated earthworks.

Management has weighed up this proposition and can see no real disadvantages in selling the property to NORTEC, as opposed to long-term leasing for 20 or more years. The advantages are that the activity of facilitating economic development, jobs and business creation will still occur on the site.

## Comments

### Financial Services

Council has committed to this project on the basis of it costing approximately \$25,000 plus land. In return, Council would share in the market value of the land and building asset at the end of the lease term in 20 years. Filling costs have dramatically increased since the proposal was first costed and it is now estimated that the cost of this commitment to be at least \$200,000.

At a meeting with NORTEC representatives, the option of NORTEC purchasing the land, meeting all development costs and retaining all future returns was discussed and they were interested in this alternative.

The land in question is considered to be reasonable industrial land, but development is limited by both a drainage easement and floodway. After considering the market value of the developable and non-developable land components, a valuation has been determined.

The alternative to sell the land to NORTEC is supported as instead of investing upfront and receiving an unquantifiable return in 20 years, Council will receive the market value for the land immediately.

## Other staff comments

These have been included in the body of the report.

## Public consultation

Not required.

## Conclusion

NORTEC's interest in purchasing the identified 5,975 m<sup>2</sup> at 40 Three Chain Road, South Lismore has no real disadvantages for Council. The advantages are that the activity of facilitating economic development, jobs and business creation will still occur on the site regardless of whether the site is leased or owned outright by NORTEC.

Long-term leasing of the site at "peppercorn" rent for 20 years (or more) would have the same effect of "tying up" the site, but under the lease arrangement, Council would be responsible for finding the additional expenditure of \$175,000 to fill the site with no other identifiable economic development benefits.

## Recommendation

1. The General Manager be authorised to negotiate sale of the property at 40 Three Chain Road South Lismore to NORTEC.
2. All documentation required to facilitate the sale of the property be executed under Seal of Council.

**SMALL BUSINESS INCUBATOR PROJECT**

Broad overview of final report

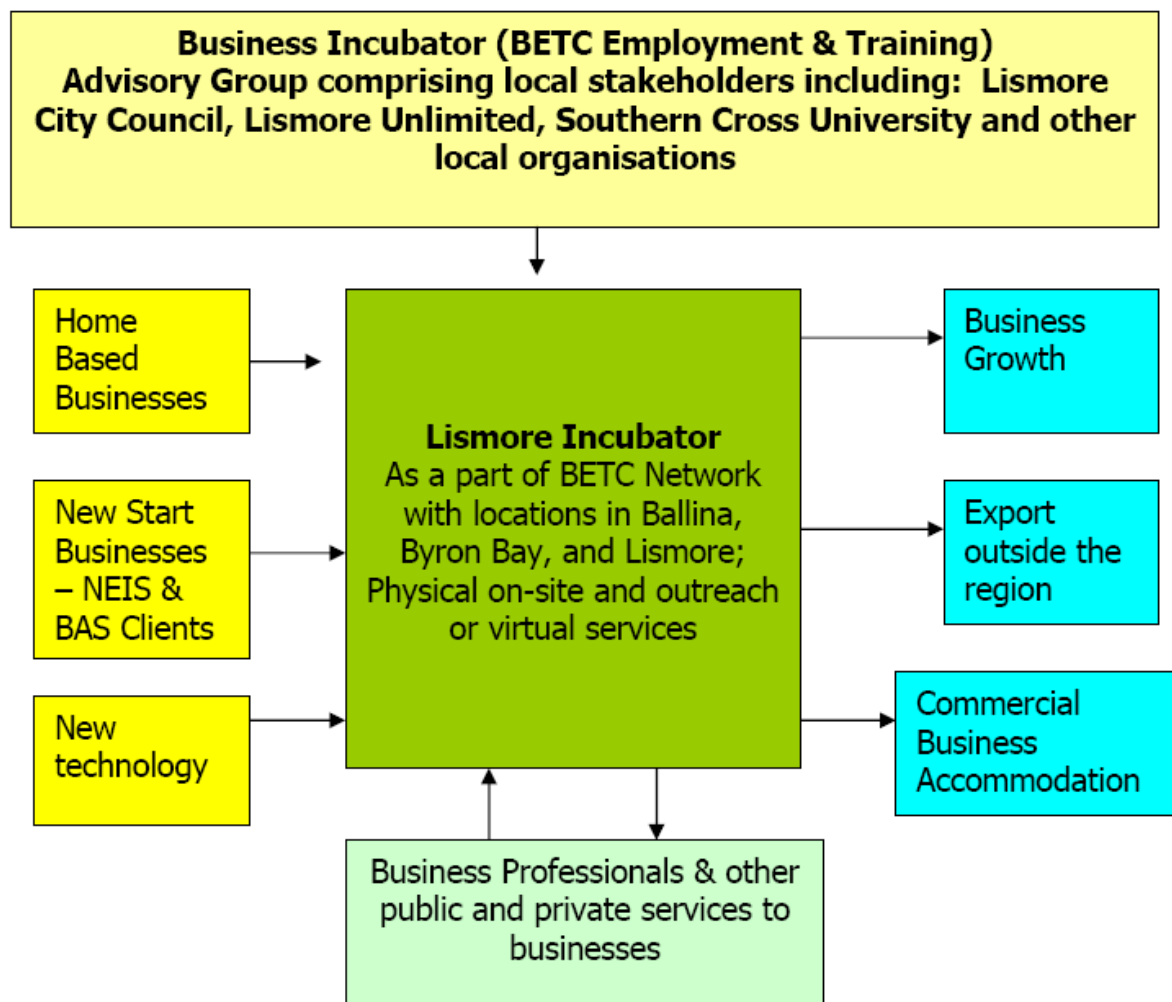
1. There is **sufficient demand** for a small business incubator in Lismore.

The analysis shows a demand **now** for between 12 and 56 businesses to be physically part of the incubator (a **conservative 15 spaces** is recommended). There is a higher demand for from potential non-resident clients – people who want outreach services which the incubator could supply. Estimated on-going rate of demand is between 5 and 22 new residents per annum.

2. Demand is not sufficient for a **new stand alone** incubator. An extension of the network of incubators managed by the BETC network is proposed.

3. The identified demand was mostly from businesses that require offices – average requirement around 16 sq m.

**Lismore Incubator – a Medium-term vision**





In the long run the most important steps in the development of this concept will be to:

1. Ensure the incubator is **a part of the BETC network** of business incubators;
2. **Integrate the incubator** with the other business support services in Lismore and Casino
3. **Establish strategic links** with the stakeholders and service providers in the region. These linkages will be the foundation on which the strategy and its vision can be realised.

An important aspect of the establishment and operation of the BETC incubators will be to establish on-site clusters as the opportunities arise and to develop particular themes for constituent incubators, as appropriate. For example: sustainability, environmental technologies, arts and crafts, IT, design, tourism, food processing to add value to regional produce (requiring very specialised facilities & services – Kitchen Incubator) etc. The Byron Bay incubator already has a strong arts and crafts theme, Mullumbimby focuses on “smart knowledge” businesses and Ballina is mixed with a high proportion of light industrial enterprises.

Having said this, it is still important to note that the best way to develop themes or clusters is to start “general purpose”, build strategic links to particular industries and sectors, and then develop themes and clusters around particular clients. This is less risky than trying to be too pure in focus or trying to second-guess the market.

The incubators in the eventual BETC network would have access to common services and would be developed to fit the particular needs of the different communities and economies in the Northern Rivers area of NSW. Such a development would be desirable in terms of economies of scale, synergistic benefits for tenants and non-resident clients and the profile it would have as a key, catalytic, local economic development initiative. **Without a network of this type, individual or smaller facilities would never have the economies of scale to develop quality services and would always be limited in scope and services to non-resident clients and could be hampered by problems achieving financial viability.**



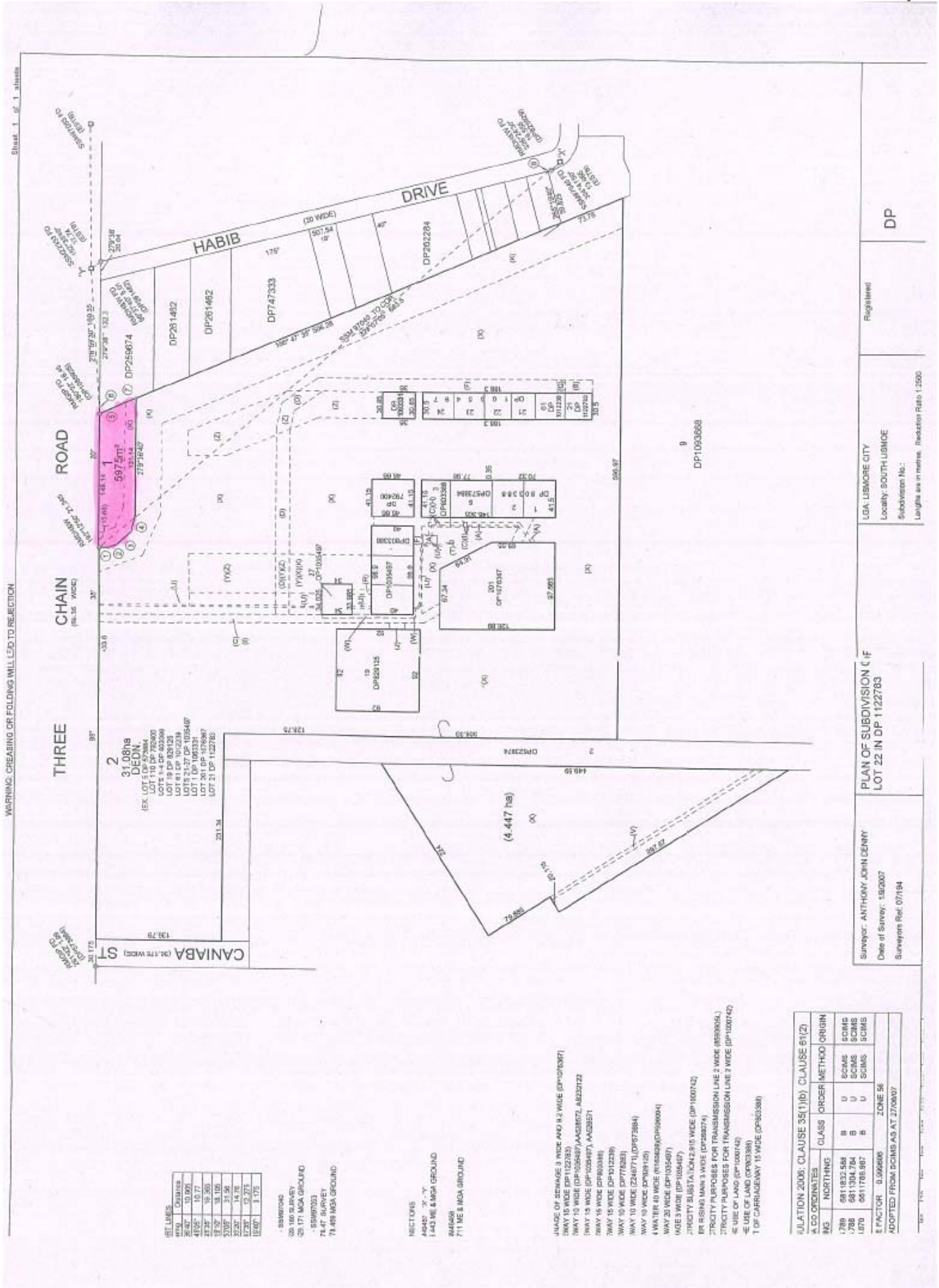
Printed:  
24/04/2006  
by: ruthp



# LISMORE CITY COUNCIL

While all reasonable care has been taken the council does not guarantee the accuracy of the information contained on this map and any reliance placed on such information shall be at the sole risk of the user. As acknowledged on signed application.  
Digital Cadastral Database (c) Land Information Centre





WARNING: CREATING OR FOLDING WILL LEAD TO REDUCTION

REF. LINE	CHAINS
100	10 000
150	15 000
200	20 000
250	25 000
300	30 000
350	35 000
400	40 000
450	45 000
500	50 000
550	55 000
600	60 000
650	65 000
700	70 000
750	75 000
800	80 000
850	85 000
900	90 000
950	95 000
1000	1 000 000

338M7040  
 328 180 SURVEY  
 25 171 MSA GROUND  
 35M7033  
 74.47 SURVEY  
 73 488 MSA GROUND

DIRECTIONS  
 A9424° T - Y'  
 1.443 MI. S.MSA GROUND  
 84M658  
 711 ME S MSA GROUND

(GRADE OF FINISH) 3 WIDE AND 9.4 WIDE (DP1007037)  
 3WAY 10 WIDE (DP1056202) A623072Z  
 2WAY 15 WIDE (DP1056202) A623072Z  
 2WAY 15 WIDE (DP1056202) A623072Z  
 3WAY 15 WIDE (DP112239)  
 3WAY 15 WIDE (DP112239)  
 3WAY 15 WIDE (DP112239)  
 1WAY 10 WIDE (DP101105)  
 1WAY 10 WIDE (DP101105)  
 1WAY 20 WIDE (DP1035687)  
 1WAY 3 WIDE (DP105447)  
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REGULATION 2006: CLAUSE 35(1)(b) CLAUSE 61(2)			
COORDINATES	CLASS	ORDER	METHOD
1788	NORTHING	B	SCIMS
1789	EASTING	B	SCIMS
1790	ZONE	B	SCIMS
SCALE FACTOR: 0.9999999999999999 ZONE 56 ADOPTED FROM SCIMS A5 AT 27/06/07			

Surveyor: ANTHONY JOHN DENNY  
 Date of Survey: 19/2007  
 Surveyors Ref: 07/194

LGA: LISMORE CITY  
 Locality: SOUTH LISMORE  
 Subdivision No.:  
 Lengths in metres. Reduction Ratio 1:2500

Registered  
 DP

# Report

<b>Subject</b>	<b>DCP Chapter 7 - Requirements for Service Vehicles</b>
<b>File No</b>	S924
<b>Prepared by</b>	Senior Planner
<b>Reason</b>	To advise Council of proposed amendments to the Lismore Development Control Plan
<b>Objective</b>	Council endorsement to exhibit proposed Amendment No. 7 of the Lismore Development Control Plan
<b>Strategic Plan Link</b>	Economic Development
<b>Management Plan Project</b>	Review and Update of Planning Controls

## Overview of Report

At its meeting on 12 August 2008 Council resolved to adopt Amendment No. 5 to the Lismore Development Control Plan, which resulted in amendments to Chapter 7 – Off Street Car Parking, mostly related to off-street car parking in the CBD. Submissions made during the exhibition period for the amendment raised concerns about matters in Chapter 7 that were not proposed to change in the amendment. Rather than delay the introduction of reduced parking rates in the CBD, it was recommended that the matters raised by the submitters be addressed in a separate report to Council. This report considers these issues and recommends further amendments to Chapter 7.

## Background

At its meeting on 12 August 2008 Council resolved to adopt amendments to Chapter 7 of the Lismore Development Control Plan (Amendment 5). The amendment resulted in reduced car parking rates in the CBD, adoption of a policy for shared parking and consolidated parking in the CBD, changes to the structure of the current Chapter 7 – Off Street Car Parking and modification of the parking rate for Bulky goods showrooms. The three (3) submissions made during the exhibition period for the amendment raised concerns about matters in Chapter 7 that were not proposed to change in the amendment. The issues raised by the submitters are summarised below followed by a planning response and recommendation.

SUBMISSIONS	RESPONSE/RECOMMENDATION
<p><u>Landscaping</u></p> <p>Car parks are for parking vehicles not providing additional landscaping. Landscaping should not be increased to fully screen parks, provide shade, or be a minimum 2 metres wide. Fully screened and shaded car parks become difficult and expensive to maintain, provide an area for crime and the minimum width of 2 metres makes it more difficult to provide the required number of spaces in a new development. A reduction to 1 metre would be more suitable.</p>	<p>It is noted that Amendment 5 did not propose to change the requirement for landscaping in car parks. Chapter 7 states that the aim of landscaping in car parks is to provide screening of the car park from adjoining development and public areas, shade for vehicles and a reduction in radiant heat. Chapter 7 specifies that shade trees are to be provided at a rate of approximately 1 per 5 car parking spaces and that landscaped areas in car parks are to have a minimum width of two (2) metres to provide a viable area for gardens and screening. Other Chapters of the DCP specific to particular land uses, for example, industry and residential, also contain provisions for landscaping. Crime prevention principles, such as ensuring that landscaped areas are not designed in a way that can conceal</p>

SUBMISSIONS	RESPONSE/RECOMMENDATION
	<p>criminal activity, are considered in the assessment of development applications.</p> <p>Areas of landscaping less than 2 metres wide do not generally provide effective screening, are less viable as gardens in the longer term and tend not to be maintained. The DCP provides scope to vary standards and staff have approved variations to landscaping requirements, for instance, in industrial areas on already developed sites. For these reasons it is recommended that the current requirements remain unchanged.</p>
<p><b><u>Loading Bays and Manoeuvring Areas for Articulated Vehicles</u></b></p> <ul style="list-style-type: none"> <li>• The different parking rates for large and small 'Bulky Goods Showrooms' are supported but the necessity to provide turning for articulated vehicles on site should also be related to size.</li> <li>• The requirements for loading bays and manoeuvring areas are very restrictive to some developments. The need to provide for articulated vehicles should be determined by the type of business activity, not its land use. Under the DCP the following businesses all need to provide area for an articulated vehicle to manoeuvre and load/unload but some would never require the services of an articulated vehicle:             <ul style="list-style-type: none"> <li>- Boarding Kennel - should be separated from 'Animal Establishment' and have no requirement;</li> <li>- Bulky Goods Showroom;</li> <li>- Shops;</li> <li>- Warehouse;</li> <li>- Bulk Store;</li> <li>- Rural Industry - articulated vehicle requirement for a Rural Industry depends on the type and size of its operation e.g. a dairy farm may need an articulated vehicle but a smaller operation such as a coffee or herb farm would not even use a large rigid vehicle;</li> <li>- Storage Sheds.</li> </ul> <p>Many industrial lots in Lismore do not provide enough room for a suitable building, car parking &amp; loading bays/manoeuvring areas for an articulated vehicle.</p> </li> <li>• The provision of articulated turning vehicle areas for 'bulk stores', 'bulky goods showrooms' and 'warehouses' should only apply when the floor area</li> </ul> <ul style="list-style-type: none"> <li>• Amendment No. 5 adopted varied rates of car parking for Bulky goods showrooms based on floor area where previously it was a flat rate of 3 spaces per 100m<sup>2</sup> gross floor area plus 1 space per employee.</li> <li>• Chapter 7 of the Lismore DCP specifies the requirements for off street car parking for development. Schedule 1 lists the rates that apply to particular uses, including the requirements for articulated vehicle parking and manoeuvring. The uses listed by the submitters all require the provision of loading bays and manoeuvring area for articulated vehicles. The rates are applied to land use type not business type so that the same standards that apply to a Bunnings also apply to BOC Gas Supplies, both defined as Bulky goods showroom. In applying Schedule 1 Council staff have varied rates where the merits of the proposal warrant the variation. This is determined on a case by case basis.</li> <li>• The difficulty in only requiring parking for articulated vehicles when a floor space reaches a certain size is that small businesses may also use articulated vehicles. Council staff have observed articulated vehicles servicing a butcher shop and a vet, both well below 1000m<sup>2</sup> in floor area.</li> <li>• Research undertaken in the preparation of this report, which included consultation with representatives of the trucking industry, confirms that:             <ul style="list-style-type: none"> <li>• Requirements for service vehicles across local government vary from having no particular specification and totally merit based to requiring loading bays and manoeuvring areas for articulated vehicles once the floor space or site area reaches a certain size;</li> <li>• Articulated vehicles are more economical to use and are being increasingly used by the trucking industry particularly on through routes, such as Lismore;</li> <li>• Delivery vehicles do not discriminate on use type or size;</li> <li>• The use of articulated vehicles is determined by the business mix/type not on the floor space, for example, an articulated vehicle will deliver to a butcher shop while on its 'milk run' from the abattoir;</li> <li>• Freight is delivered to depots such as TNT and IPEC in South Lismore then smaller trucks deliver to particular businesses;</li> <li>• Harvey Norman has a depot in South Lismore that articulated trucks would deliver bulk items to and smaller trucks then take individual items to the store;</li> <li>• Need to consider the suitability of a site for a business type;</li> </ul> </li> </ul>	

SUBMISSIONS	RESPONSE/RECOMMENDATION
<p>is 1000m<sup>2</sup> or greater for a single use. Floor areas less than this should only provide an area for large rigid vehicles to turn/manoeuvre. The transport industry has changed considerably in the last 5-10 years. On small sites a semi-trailer arrives at a central depot, typically in South Lismore, transfers its load to smaller rigid trucks then delivers the goods to respective small showrooms and/or bulk stores.</p> <ul style="list-style-type: none"> <li>If a bulky goods showroom wants to use an existing building in an existing subdivision but the site is not large enough for an articulated vehicle, will the development be refused? If the DCP differentiates on floor area for vehicle turning requirements, such a development could occur.</li> <li>A distinction should be made in the 'motor showroom' category between new car dealerships that are mostly nationwide dealerships and 'local' second hand car showrooms up to 20-30 vehicles, with the former only needing to provide articulated vehicle turning on site.</li> </ul>	<ul style="list-style-type: none"> <li>If a distinction in parking requirements is made on the basis of floor space difficulties may arise.</li> <li>As it is difficult to draw firm conclusions from the above about the best approach to the issue, there is some basis for retaining the current requirements for articulated vehicles with applicants demonstrating on a case by case basis when a variation should be supported. However, it is also acknowledged that there is pressure for Bulky goods showrooms in particular to locate in existing industrial areas where lot sizes are such that it is difficult to accommodate parking and manoeuvring for an articulated vehicle and that some of these businesses do not use articulated vehicles to deliver goods.</li> <li>It is therefore recommended that the requirement for articulated vehicle parking and manoeuvring for Bulky goods showroom apply when the floor space exceeds 1000m<sup>2</sup> gross floor area. Below this area, the requirement should be for Heavy Rigid Vehicle. There is some support for this approach from other local authorities.</li> <li>Boarding kennels do not require articulated vehicles and Council staff have not required provision for these vehicles when assessing applications for boarding kennels. However, to remove any doubt demarcation between animal establishment and boarding kennels can be made.</li> <li>The DCP requires a shopping complex to provide loading bays and manoeuvring areas for articulated vehicles. There is no such requirement for individual Shops.</li> <li>Rural Industries include coffee or macadamia processing plants and in some instances these may require an area for an articulated vehicle. Such industries have been approved by Council staff without requiring articulated vehicle parking where the merit based assessment indicates it is not needed. A dairy, coffee or herb farm is defined as Agriculture, which does not require parking for an articulated vehicle. Further, Agriculture does not require consent in a Rural Zone, presumably where such farms would most likely be located. It is not considered necessary to change the service vehicle parking and manoeuvring requirements for Rural industries.</li> <li>It is accepted that Storage Sheds do not generally require articulated vehicles. It is recommended that the requirement be amended to require loading and manoeuvring for Heavy Rigid Vehicles.</li> <li>It is Council experience that Warehouses and Bulk stores do generally require an area for articulated vehicles to park and unload. Discussions with people involved in the trucking industry support this view. It is therefore not proposed to change the service vehicle requirements for warehouses and bulk stores.</li> <li>While it is acknowledged that 'local' second hand car showrooms up to 20-30 vehicles may not use an articulated vehicle, it is not proposed to distinguish between motor showrooms that sell second hand rather than new cars as a merit based assessment would accommodate the variation.</li> </ul>

SUBMISSIONS	RESPONSE/RECOMMENDATION
<ul style="list-style-type: none"> <li>Consideration could also be given on smaller sites to allowing a lay-by to be constructed off the existing street for articulated vehicles to pull into to offload without interfering with the road's normal functioning. This could only be implemented where the width of kerb permits.</li> </ul>	<ul style="list-style-type: none"> <li>Allowing a lay-by to be constructed off an existing street for articulated vehicles to pull into is not supported due to potential adverse impacts on traffic movement and safety and pedestrian safety.</li> </ul>

## Comments

### Financial Services

Not required.

### Other staff comments

Council's Engineering Section has been consulted in the preparation of the proposed amendments to the DCP.

### Public consultation

The *Environmental Planning and Assessment Regulation 2000* requires DCP amendments to be exhibited for a period of 28 days. It is proposed that draft Amendment No. 7 will be exhibited for 28 days to comply with the Regulation.

### Conclusion

Submissions made during the public exhibition period for amendment no. 5 to the Lismore DCP raised concerns about landscaping in car parking areas and requirements for parking and manoeuvring for articulated vehicles for certain land uses. The aim of landscaping in car parks is to screen the car park, provide shade and reduce radiant heat. As these aims cannot be met if the width of landscaping areas is reduced, it is not proposed to change current landscaping requirements. It is accepted that Storage sheds do not generally require delivery by articulated vehicles and that the requirement for parking and manoeuvring for articulated vehicles for Bulky Goods Showroom should apply when the gross floor area exceeds 1000m<sup>2</sup>. It is therefore recommended that Chapter 7 of the DCP is amended to reflect these changes and that the draft amendment is placed on public exhibition for 28 days.

## Recommendation

- 1 That Council resolve to exhibit the draft Lismore Development Control Plan Amendment No. 7 for a period of 28 days.

**LISMORE DEVELOPMENT CONTROL PLAN****DRAFT AMENDMENT NO. 7****Citation**

1. This plan may be cited as draft Lismore Development Control Plan Amendment No. 7.

**Land to which this plan applies**

2. This plan applies to the loading bay and manoeuvring area vehicle requirements for Bulky Goods Showrooms and Storage Sheds within Lismore.

**Objectives**

3. This plan aims to amend the Lismore Development Control Plan by:
  - Changing the requirement for loading bays and manoeuvring areas for Storage Sheds from articulated vehicles to heavy rigid vehicles;
  - Changing the requirement for loading bays and manoeuvring areas for Bulky goods showroom to articulated vehicles where the gross floor area exceeds 1000m<sup>2</sup> and heavy rigid vehicles where the gross floor area is less than or equal to 1000m<sup>2</sup>.

**Amendment of Lismore Development Control Plan No. 7**

4. The Lismore Development Control Plan is amended as shown in Schedule 1:



## Schedule 1

### Part A: Chapter 7 – Off Street Parking

#### 1. Schedule 1 - Carparking Requirements for Specific Land Uses

In the second and third columns opposite Animal Establishment insert a ruled line under '1 per 2 employees and loading bays and manoeuvring area for articulated vehicles'.

In the third column opposite 'Bulky Goods Showroom' replace the words 'Loading bays and manoeuvring area for articulated vehicles' with 'Less than or equal to 1000m<sup>2</sup> GFA loading bays and manoeuvring area for heavy rigid vehicles; more than 1000m<sup>2</sup> GFA loading bays and manoeuvring area for articulated vehicles'

In the third column opposite 'Storage Shed' replace the words 'Manoeuvring area for articulated vehicles' with 'Manoeuvring area for heavy rigid vehicle'.

# Report

<b>Subject</b>	<b>Policy Advisory Group Scope, Objectives and Membership</b>
<b>File No</b>	S36
<b>Prepared by</b>	Executive Services Coordinator
<b>Reason</b>	Council needs to endorse the new PAG scope and objectives and the membership for the current Council term.
<b>Objective</b>	To finalise the PAG scope and objectives and select membership for the current Council term.
<b>Strategic Plan Link</b>	Leadership by Innovation

## Overview of Report

This report lists the Scope and Objective Statements for each PAG (Policy Advisory Group) that were developed in consultation with Councillors, PAG Members and Council Staff. This report also provides details of the nominations for PAG membership for the current Council term. The report recommends that the Scope and Objectives be endorsed and that up to eight community members be selected for each PAG.

## Background

One of the recommendations of the PAG review completed in October 2007 was the redrafting of the PAG Scope and Objective statements. At a Council workshop on the 11/10/2008 the draft scope and objectives for each of the PAGs was produced. This draft was amalgamated with the input from PAG members at a workshop held on 22/10/2008. This draft is contained within this report.

In addition to the Scope and Objective statements Council must also select community members for the current Council term. To this end adverts for nomination for PAG membership were issued on 3/11/2008 in the Echo for two consecutive weeks and in the Nimbin Good Times and the Clunes Clues. These nominations have been compiled in this report.

## PAG Scope and Objectives

### Arts and Culture PAG

- Monitor and review current relevant policies to ensure they reflect the Council's Strategic Plan
- Contribute to the development of new policy as required.
- Provide input into the delivery plan process.
- Identify potential funding and partnership opportunities.

- Assist in the prioritisation of projects related to arts and culture.
- Identify emerging arts and culture issues for the LGA relevant to the strategic plan.
- Support Council projects that have an arts and culture component.
- Advise Council in the development of the Margaret Olley Arts Centre.
- Foster relationships between Council and established arts and culture networks.
- Ensure a broader 'arts' and 'cultural' focus is incorporated into the PAG.

## Community Services PAG

- Monitor and review current relevant policies to ensure they reflect the Council's Strategic Plan.
- Contribute to the development of new policy as required.
- Provide input into the delivery plan process.
- Identify potential funding and partnership opportunities.
- Assist in the prioritisation of projects related to community services.
- Identify emerging community services issues for the LGA relevant to the strategic plan.
- Support Council projects that have a community services component.
- Assist in the development of the community engagement policy.
- Advise in the development of a social inclusion and engagement framework.
- Provide input into the development of those components of the delivery plan relating to the former Social Plan.

## Economic Development PAG

- Monitor and review current relevant policies to ensure they reflect the Council's Strategic Plan.
- Contribute to the development of new policy as required.
- Provide input into the delivery plan process.
- Identify potential funding and partnership opportunities.
- Assist in the prioritisation of projects related to economic development.
- Identify emerging economic development issues for the LGA relevant to the strategic plan.
- Support Council projects that have an economic development component.
- Focus on economic development across the LGA, not just within the CBD.

## Infrastructure Assets PAG

- Monitor and review current relevant policies to ensure they reflect the Council's Strategic Plan.
- Contribute to the development of new policy as required.
- Provide input into the delivery plan process.
- Identify potential funding and partnership opportunities.

- Identify emerging infrastructure assets issues for the LGA relevant to the strategic plan.
- Support Council projects that have an infrastructure assets component.
- Review current road funding priority system.
- Advise in the development of the Asset Management Plans.
- Assist with a funding priority system for other Council owned assets.

### Sustainable Environment PAG

- Monitor and review current relevant policies to ensure they reflect the Council's Strategic Plan.
- Contribute to the development of new policy as required.
- Provide input into the delivery plan process.
- Identify potential funding and partnership opportunities.
- Assist in the prioritisation of projects related to a sustainable environment.
- Identify emerging sustainable environment issues for the LGA relevant to the strategic plan.
- Support Council projects that have a sustainable environment component.
- Advise in the development of local indicators for measuring environmental outcomes.

### Sports and Recreation PAG

- Monitor and review current relevant policies to ensure they reflect the Council's Strategic Plan.
- Contribute to the development of new policy as required.
- Provide input into the delivery plan process.
- Identify potential funding and partnership opportunities.
- Assist in the prioritisation of projects related to sport and recreation.
- Identify emerging sport and recreation issues for the LGA relevant to the strategic plan.
- Support Council projects that have a sport and recreation component.
- Assist in the development of a system for the allocation of the urban and rural sporting grants.
- Assist in the development of a long term sport and recreation plan.
- Provide a networking opportunity between Council and established sports and recreation networks and groups.
- Ensure the recreational needs of all community sectors are addressed.

### Nominations for Membership

The following community members have nominated for membership of the PAGs. The nomination forms are attached to the business papers in the order shown below.

## Arts and Culture PAG

- Therese Crollick
- Rosalind (June) Crawford
- Jyllie Jackson
- Jan Davis
- Andrew Binns
- Meg Nielsen
- Janine Wilson
- Dr Moya Costello
- Patricia Sanotti

## Community Services PAG

- Paul Cruickshank
- Rebekah Jones
- Vicki Findlay
- Samantha Standish
- Jennifer Park
- Luciana Trojer
- Sarah Hort
- Neil Moreton
- Margi Hill

## Economic Development PAG

- Simon Cripps Clark
- Ron Dowell
- David Fryer
- Rod Sproule
- Keith Sloan
- Dianna Roberts
- Russell Trebilcock
- Barry Robinson

## Infrastructure Assets PAG

- Noel Parker
- Denis Byrne
- Simon Cripps Clark
- Assoc. Prof. Robert Weatherby
- Colin Smith
- Barry Garland
- John Zaat
- Barry Robinson

## Sustainable Environment PAG

- Michael Broughton
- Susan Stock
- Simon Cripps Clark
- Lorraine Vass
- Robert Jarman
- Maryann Anderson
- Caoilfionn (Keelin) Turner
- Noel Parker

- Tracy Rudd
- Leigh Davidson
- Terry Lawrence
- Catherine Ann Ford
- Linda Wirf
- Ross Garsden
- Lydia Kindred
- Anasuya Claff

## Sports and Recreation PAG

- Therese Crollick
- Peter Baillie
- Tony Clarke
- Graham Bultitude
- Michael Berry
- Lyn Larsen
- Cheryl Amor
- Norman Ryder

The policy for the number of members for a PAG states that there should be no more than 10 members on each PAG including Councillors.

## Comments

### Financial Services

NA

### Other staff comments

NA

### Public consultation

The PAG Scope and Objectives were developed in consultation with PAG members.

## Conclusion

The scope and objective statements within this report are an amalgamation of the consultation with Councillors, PAG Members and Council Staff. All the nominees for PAG membership have been included for consideration by Councillors.

## Recommendation

1. That the PAG Scope and Objective statements be endorsed.
2. That Council select up to eight community members to serve on each of the PAGs.

# Report

<b>Subject</b>	<b>Floodplain Management Committee Membership</b>
<b>File No</b>	S106
<b>Prepared by</b>	Senior Planner
<b>Reason</b>	Appointment of community representatives to the Lismore Floodplain Management Committee
<b>Objective</b>	Council's appointment of community representatives on the Lismore Floodplain Management Committee
<b>Strategic Plan Link</b>	Economic Development
<b>Management Plan Project</b>	Review and Update Planning Controls

## Overview of Report

At its Extra-ordinary Meeting on September 30, 2008 Council resolved to appoint Councillors Battista and Clough to the Lismore Floodplain Management Committee and advertise for community representatives for the committee. Nine (9) nominations were received, four (4) of whom were on the previous committee. This report recommends that Council accept the nominations of five (5) community representatives to the Lismore Floodplain Management Committee.

## Background

The Lismore Floodplain Management Committee was established in accordance with the State Government's Floodplain Development Manual 2005 to assist Council to review the current Lismore Floodplain Management Plan. The recent Council elections resulted in the need for a new committee. Therefore, at the Extra-ordinary Meeting on September 30, 2008 Council resolved to establish a new Lismore Floodplain Management Committee with Councillors Battista and Clough appointed to the Committee. Council also resolved to seek nominations from three (3) community members representing North Lismore, South Lismore and businesses in the CBD.

Advertisements were subsequently placed in the Northern Rivers Echo on October 9 and 16 2008, all members of the previous committee were invited to nominate and invitations were sent to the North and South Lismore Progress Associations and the Chamber of Commerce. In response nine (9) nominations were received, four (4) of whom were on the previous committee.

## Role of Community Representatives

The role of the community representatives, as defined in the Floodplain Development Manual 2005, is to:

- Form a link between the committee and the local population in the flood prone area;
- Provide historical advice on local problems and perceived solutions;
- Consider in detail implications of matters which may impact on the local community; and
- Facilitate formal representations to the committee on behalf of the public.

In light of the above, potential nominees were requested to outline their experience and interest in flood related issues in Lismore. The following nominations were received:

- Mr Graham Askey, resident of South Lismore and member of previous committee;

- Ms Liese Coulter, science communication consultant and editor of eCarbon News for Land and Water Australia. Ms Coulter has lived in Lismore for approximately 18 months. She does not live in North Lismore and has requested being a representative of the North Lismore community;
- Mr Severino Da Roit, resident of North Lismore for 25 years;
- Mr Keith Graham, CBD business owner for 25 years;
- Mr John Habib, long term resident of South Lismore, SES Flood Warden for South Lismore, member of Floodsafe Reference Group;
- Mrs Jean-Rose Rapmund, long term resident of South Lismore, member of previous committee, member of Floodsafe Reference Group and nominated by South Lismore Progress Association;
- Mr Charles Rapmund, resident of South Lismore;
- Mr Barry Robinson, member of previous committee;
- Mr Stan Wilson, member of previous committee.

## Composition of Lismore Floodplain Management Committee

Apart from community representatives, the Committee will comprise two (2) Councillors and a representative of each of the SES, Richmond County Council and the Department of Environment and Climate Change. Council staff will provide support for the committee. To ensure its effective operation, it is important that the committee not only contain technical expertise, which will largely be provided by the SES and local and state government representatives, and local flood knowledge but be a workable size. To achieve this, it was considered that three (3) community members representing North and South Lismore and the CBD would be sufficient. However, due to the level of community interest in the Committee it is proposed that five (5) of the nominations be accepted. This will still result in a workable Committee that has a good cross section of technical expertise and local flood knowledge.

It is recommended that the nominations from the CBD representative and the resident of North Lismore are accepted, along with three (3) South Lismore residents, two (2) of whom were on the previous committee. The basis for recommending three (3) South Lismore residents is their local experience and knowledge of flooding and, for two (2) of them, their knowledge of the previous committee. It is recommended that the following nominations be accepted by Council.

Mr Graham Askey, South Lismore  
Mr Severino Da Roit, North Lismore  
Mr Keith Graham, CBD  
Mr John Habib, South Lismore  
Mrs Jean-Rose Rapmund, South Lismore

## Other staff comments

Not required.

## Public consultation

Expressions of interest from the community were sought through advertisements in the Northern Rivers Echo on 9 and 16 October 2008 and the previous committee, the Chamber of Commerce and the North and South Lismore Progress Association were invited to nominate.

## Conclusion

The Lismore Floodplain Management Committee is an advisory committee that will assist Council to update the Lismore Floodplain Management Plan in accordance with the State Government's Floodplain Development Manual 2005. Community representation on the committee is essential. It is recommended that five (5) of the nominations be accepted.



## Recommendation

That Council appoint of the following people to membership of the Lismore Floodplain Management Committee for a term concluding in September 2012:

- Mr Graham Askey
- Mr Severino Da Roit
- Mr John Habib
- Mr Keith Graham
- Mrs Jean-Rose Rapmund

# Report

<b>Subject</b>	<b>Policy for Leasing of Council Properties</b>
<b>File No.</b>	P583, P1270
<b>Prepared by</b>	Assets Engineer
<b>Reason</b>	In response to a request from Council for a report and draft policy to be prepared addressing the question of rental for community groups occupying Council owned buildings.
<b>Objective</b>	To gain Council's approval to adopt the "Policy for Leasing of Council Properties".
<b>Strategic Plan Link</b>	Infrastructure, Quality of Life, Economic Development
<b>Management Plan Activity</b>	Asset Management, Properties

## Overview of Report

This report presents a "Policy for Leasing of Council Properties" for consideration, approval and adoption by Council.

## Background

In response to a request from Council a report was prepared for the June 2008 Council meeting addressing the question of rental for community groups occupying Council owned buildings. The report also provided guidelines for the development of a draft policy for the leasing of properties regarded as being in the same category. A draft policy has been completed and a copy is attached to this report.

In developing the policy it became apparent that a consistent approach was required for leasing of all Council building property assets. As such, the policy has been developed with leasing of all Council buildings in mind and the matter of subsidised rental etc. for community groups is addressed within the overall policy. Table 1 below contains a sample of the properties to which this policy would apply.

Lessee	Building
Lismore Neighbourhood Centre	Former Library Building
Adult Community Education (ACE)	Terania Building
Richmond River Historical Society	Old Municipality Building
Elgas	Old Municipality Building
Graphiti Design	Old Municipality Building
Lismore Croquet Club	Croquet Club Building
Left Bank Café	Lismore Art Gallery Building
Family Support Network	South Lismore Scout Hall
Lismore Theatre Company	Rochdale Theatre

Table 1: Lessees of Council Owned Buildings.

## Comments

### Financial Services

The policy is supported as:

- a) it separates the assessment of rental market value (operations) from the assessment of any subsidy (policy); and
- b) provides criteria to be used by community groups requesting a rental subsidy.

In regards to assessment of any subsidy (policy) by Council, no percentage or maximum dollar limitations are recommended to allow Councillors full scope.

To ensure Council's objective of 'building assets are adequately funded and maintained' is achieved, it is suggested that any subsidy approved by Council be recognised and budgeted as a Section 356 Donation. That way, the full market rental is always disclosed and available to deliver the objective.

### Manager – Assets & Support Services

The development of this policy will provide a clear, consistent and transparent approach to the matter of leasing of all Council properties. Whilst individual requests will still come to Council for consideration, the methodology outlined in the policy will allow Council to easily determine the amount of subsidy provided and compare circumstances and outcomes between community groups.

### Manager – Community Services

The proposed policy appears to be a fair and equitable means for standardising Council's leasing processes. It is suggested that the criteria used to assess the eligibility and select the most appropriate community groups will be similar to the following:

- Not for profit, incorporated associations.
- Volunteer base or volunteer component.
- Financially sound organisation with the ability to pay rent and all outgoings in an ongoing capacity.
- Program delivery has direct benefit to the community or section/s of the community.
- Demonstrable ability to deliver benefit to a broad spectrum of the community (unless special service/target groups can be justified).

## Conclusion

Lismore City Council currently does not have a consistent or transparent strategy for leasing of Council buildings to community groups.

The adoption of a Council approved strategy contained in a formal Policy document will give Council officers improved reference and direction when dealing with and formulating future lease agreements to which this policy applies.

## Recommendation (IS66)

That Council adopt the "Leasing of Council Buildings to Community Groups" draft policy attached to this report.



## POLICY MANUAL

<b>POLICY No:</b>	
<b>FUNCTION:</b>	Policy for Leasing of Council Properties
<b>ACTIVITY:</b>	
<b>OBJECTIVE:</b>	That Council owned property assets are leased on a basis that provides optimum benefit to the Lismore community.
<b>SECTION RESPONSIBLE:</b>	Assets and Support Services
<b>AUTHORISED:</b>	

### Introduction

Council owns or is reserve trust manager for a range of properties throughout the Lismore City Council area. Many of these properties are tenanted under lease agreements. Some are tenanted on a commercial basis and many are tenanted on the basis of varying arrangements depending on the circumstances of the case. In particular community groups often seek reduced rental or other subsidies e.g. payment of rates, to assist in the provision of their services to the local community. These subsidies are often a vital ingredient to the ability of a community group to sustain their operations and deliver their services.

In the past Council has considered requests from community groups for financial assistance in the form of reduced rental or other subsidies relating to their occupation of Council properties (e.g. payment of rates) on an ad-hoc and case by case basis. This has highlighted the need for a consistent and transparent approach to the leasing of all Council properties.

### Objectives:

The objectives of this policy are:

- To link the subsidised leasing of Council property to Council's Strategic Plan.
- To provide a consistent, transparent and fair approach for the leasing of Council Property.
- To ensure Council's Building Assets are adequately funded and maintained.
- To ensure that legislative requirements are met.
- To define the circumstances in which Council will consider providing assistance to community groups in the form of rental relief or other subsidies related to their occupation of a Council owned or managed property.

### Application of Policy

This policy applies to all Council owned or managed property/ building assets where lease agreements would normally apply, subject to the exclusions below.

The policy does not apply to:

- Leases or other arrangements involving the occupation of land only.
- Leases or other arrangements involving the use of Council owned or managed land or building assets that are occupied by emergency services. These arrangements are the subject of separate agreements and some have specific legislative requirements to be met.
- Leases or other arrangements involving buildings that are owned by other parties, but which have been constructed upon land owned or managed by Council.
- Leases or other arrangements that apply to properties on Crown land. These properties are subject to specific requirements of the Crown.

## Policy Statement

Council's policy is to earn a commercial return on any property asset that it leases to third parties.

Council may at its discretion subsidise a lease arrangement and these circumstances are set out later in this document.

## Guidelines for Lease Agreements

All lease agreements will take the form of a conventional commercial lease and as such will include the following features:

- It will confer a right of exclusive possession on the Lessee (tenant). A Lessor (landlord) is usually only entitled to enter and remain upon the leased premises in limited, defined circumstances. Allied to this are the Lessor's implied covenant to the Lessee for quiet enjoyment, and non-derogation from the grant.
- It will define the amount and method for paying and reviewing rent and outgoings. Outgoings include land tax, utility bills, rates, repairs and maintenance costs and insurance calculated as a proportion of total leasable floor area in the building occupied by the tenant.
- It will impose obligations on the Lessee to only use the leased premises for a permitted purpose, and to comply with obligations defined in the Lease to ensure the tenant does not damage (and thereby affect the value of) the leased premises.
- It will define limited powers for the Lessor to enter and remain upon the leased premises for repair and maintenance.
- The term of a lease agreement will generally be five years with the right to renew for a further five years, subject to the requirements of any legislation that may influence the term of a lease e.g. community land.

As Lessee, a tenant's responsibilities will include:

- Paying rent to Council.
- Paying all fees and statutory charges (including land rates, electricity and water consumption).
- Cleaning and security.
- Minor maintenance of the building and surrounds within the capacity of the organisation.
- Notifying Council of maintenance issues that may, if not corrected, be detrimental to the longevity of the building or hazardous to occupants.

As the Lessor, Council's responsibilities will include:

- Maintaining the building in accordance with statutory obligations.
- Assessing and responding to maintenance requests received from the Lessee.

### **Subsidised Lease Arrangements**

Council will consider subsidising lease arrangements for community based groups in certain circumstances.

To be considered eligible for a rental or any other subsidy as part of the lease the community group or organisation must first demonstrate that they are:

- A not for profit community based organisation.
- Have open membership, i.e. membership is open to the general public.
- An incorporated association.
- Providing a necessary and beneficial service to the general community.

In addition, Council will require that any community based group proposing to lease a Council owned property, whether at a subsidised rental or not:

- Demonstrate an ability to meet the financial obligations of a Lease arrangement (provide a copy of the most recent audited financial statements and a business plan where appropriate).
- Maintain appropriate insurances, including public liability and comprehensive contents insurance.

Applications for subsidised rental will be considered on a case by case basis and must be made in writing to Council. The written application must address the six criteria outlined above and provide any further information considered relevant or requested by Council.

Potential Lessees who seek and are eligible for a rental or other subsidy must indicate the amount which they would be prepared to pay, and the reasons for requesting the subsidy.

As part of Council's consideration of the application, the methodology outlined below will be applied to determine the amount of subsidy sought. The commercial based rental amount (including consideration of statutory charges such as rates etc.), will be determined and the difference between this amount and the amount offered by the community group will be the value of the subsidy sought.

Once Council makes a determination on the amount of subsidy to be provided, if any, there will be no further consideration of the matter until the term of the current lease expires.

### **Methodology to Determine Rental Amount**

In order to determine the rental that should apply to any Council property, a process will be adopted that may include any or all of the following, depending on the circumstances of the case:

- An independent rental valuation report will be obtained from a qualified valuer.
- Advertising for a potential Lessee by Expressions of Interest or tender.
- Consideration of any offer by a potential Lessee to undertake certain maintenance activities that would otherwise be a cost to Council.
- In cases where potential Lessees offer to undertake maintenance activities that would otherwise be a cost to Council, an assessment of their capability to actually complete those activities.
- Council Community Services staff may assist in the decision making processes.

**Lease Renewals**

At the expiration of an existing lease, the Lessee is not guaranteed or entitled to a new lease for the premises. Where properties become vacant, either following the expiration of an existing lease, or for any other reason, Council will as a minimum follow any requirements of the Local Government Act. Usual practice for Council will be to conduct an expression of interest or tender process to identify and determine a Lessee for the property. Where an expression of interest or tender process is not to be conducted, the matter will be reported to Council for approval, prior to renewing or entering a lease.

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# Report

<b>Subject</b>	<b>City Gateway Project Team</b>
<b>File No</b>	S73
<b>Prepared by</b>	Strategic Planner
<b>Reason</b>	To seek Councillor involvement in the preparation of the City Gateway Action Plan
<b>Objective</b>	To seek Councillor representatives for the Project Team
<b>Strategic Plan Link</b>	Economic Development
<b>Management Plan Project</b>	City Gateway Action Plan

## Overview of Report

The report seeks Councillor membership on the City Gateway Project Team

## Background

At its meeting December 12, 2006, Council resolved that a report be prepared identifying measures that could be undertaken to enhance the main approaches to Lismore and avoid poorly designed development in these areas. A study of the main approaches to the City was undertaken with the identified problems and proposed solutions outlined in a report to Council.

Council at its meeting held May 13, 2008, resolved:

3. *Council note the suggested opportunities outlined in the report and endorse the formation of an internal project team, comprising appropriate staff from relevant sections and two Councillors to bring forward design solutions for the improvement of Lismore's major vehicular gateways.*
4. *Any proposals come back to Council prior to community consultation or exhibition.*

The preparation of a City Gateway Action Plan is identified in Council's Management Plan 2008/09-2011. The formation of an inter-departmental project team is fundamental to the preparation of the Action Plan, which is one component of achieving quality urban design for the city of Lismore. Urban design refers to the physical arrangement, appearance and functioning of urban centres and emphasises the relationship of cities to the surrounding environment. Fostering good urban design is fundamental to developing meaningful connections between people and places.

It is recognised that city entrances have a significant role to play in enhancing city image and promoting a sense of place. City entrances are important elements in the urban landscape as they reinforce character, promote a clear vision and strengthen the attractiveness of the city. Therefore, improving the city entrances is one way of initiating the principles of urban design in Lismore.

It is envisaged that improvement works would be identified for consideration for inclusion in future Budget/Management Plans or amendments to the Development Control Plan. Two meetings of the Project Team might be required, with outcomes to be available to Program Managers in accordance with the Budget/Management Plan timetable. The Project Team will be required to meet during Council



working hours to ensure efficient involvement of all relevant staff members. The staff partners involved will be representatives from Planning Services, Economic Development Unit and Tourism and Parks and Roads.

## Comments

### Financial Services

Not required.

### Other staff comments

Not required.

## Public consultation

The Sustainable Environment and Economic Development PAGs will be consulted; actions or projects arising from the Action Plan may be contained within either a Management Plan or draft DCP amendment, both of which are exhibited for public comment. However, recommended actions are expected to be minor works such as landscaping or signage, not usually subject to public consultation processes.

## Conclusion

The City Gateway Action Plan requires a coordinated approach from all sections of Council. The aim of the Project Team will be to develop design solutions for the improvement of the main City entrances. It is anticipated that the Project Team will have an initial meeting early in 2009. It is envisaged that this process will facilitate innovative and practical solutions to enhancing the major vehicular entrances to Lismore.

## Recommendation

1. That Council determine two elected member representatives for the City Gateway Project Team.
2. That any proposals developed by the Project Team are to be reviewed by the Sustainable Environment and Economic Development Policy Advisory Groups prior to being reported back to Council for consideration.

# Report

<b>Subject</b>	<b>Corporate Enforcement Policy</b>
<b>File No</b>	S9
<b>Prepared by</b>	Corporate Compliance Coordinator
<b>Reason</b>	Recommendation by Department of Local Government
<b>Objective</b>	To adopt a policy
<b>Strategic Plan Link</b>	Leadership by Innovation
<b>Management Plan Project</b>	Council's Management Plan

## Overview of Report

This report is to adopt a Corporate Enforcement Policy following a recommendation from the Department of Local Government. The policy is based on the model policy developed by the Ombudsman.

## Background

Earlier this year, the Department of Local Government conducted a 'Better Practice Review' of Lismore City Council, resulting in a series of recommendations to improve our practices. One area concerned the adoption of a "Corporate" Enforcement Policy, as the following extract from the report demonstrates;

*"It is evident that Council has a good attitude and approach to enforcement and prosecution. Council encourages compliance and is proactive through engaging parties and having a stepped approach to compliance, that is, warnings first and escalation if these are not heeded. This approach needs to be documented.*

*Council should develop a single enforcement and prosecutions policy to guide its enforcement activities and to ensure there is a consistent approach to compliance activities and to ensure there is a consistent approach to compliance activities across the different areas of Council. It is suggested that Council may refer to the Enforcement Guidelines for Councils issued by the NSW Ombudsman".*

Following this advice, the Ombudsman's Office was contacted and Council obtained a copy of their publication 'Enforcement Guidelines for Councils'. The 'model' policy was attached to the Guidelines and is recommended for adoption by Council.

The Guidelines are quite comprehensive but it maintains that there is no hard and fast rule on enforcement. The use of discretion (using set criteria) is encouraged to achieve an outcome which benefit the community as a whole rather than just resulting in a prosecution. As a consequence, the policy is deliberately broad in nature.

Once adopted, staff, using the Guidelines and existing practices will develop a detailed set of operational procedures to ensure a consistent approach to compliance.

## Comments

### Financial Services

Not Requested

### Other staff comments

Staff discussed this issue with the Department of Local Government representatives during the review process. The model code as prepared by the Ombudsman is considered to be satisfactory for use by Council.

### Public consultation

Not undertaken

## Recommendation

That Council adopt Policy 1.2.23 – Corporate Enforcement Policy.



## POLICY MANUAL

<b>POLICY NO: 1.2.23</b>	<b>CORPORATE ENFORCEMENT POLICY</b>
<b>OBJECTIVE:</b>	To assist council staff to act promptly consistently and effectively in response to allegations of unlawful activity.  The aim of this policy is to establish clear guidelines for the exercise of discretion in dealing with action requests or complaints about unlawful activity.
<b>STRATEGIC PLAN LINK:</b>	Leadership by Innovation
<b>PROGRAM:</b>	General Manager
<b>AUTHORISED:</b>	>

### 1. Introduction

This policy applies to the investigation and enforcement of complaints about unlawful activity or failure to comply with the terms or conditions of approvals, licences and orders. While primarily directed at the regulation of development activity, the policy is also applicable to pollution control, regulation of parking and control over keeping animals.

### 2. Responsibility

All council staff who deal with written and verbal action requests or complaints alleging unlawful activity are responsible for implementing these policy guidelines.

All notifications of alleged unlawful activity should be logged in (council's action requests system or complaints systems) and directed to the responsible person .

### 3. Definitions

Unlawful activity is any activity or work that has been or is being carried out:

- Contrary to the terms or conditions or a development consent, approval, permission or licence
- Contrary or an environmental planning instrument that regulates the activities or work that can be carried out on particular land
- Contrary to a legislative provision regulating a particular activity or work
- Without a required development consent, approval, permission or licence.

#### 4. **Investigating Unlawful Activity**

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- Not all complaints will warrant investigation. Council will consider a range of factors when deciding whether to investigate. These include;
- Is the matter within the jurisdiction of council?
- Is the complaint premature eg does it relate to some unfinished aspect of work that is still in progress?
- Is the activity or work permissible with or without consent?
- If the activity is permissible with consent, is there a consent in place?
- Is it possible to determine from the information available to council whether the activity or work is permissible without consent and/or whether all conditions of consent are being complied with?
- Is the complaint trivial, frivolous or vexatious?
- Has too much time elapsed since the events the subject of the complaint took place.
- Is there another body that is a more appropriate agency to investigate and deal with the matter.
- Is the activity having a significant detrimental effect on the environment or does it constitute a risk to public safety?
- Does the complaint indicate the existence of a systemic problem eg if the complaint is one of a series, could there be a pattern of conduct or a more widespread problem?
- Has the person or organisation complained of being the subject of previous complaints.
- Does the complaint have special significance in terms of the council's existing priorities?
- Are there significant resource implications in relation to an investigation and any subsequent enforcement action?
- Is it in the public interest to investigate the complaint?

If a decision is made not to investigate a complaint, this decision must be recorded with the reasons for that decision.

#### 5. **Responding to complaints**

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All action requests or complaints about alleged unlawful activity should be acknowledged within 10 days and a report provided on what action council has taken or plans to take.

#### 6. **Options for dealing with confirmed cases of unlawful activity**

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Council will try to use the quickest and most informal option to deal with unlawful activity wherever possible unless there is little likelihood of compliance with such options.

Approaches to be considered will include:

- referring the complaint to an external agency for further investigation or prosecution
- taking no action on the basis of a lack of evidence or for some other appropriate reason
- counselling the subject of the investigation to educate them on the relevant council requirements
- negotiating with the subject of the investigation and obtaining some undertakings to address the issues of concern arising from the investigation eg an application for modification of development consent
- issuing a letter requiring work to be done or activity to cease in lieu of more formal action

- issuing a notice of intention to serve an order or notice under relevant legislation , followed by service of an appropriate order or notice (Local Government Act (LG Act) ss. 124-128, Environmental Planning & Assessment Act (EPA Act) s.121B, and the Protection of the Environment Operations Act (PEO Act) Pts 4.2-4.4 and 8.6)
- issuing a notice requiring work to be done under various legislation
- starting proceedings in the Land & Environmental Court for an order to remedy or restrain a breach of the relevant Act or Regulation (s.673 LG Act; s.123 EPA Act)
- seeking injunctions from the Land and Environment Court or the Supreme Court.
- issuing a summons in the Local Court
- issuing a Penalty Infringement Notice
- taking proceedings for an offence against the relevant Act or Regulation (s.691 LG Act, S.125 EPA Act; Cl 6 PEO Act)
- carrying out the works specified in an order under the LG Act at the cost of the person served with the order (s.678 LG Act).

All enforcement action will be monitored and a decision made in relation to non-compliance within 2 weeks of any deadline imposed.

## 7. Taking enforcement action

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When deciding whether to take enforcement action, council will consider the circumstances of the case. These include;

- Has the council created an estoppel situation?
- Is the breach a technical breach only?
- When was the unlawful activity carried out and for how long?
- How has the unlawful activity affected the natural or built environment and the health, safety and amenity of the area?
- Would consent have been given if it has been sought?
- Can the breach be easily remedied?
- Does the person in breach show contrition?
- Are there any particular circumstances of hardship affecting the complainant or the person the subject of the complaint?
- Has the person the subject of the complaint received a previous warning or other non-coercive approach or has formal legal action been taken ?
- Would an educative approach be more appropriate than a coercive approach?
- What are the costs and benefits of taking formal enforcement action as opposed to taking informal or no action?
- What are the chances of success if the proposed enforcement action was challenged in court?
- Is there a draft planning instrument on exhibition that would make the unauthorised use legal?
- What action would be reasonable and proportionate in this case?
- What would be in the public interest

# Report

<b>Subject</b>	<b>Charges for Lismore vegetation maps</b>
<b>File No</b>	S960
<b>Prepared by</b>	Manager – Finance
<b>Reason</b>	Advertising period for new charges finished
<b>Objective</b>	For Council to adopt the new charges for Lismore vegetation maps
<b>Strategic Plan Link</b>	Economic Development
<b>Management Plan Project</b>	Planning Services – Customer service in land use planning

## Overview of Report

At its meeting of July 8, 2008 Lismore City Council resolved to exhibit proposed new charges for digital mapping data for the Lismore vegetation maps. The proposed charge is \$300 per “tile” with a 50% discount applying if all 71 tiles covering the entire local government area are purchased. Each “tile” covers an area of the LGA that is 5,000metres by 5,000metres.

The proposed new charge was exhibited in the Northern Rivers Echo for public comment from Thursday, August 14, 2008 to Friday, September 12, 2008.

During the exhibition period, no submissions were received.

## Background

Council engaged GHD to prepare a vegetation distribution map for all lands within Lismore excluding National Parks or State Forest Reserves. While this information has been provided in digital form to interested government agencies at no charge, there have been enquiries from private consulting firms requesting access to the digital information for parts of the LGA.

As the information will be used by consultants to prepare reports for private clients, it is considered that Council should apply an appropriate charge for providing this information. Charges applied by other local Councils for the provision of similar information have been investigated, and on this basis it is considered that a fee of \$300.00 per “tile” would be a reasonable charge with a 50% discount if all 71 tiles were purchased at the same time. A tile covers a rectangular area 5,000 metres X 5,000 metres.

In accordance with the Local Government Act 1993, it was resolved that the proposed fees are advertised for 28 days and a further report be submitted to Council include any submissions received.

## Comments

### Other staff comments

Not required

### Public consultation

Not required

## Conclusion

The proposed charges for Lismore vegetation maps have been advertised for 28 days and no submissions received. As such, the adoption of the charges and their inclusion in the 2008/09 Fees & Charges is recommended.

## Recommendation

The 2008/09 Lismore vegetation maps charge is \$300 per tile with a 50% discount if all tiles are purchased at the same time.



# Report

<b>Subject</b>	<b>Constitutional Recognition of Local Government</b>
<b>File No</b>	S13
<b>Prepared by</b>	Corporate Compliance Coordinator
<b>Reason</b>	To comply with Council resolution
<b>Objective</b>	To determine Council position
<b>Strategic Plan Link</b>	Leadership by Innovation
<b>Management Plan Project</b>	Council's Management Plan

## Overview of Report

The report is a follow up to a workshop held by Council on questions raised by the Australian Local Government Association.

## Background

Council at its meeting held on October 14, 2008, resolved in part

- c) That Council conducts a workshop to consider what objectives Council believes would most assist our communities and which could be supported / achieved through Constitutional Recognition of Local Government in preparation for December's Constitutional Summit.

This was in response to the following question asked by the Australian Local Government Association.

*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 workshop was held on Tuesday, November 12, 2008. As a consequence the following recommendation is presented to Council for its determination.

## Comments

### Financial Services

Not Requested

### Other staff comments

Not Requested

### Public consultation

No specific consultation was undertaken to determine the communities response to the questions.

## Recommendation

That Council advise the Australian Local Government Association that it has determined that its rankings of the questions be as follows:

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

# Report

<b>Subject</b>	<b>Investments held by Council – November 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 Project</b>	Financial Services

## Overview of Report

Council investments as at 30 November 2008 are estimated to be \$32,266,357 subject to final value of funds held under separate management being advised shortly.

The interest rate reported for November 2008 is estimated to be 5.33% in comparison to 7.42% for November 2007. Council's return of 5.33% is above the Bank Bill Swap Rate for the same period of 4.96%. The final interest return may vary due to actual returns achieved in the funds held under separate management.

Council has been advised that our investment in Asprit III (\$2,000,000 - Maturity 20/7/13) will not pay any interest from this point forward. This investment is 'capital protected' meaning the principal invested will be returned at maturity. The loss of interest revenue from this investment has been factored into Council's budget.

Council has been advised that during November, a further 3 investments have been downgraded to below the acceptable credit rating of A set by the Minister's Investment Order. Once again, 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.

## 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 October 2008</i> | \$25,569,728 |
| • <i>Estimated Investments – at Market Value – 30 November 2008</i>      | \$32,266,357 |

The current rate of return on investments for November 2008 is estimated to be 5.33% compared to 7.42% for November 2007. Council's return of 5.33% is above the Bank Bill Swap Rate for the same period of 4.96%. 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.

In relation to Lehman Brothers Investments, as previously advised, we have not received any market valuations since 31 August, 2008 and are therefore still reporting these valuations at this date.

On 31 October, 2008, we were advised that the significant sell-off in global equity markets, coupled with the recent spike in volatility and fall in interest rates, has led to a sharp decline in the value of our investment in Asprit III, and in accordance with the terms of the Trust Deed, has resulted in the occurrence of a Strategy De-Leverage Event. Due to this event, no further coupons will be paid in respect of Units in Asprit III, however, 100% of the total investment amount remains principally protected by ANZ ensuring the preservation of the funds at maturity (20/07/2012).

Any investments that have been affected by the Lehman Brothers Holdings bankruptcy or other market volatility and previously advised as no longer paying coupons are shown on the Estimated Interest attachment showing an interest rate and estimated interest for the period of zero.

## **Investments Outside Minister's Order**

During November, 3 investments have been downgraded to a rating that falls outside the Minister's Order.

- Omega (Henley) downgraded from AAA to BB-. Council has \$400,000 invested in Omega (Henley) with a maturity date of 22 June 2012.
- Beryl (Esperance 2) downgraded from AAA to BB+. Council has \$400,000 invested in Beryl (Esperance 2) with a maturity date of 20 March 2013.
- Beryl (Global Bank Note) downgraded from AAA to C. Council has \$150,000 invested in Beryl (Global Bank Note) with a maturity date of 20 September 2014.

The two Beryl investments did not receive the interest payments due to them on 22 September, 2008 but were not downgraded at that time.

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. At this stage, it is not intended to change this approach, however, it is likely that the Lehman's bankruptcy may result in losses being realised earlier than anticipated due to the early unwind of some CDO's.

## **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.
- 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

### Financial Services

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 November 30, 2008, investments total \$32,266,357 and the annualised rate of return was 5.33%.

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.

## 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 Omega (Henley), Beryl (Esperance 2) and Beryl (Global Bank Note) be maintained.

**Capital Value Movements  
Summary of Investments held as at  
30 November, 2008**

Name of Investment / & Counterparty	Type of Investment	Rating	Assessment of return of Capital	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	High	14/12/2003	4/12/2006	30/09/2003	\$ 1,000,000	\$ 995,000	Note 1
Longreach - Series 25	Equity Linked Investment	AA-	High	2/4/2007	4/4/2014	31/10/2003	\$ 1,000,000	\$ 652,900	Note 1,2
Aberdeen Income Fund	Managed Fund	A	High	14/3/2005	N/A	18/11/2003	\$ 3,280,049	\$ 3,084,570	Note 3
Blackrock Diversified Credit Fund	Managed Fund	A	High	23/5/2007	N/A	18/11/2003	\$ 2,847,908	\$ 2,459,190	Note 3
Blackrock Care & Maintenance Fund	Managed Fund	A	High	15/10/2008	N/A	18/11/2003	\$ 1,071,749	\$ 1,071,749	Note 3
Macquarie Bank Income Plus Fund No 1	Managed Fund	A	High	31/5/2004	N/A	18/11/2003	\$ 1,686,001	\$ 1,688,220	Note 3
Merrill Q A/A FRN / CBA	Floating Rate Note	A+	High	22/3/2005	8/6/2010	30/09/2003	\$ 1,000,000	\$ 914,440	Note 1
Summerland Credit Union	Subordinate Debt	Not Rated (Note 7)	High	21/5/2004	21/5/2009	1/10/2003	\$ 1,000,000	\$ 1,000,000	Note 1
ASPRIT III Trust	Equity Linked Investment	AA	High	13/7/2007	13/7/2013	30/09/2003	\$ 2,000,000	\$ 1,594,000	Note 1,2
Southern Cross Credit Union	Term Deposit	Not Rated (Note 7)	High	24/11/2008	6/1/2008	24/11/2003	\$ 2,000,000	\$ 2,000,000	Note 1
Suncorp Metway Ltd	Term Deposit	A-1	High	19/11/2008	19/12/2008	19/11/2003	\$ 2,000,000	\$ 2,000,000	Note 1
Macquarie Bank Limited	Term Deposit	A1/1	High	21/11/2008	20/1/2009	21/11/2003	\$ 1,000,000	\$ 1,000,000	Note 1
Bank of Western Australia	Term Deposit	A1+	High	21/11/2008	20/1/2009	21/11/2003	\$ 1,000,000	\$ 1,000,000	Note 1
CBA Business On Line Banking A/c	Cash Management Account	Cash	High	N/A	N/A	21/11/2003	\$ 7,464,000	\$ 7,464,000	Note 1
Macquarie Cash Management Trust	Cash Management Account	Not Rated (Note 7)	High	1/9/2006	NA	31/10/2003	\$ 241,563	\$ 241,563	Note 1
Bishopsgate (Wentworth)	Floating Rate CDO	AA+	High	1/9/2006	20/9/2010	31/08/2003	\$ 500,000	\$ 485,550	Note 1,5
Herald Limited (Quartz)	Floating Rate CDO	BBB-	Medium	1/9/2006	20/12/2010	31/08/2003	\$ 30,000	\$ 21,195	Note 1,5
Cypress (Lawson)	Floating Rate CDO	A-	High	1/9/2006	30/12/2010	31/08/2003	\$ 500,000	\$ 459,800	Note 1,5
Deutsche Bank CG Yield Curve Note	Euro Bond	Not Rated (Note 7)	High	1/9/2006	18/10/2011	31/08/2003	\$ 250,000	\$ 210,250	Note 1,5
BELO (Kalgoorlie)	Commodity Backed Security	AA+	High	1/9/2006	27/2/2012	31/08/2003	\$ 700,000	\$ 585,250	Note 1,5
Magnolia (Flinders)	Floating rate CDO	AA	High	1/9/2006	20/3/2012	31/08/2003	\$ 300,000	\$ 225,000	Note 1,5
Omega (Henley)	Floating Rate CDO	BB-	Medium	1/9/2006	22/6/2012	31/08/2003	\$ 400,000	\$ 264,040	Note 1,5
Beryl (Esperance 2)	Floating rate CDO	BB+	Medium	1/9/2006	20/3/2013	31/08/2003	\$ 400,000	\$ 214,400	Note 1,5
Corsair (Torquay)	Floating Rate CDO	BBB+	Low	1/9/2006	20/6/2013	31/08/2003	\$ 500,000	\$ 257,500	Note 1,5
Zircon (Merimbula)	Floating Rate Note	C	Medium	1/9/2006	20/6/2013	31/08/2003	\$ 300,000	\$ 88,350	Note 1,5
Corsair (Kakadu)	Floating Rate CDO	CCC+	Low	1/9/2006	20/3/2014	31/08/2003	\$ 500,000	\$ 209,300	Note 1,5
Helium (Scarborough)	Floating rate CDO	CCC+	Low	1/9/2006	23/6/2014	31/08/2003	\$ 200,000	\$ 109,160	Note 1,5
Beryl (Global Bank Note)	Floating Rate Note	C	Medium	1/9/2006	20/9/2014	31/08/2003	\$ 150,000	\$ 117,120	Note 1,5
Zircon (Coolangalle)	Floating Rate CDO	C	Medium	1/9/2006	20/9/2014	31/08/2003	\$ 500,000	\$ 159,500	Note 1,5
Aphex (Gleneig)	Floating Rate CDO	BBB-	Medium	1/9/2006	22/12/2014	31/08/2003	\$ 500,000	\$ 292,700	Note 1,5
Bendigo Bank FR Sub Debt	Subordinate Debt	Not Rated (Note 7)	Medium	1/9/2006	14/12/2015	31/08/2003	\$ 500,000	\$ 473,300	Note 1,5
Elders Rural Bank Sub Debt	Subordinate Debt	Not Rated (Note 7)	Medium	1/9/2006	16/3/2016	31/08/2003	\$ 1,000,000	\$ 927,300	Note 1,5
Zircon (Miami)	Floating Rate CDO	C	Medium	1/9/2006	20/3/2017	31/08/2003	\$ 50,000	\$ 20,010	Note 1,5
<b>Investment on Hand</b>							<b>\$ 35,871,271</b>	<b>\$ 32,266,357</b>	

**Investments Redeemed during period (Note 6)**

Southern Cross Credit Union	Term Deposit	Not Rated (Note 7)		1/10/2008	1/11/2008		\$ 1,000,000	\$ 1,000,000
Macquarie Bank Limited	Term Deposit	A1/1		17/10/2008	19/11/2008		\$ 1,000,000	\$ 1,000,000

**\$ 37,871,271    \$ 34,266,357**

**Total Capital Movement - Gain/(Loss)**

**Adjusted Capital loss reported for 2007/08**

**Capital Movement since 01/07/08 - Gain/(Loss)**

**\$ (3,604,913)**  
**\$ (3,228,424)** Note 8  
**\$ (376,489)**

Note 1:  
Note 2:  
Note 3:  
Note 4:  
Note 5:  
Note 6:  
Note 7:  
Note 8:

Base Capital Value is the face value of the investment  
Capital Guaranteed note if held to maturity  
The Base Capital Value is the Market Value as at 30/6/08 plus additions less redemptions during the year.  
Latest estimates based on information provided by investment managers and prior period performance.  
Market Value is the Capital Value of the investment before any accrual of income.  
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.  
These Counterparties & Products are authorised under the Minister Order and require no minimum Credit Rating.  
The amount shown as the Capital Loss reported for 2007/08 has been adjusted for the loss on the Managed Funds and actual impaired investments from 2007/08 realised in the current year. The loss on the managed funds has been factored into the Base Capital Value. Please see Note 3 for further explanation.

**"Indicative" Source of Funds**

Externally Restricted	18,362,144
Internally Restricted	13,864,214
	<u>\$ 32,266,357</u>

**Estimated Interest  
Summary of Investments held as at  
30 November, 2008**

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%	\$ 995,000	\$ 6,702	0.24%
Longreach - Series 25	Equity Linked Note	AA-	0.00%	\$ 652,900	\$ -	0.00%
Aberdeen Income Fund	Managed Fund	A	7.65%	\$ 3,084,570	\$ 19,395	0.70%
Blackrock Diversified Credit Fund	Managed Fund	A	2.06%	\$ 2,459,190	\$ 4,164	0.15%
Blackrock Care & Maintenance Fund	Managed Fund	A	2.06%	\$ 1,071,749	\$ 1,815	0.07%
Macquarie Bank Income Plus Fund No 1	Managed Fund	A	1.23%	\$ 1,688,220	\$ 1,707	0.06%
Merrill Q A/A FRN - CBA	Floating Rate Note	A+	7.25%	\$ 914,440	\$ 5,445	0.20%
Summerland Credit Union	Subordinate Debt	Not Rated	10.82%	\$ 1,000,000	\$ 8,729	0.32%
ASPRIT III Trust	Wholesale Managed Investment	AA	0.00%	\$ 1,594,000	\$ -	0.00%
Southern Cross Credit Union	Term Deposit	Not Rated	6.85%	\$ 2,000,000	\$ 11,260	0.41%
Suncorp Metway Limited	Term Deposit	A-1	6.55%	\$ 2,000,000	\$ 10,767	0.39%
Macquarie Bank Limited	Term Deposit	A1/1	5.75%	\$ 1,000,000	\$ 1,418	0.05%
Bank of Western Australia	Term Deposit	A1+	5.60%	\$ 1,000,000	\$ 1,381	0.05%
CBA - Business On Line Banking A/c	Cash Management Account	Cash	4.85%	\$ 7,464,000	\$ 29,754	1.08%
Macquarie Cash Management Trust	Cash Management Account	Not Rated	6.92%	\$ 241,563	\$ 1,374	0.05%
Bishopsgate (Wentworth)	Floating Rate CDO	AA+	9.34%	\$ 465,550	\$ 3,838	0.14%
Horold Limited (Quartz)	Floating Rate CDO	BBB-	9.32%	\$ 21,195	\$ 230	0.01%
Cypress (Lawson)	Floating Rate CDO	A-	9.14%	\$ 459,800	\$ 3,755	0.14%
Deutsche Bank CG Yield Curve Note	Euro Bond	Not Rated	8.25%	\$ 210,250	\$ 1,695	0.06%
BELCO (Kalgoorlie)	Commodity Backed Security	AA+	8.40%	\$ 586,250	\$ 4,885	0.18%
Magnolia (Flinders)	Floating rate CDO	AA	9.32%	\$ 225,000	\$ 2,297	0.08%
Omega (Henley)	Floating Rate CDO	BB-	8.03%	\$ 264,040	\$ 2,837	0.10%
Beryl (Esperance 2)	Floating rate CDO	BB+	0.00%	\$ 214,400	\$ -	0.00%
Corsair (Torquay)	Floating Rate CDO	BBB+	9.02%	\$ 257,500	\$ 3,705	0.14%
Zircon (Merimbula)	Floating Rate Note	C	0.00%	\$ 88,350	\$ -	0.00%
Corsair (Kakadu)	Floating Rate CDO	CCC+	8.82%	\$ 209,300	\$ 3,623	0.13%
Helium (Scarborough)	Floating rate CDO	CCC+	9.14%	\$ 109,160	\$ 1,502	0.06%
Beryl (Global Bank Note)	Floating Rate Note	C	0.00%	\$ 117,120	\$ -	0.00%
Zircon (Coolangatta)	Floating Rate CDO	C	0.00%	\$ 159,500	\$ -	0.00%
Aphex (Glenelg)	Floating Rate CDO	BBB-	9.03%	\$ 292,700	\$ 3,709	0.14%
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	0.26%
Zircon (Miami)	Floating Rate CDO	C	0.00%	\$ 20,010	\$ -	0.00%
<b>Investment on Hand</b>				<b>\$ 32,266,357</b>	<b>\$ 146,356</b>	<b>5.32%</b>

Note 4

**Investments Redeemed during period**

Southern Cross Credit Union	Term Deposit	Not Rated	7.85%	\$ 1,000,000	\$ 215	0.01%
Macquarie Bank Limited	Term Deposit	A1/1	7.00%	\$ 1,000,000	\$ 3,260	0.12%

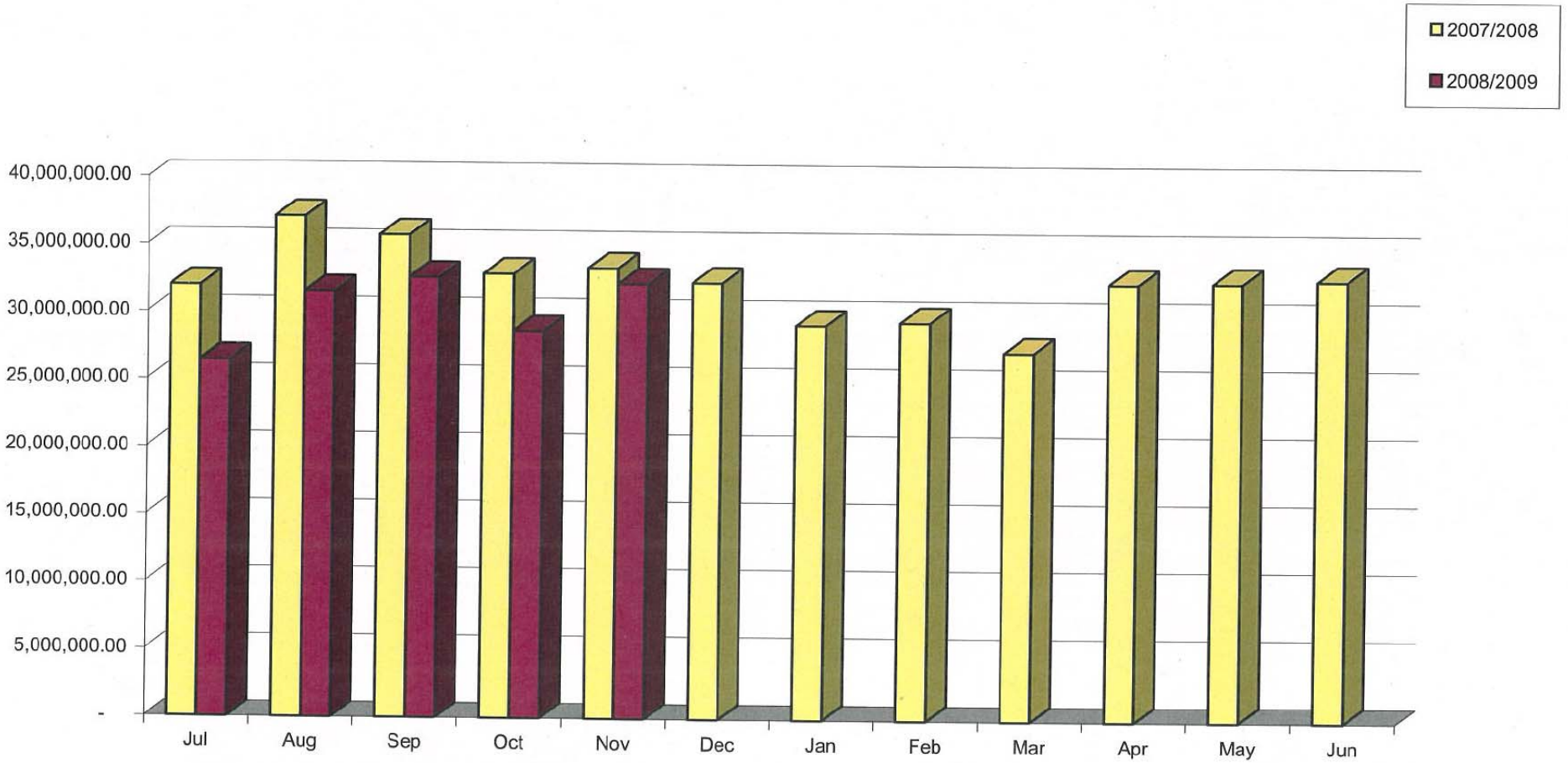
30/11/2008

5.33%

<b>\$ 34,266,357</b>	<b>\$ 149,831</b>
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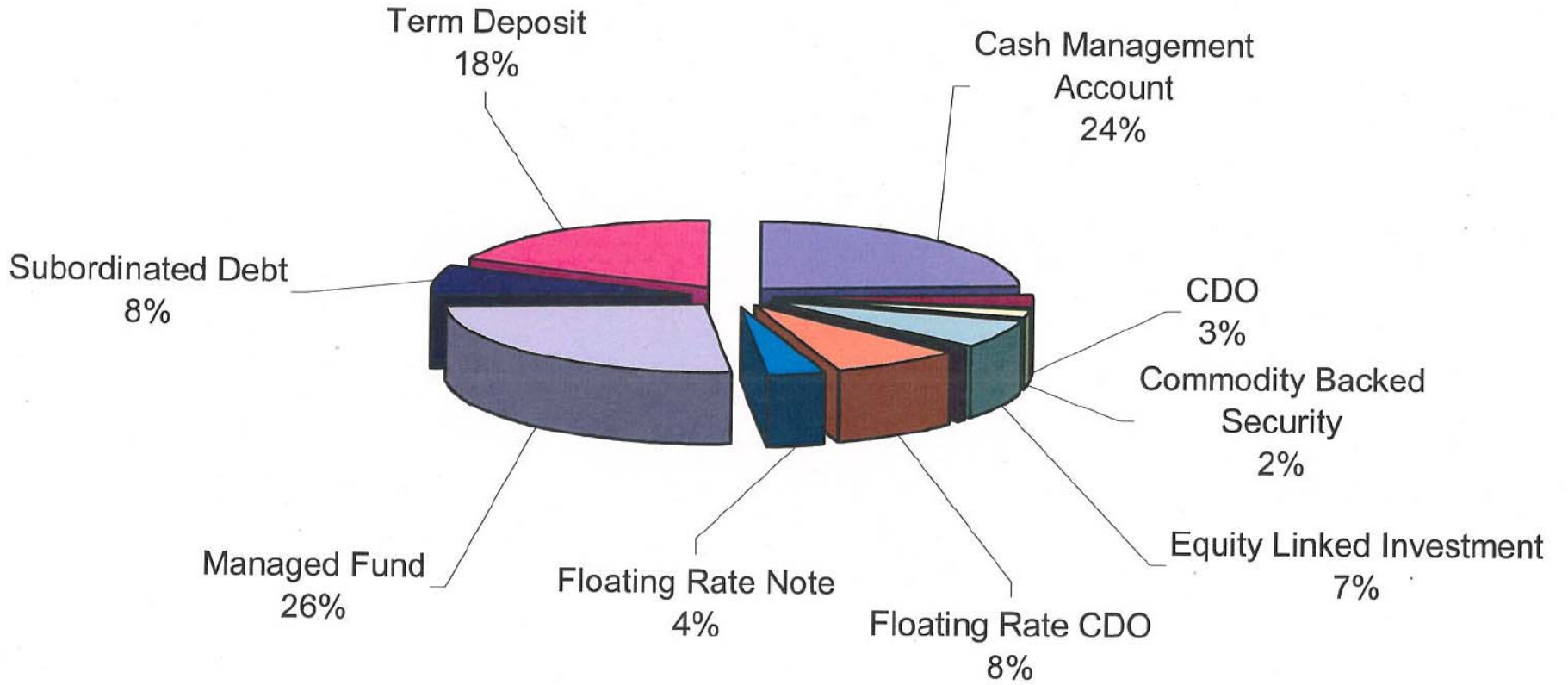
Note 1: Interest return is calculated on (actual interest + plus accrued interest + plus realised gains - losses on disposal - expenses) / principal value  
 Note 2: Capital Guaranteed note if held to maturity  
 Note 3: Managed Funds interest rate is calculated as an annualised rate based on the interest 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

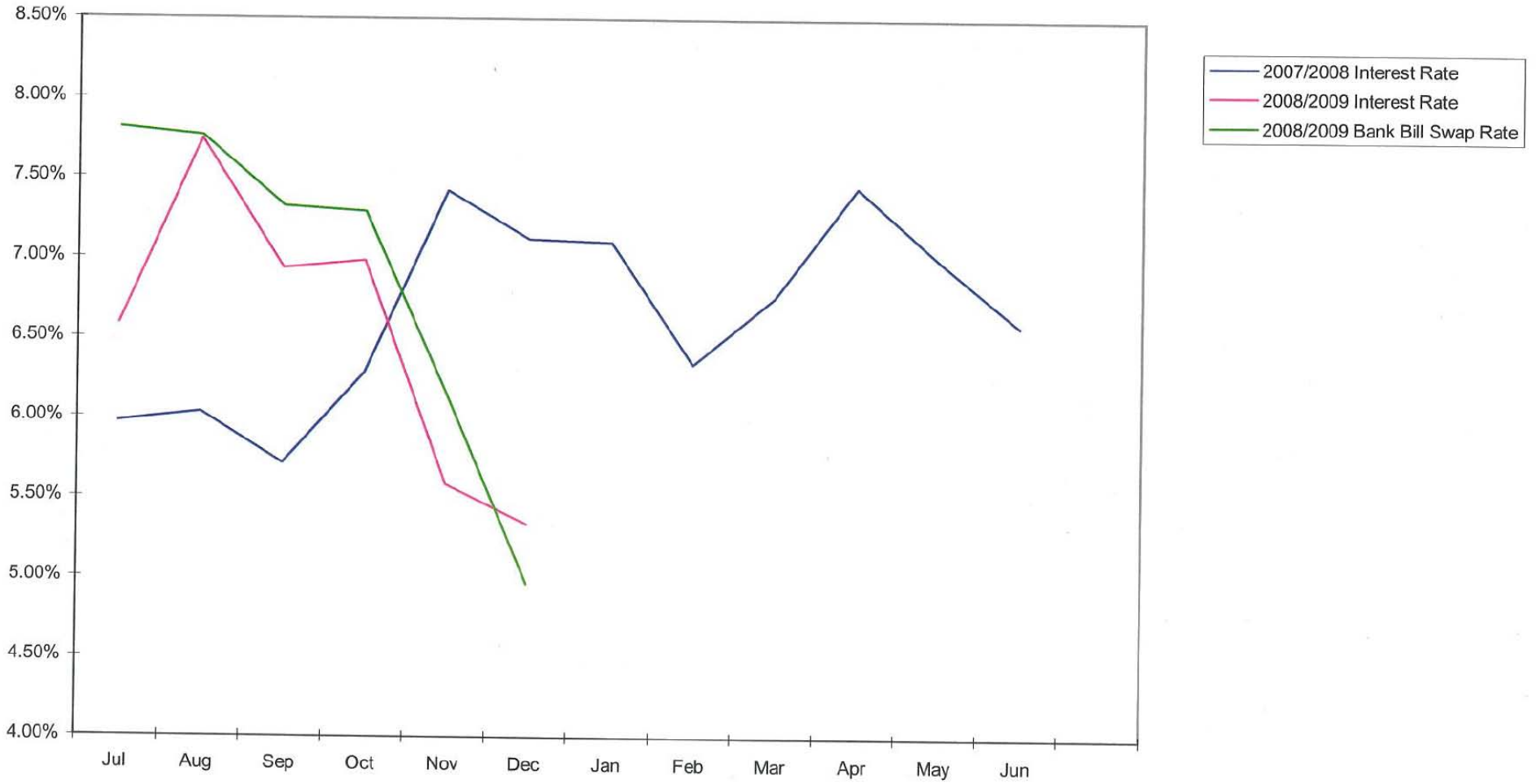




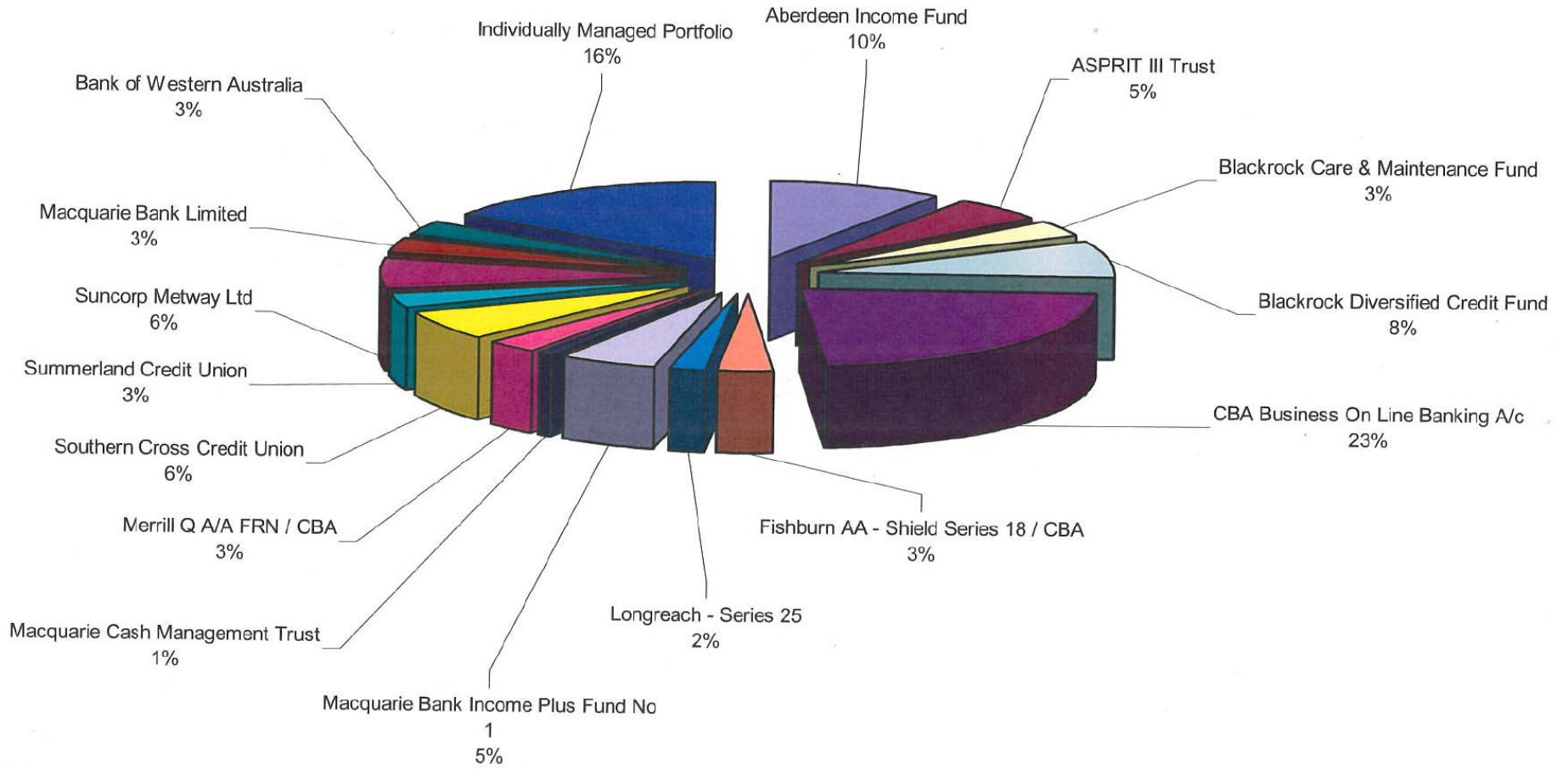
# INVESTMENT BY TYPE



### WEIGHTED AVERAGE INTEREST RATE



# Investment by Institution



**MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING  
HELD ON NOVEMBER 19, 2008, AT 10.00 AM.**

	<b>Present</b>	Councillor Jenny Dowell ( <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>	Bill MacDonald ( <i>Traffic &amp; Emergency Services Coordinator</i> ).
TAC47/08	<b>Apologies</b>	An apology for non-attendance on behalf of Thomas George, MP, was received and accepted.
TAC48/08	<b>Minutes</b>	The Committee was advised that the minutes of the Traffic Advisory Committee meetings held on August 20 and September 17, 2008, were confirmed by Council on October 14, 2008, excluding Items TAC41/08 from the meeting of August 20 ( <i>Brett Cramp - High Street, Lismore Heights</i> ), and B-08-09:5 from the meeting of September 17 ( <i>J &amp; K Ireland and G Patch – Richmond Hill Road</i> ).

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**Disclosure of Interest**

Nil

**Part 'A' – Committee Recommendations**

**Brett Cramp - High Street, Lismore Heights** (*Refer Item TAC41/08 from the meeting of August 20, 2008*)

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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Council at its ordinary meeting on October 14, 2008 resolved that this issue be referred back to the Traffic Advisory Committee with a suggestion that limited time parking be introduced on the embankment side of High Street opposite Nos. 254–286 High Street.

A further inspection has been carried out with Council's resolution in mind and it was felt that the introduction of time limited parking would not solve the current concerns of the residents. The proposal to restrict parking on the embankment side of High Street was to keep this area clear at all times to provide both unrestricted access to properties leading off this section of High Street and to maintain a reasonable width of road for visitors and those wishing to access the shop or Post Office to manoeuvre back out of the dead-end street. By restricting parking along one side these objectives are achieved. There is still adequate room in various locations for motorists to park along the footpath side of High Street without compromising the use of the footpath.

**TAC49/08 Recommendation:** That a No Stopping zone be introduced along the embankment side of High Street, Lismore Heights, opposite Nos. 254 to 286 High Street. (08-8102:R7117)

**Trinity Catholic College – Disabled Parking in Public Carpark**

Advising that the enrolment of students with disabilities will increase significantly in 2009 and requesting consideration of installing two accessible parking bays towards the northern end of the public carpark adjacent to Trinity College to complement a proposed new accessible entry point, which would include the erection of an awning.

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There are two existing accessible parking bays within the public carpark adjacent to Trinity College off Dawson Street. In further discussions with the College it was agreed that any new accessible parking bays would replace existing bays as there was unlikely to be a need for an additional overall number as long as they remained without time limits. All costs associated with the proposal would be met by the College.

- TAC50/08 Recommendation:** That two new accessible parking bays be installed in the public carpark to replace the existing two bays with all associated costs to be met by Trinity College.  
(08-10841:R6017,R6042)

**Water & Wastewater Section – Molesworth Street, Lismore (*northern end*)**

Requesting parking restrictions be placed in front of the sewer pump station at Molesworth Street, north of the new Department of Community Services building to allow unrestricted access to the pump station.

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This area of Molesworth Street is now fully parked out on a daily basis due to the completion of the new DOCS building and Police Station and the lack of adequate parking within those developments. A No Parking zone is required to ensure the area in front of the pump station is kept clear at to allow access by Council staff.

- TAC51/08 Recommendation:** That a No Parking zone be introduced on the eastern side of Molesworth Street, north of the new DOCS building for a distance of 7.0m in front of the pump station.  
(R7322)

**Annual Nimbin Community Meeting of November 10, 2008**

Concern raised by residents regarding the layout of the intersection of Cullen and Cecil Streets; requesting this be investigated to see if safety can be improved.

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Cecil Street is the terminating street at its intersection with Cullen Street. The intersection layout is not a standard T-junction and could benefit from line-marking on all approaches to ensure motorists adhere to the correct side of the road. Without considerable expenditure, there is little else that can be done to improve the physical layout of the intersection. Whilst there is no significant accident history at this location it was suggested that the need for a Stop sign in Cecil Street also be investigated and this be installed if it meets the warrant for same.

- TAC52/08 Recommendation:** That double white centre lines be painted on all three approaches to the intersection of Cullen and Cecil Streets, and further that a Stop sign be installed on Cecil Street should it meet the warrant for same.  
(R1701,R1704)

**Beaumont Bus Service and Sweeny Todd Bus Service – Walker Street, Clunes**

Requesting consideration of extending the times on the Bus Zone in Walker Street, Clunes, in front of the primary school due to an increase in bus usage and further that the front of the existing zone be extended to allow easier entry to and exit from the zone.

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The existing Bus Zone is approximately two bus lengths and when vehicles are parked immediately in front it makes it difficult for bus operators to enter or leave the zone. A small extension of 9.0m in length would be appropriate to address these concerns. The existing Bus Zone is timed 8.30a.m. to 9.30a.m. and 2.30p.m. to 3.30p.m. The proposed finish time would be 4.15p.m. to allow for the increased usage.

**TAC53/08 Recommendation:** That the existing Bus Zone in Walker Street,, Clunes in front of the primary school be extended at the front by a distance of 9.0m and further that the existing Bus Zone times be altered to read 8.30a.m. to 9.30a.m. and 2.30p.m. to 4.15p.m. (R1302)

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

**J & K Ireland and G Patch – Richmond Hill Road** (*Refer Item B-08-09:5 from the meeting of September 17, 2008*)

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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Council at its ordinary meeting on October 14, 2008 resolved that this issue be referred back to the Traffic Advisory Committee to research the number of requests made to reduce the speed limit and contact the RTA to discuss reducing the speed limit.

No other requests have been received in recent times for the existing 60 kph speed limit to be extended further down Richmond Hill Road around the bend in question. There have, however, been a number of concerns raised by residents that motorists are travelling at excessive speeds within the existing 60 kph zone. To some extent this is due to the adjoining roadside development where the blocks of land are larger than normally is the case within an urban environment and houses are generally well spaced and set well back from the road. This leads to a higher degree of non-compliance by motorists. In the case of the area below the 60 kph zone, development leans more towards rural and it is felt that it would be more appropriate to deal with the bend in question as an isolated location rather than part of a lower speed limit that might have little effect on reducing the speed of through traffic.

B-08-11:1 **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. (08-8978,9080,9288:R1012)

**Mr Nelson Tom – Skyline Road, Goonellabah**

Raising concerns that when exiting his driveway at No. 539 Skyline Road he has limited time to see oncoming traffic and requesting that this matter be investigated.

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Extending the existing 50 kph speed limit along Skyline Road would not be appropriate given roadside development. There is significant vegetation in front of the residence and this is the main cause for restricted sight lines of oncoming vehicles. Removing or thinning this vegetation would have significantly more impact on increasing safety than erecting a warning sign.

B-08-11:2 **It was agreed:** That the writer be advised of the results of the investigation and suggestions as outlined. (08-9976:R5102)

**Mrs Tracy Birch – New Ballina Road, Lismore**

Raising concerns regarding the condition and safety of New Ballina Road and requesting that action be taken to upgrade this road.

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Since receipt of Mrs Birch's letter the several sections of New Ballina Road below O'Flynn Street have been reconstructed. Once line-marking has been completed then this section of road will be significantly safer. Any proposed widening or footpath construction is a matter for Council's Roads Section to investigate and consider. The installation of warning signage erected below O'Flynn Street for downhill traffic would also assist in advising motorists of conditions ahead.

- B-08-11:3 **It was agreed:** That a 'winding road' and 'slow down' warning sign be erected on New Ballina Road, below O'Flynn Street for downhill traffic. (08-10178:R7126)

**Mrs Carol Gray – Corndale Road, Corndale**

Raising concerns regarding access and safety on Corndale Road in the vicinity of No. 446 Corndale Road and suggesting a number of improvements for consideration.

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An onsite meeting with Mrs Gray concluded that it would have more impact on through traffic to reduce speeds around the bend prior to their property, rather than other types of warning signage, which could be largely ignored. It was pointed out that a convex safety mirror would offer little benefit due to the location of the driveway in relation to the bend. In addition, the mirror would offer a distorted view of oncoming traffic in a reasonably high speed environment. It was noted that the road was already line-marked around the bend in question and beyond in both directions. The next corner past the Grays' property was also in need of warning signage.

- B-08-11:4 **It was agreed:** That a right-hand 'curve' warning sign and 65 kph plate be erected prior to the curve south of No. 446 Corndale Road for north-bound traffic and several additional chevron hazard markers be erected around the bend in question should the bend meet the criteria for same. Further, that a right-hand and left-hand 'curve' warning sign and 55 kph plate be erected each side of the bend prior to the James Gibson Road intersection. (08-10524:R3801)

**Councillor Graham Meineke – Dalley Street, East Lismore**

Requesting that the plethora of No Stopping signs on Dalley Street be replaced with white lines as is the case on Stocks Street and suggesting that a trial removal of signs over a small area on Dalley Street be implemented.

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The majority of No Stopping zones on Dalley Street not only restrict parking immediately in front of existing driveways but also for a length of some 6.0m to allow residents sufficient room to reverse out of their properties into the parking lane for increased safety. Painting a white line both sides of driveways and particularly where a further distance is required has no legal significance and would be largely ignored by parkers.

The Rangers have reported that they receive numerous calls from residents of Stocks Street due to motorists either parking across their driveways or partly blocking them making it impossible to access their property. The offence in this case is 'stop on/ across driveway/ other access to/ from land'. Clearly in these cases the white lines do not have the same impact as the No Stopping signs. Due to significantly higher traffic volumes on Dalley Street and the potential of higher frequency of excessive speed, it is critical to ensure these No Stopping areas are retained for the safety of residents and visitors to the many practices along this street.

- B-08-11:5 **It was agreed:** That the existing No Stopping zones on Dalley Street be retained for the reasons set out above. (R7426)

**The Cancer Council of NSW**

Requesting consideration of installing a three car drop-off zone in Uralba Street in front of the Lismore Base Hospital Oncology and Haematology Centre.

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There has not been time for an onsite meeting to be held with a representative and this will happen shortly, however it was noted that there was already two accessible parking bays on the northern side of Uralba Street as well as a No Parking zone in front of the Emergency Department. The high demand for onstreet parking generally needs to be considered in addressing these current concerns.

B-08-11:6 **It was agreed:** That an onsite inspection be carried out and the matter be brought back to the Committee for further consideration should this be required. (08-11109:R6058)

**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**



## Documents for Signing & Sealing

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

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

### Recommendation

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

#### **Lease to Friends of the Koala Inc (P5144)**

It is proposed that a lease be granted to Friends of the Koala Inc for the following adjoining Council owned properties Lot 16 DP552816 (23 Rifle Range Road) and Lot 3 DP883372 (16 Industry Drive). Both of these Lots are classified as community land and zoned 6a (recreation zone). In accordance with the Local Government Act, public notice of the proposed lease has occurred without any submissions being received.

At the request of Friends of the Koala Inc the lease period is to be for 21 years. The long term of the lease is considered necessary in order that they can show security of tenure over the land for the purposes of attracting grant funding. Friends of the Koala have indicated that they intend to improve and add to their existing infrastructure currently on site.

The proposed rent for the properties (land only) is to be \$1 (one dollar) per year for the full term of the lease. In setting the rent, consideration has been given to the classification of the land and the not for profit nature of the proposed lessee.

#### **Assignment of Licence Agreement - Lismore Pie Cart (P23113)**

Assignment of Licence Agreement for kerbside dining for the Lismore Pie Cart on the road reserve in Magellan Street adjacent to Lot 1 DP 776438, 172 Molesworth Street, Lismore. Council has received financial and business references for the new business owners.

#### **Plan of Subdivision - Lot 22 DP 1122783 - 40 Three Chain Road, South Lismore (P30335)**

Following reports to Council on June 13, 2006 and November 13, 2007, a Plan of Subdivision of Lot 22 DP 1122783 has been prepared to create an additional lot, being 5,975m<sup>2</sup>, for the purpose of the Lismore Small Business Incubator.

## Financial Assistance - Section 356

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

Budget Approved: \$2,700 Budget Available: \$1900.00

Vivienne Roberts

Seeking contributions re World Indigenous Peoples Conference Education 2008 WIPCE 7-10 Dec 2008.

*In accordance with policy.* \$50.00Magic Mania

Seeking sponsorship re Magic Mania project 19 Dec 2008 Ballina RSL.

*In accordance with policy.* \$50.00**b) Council Contributions to Charitable Organisations****Waste Facility – Policy 5.6.1 (GL390.965.15)**

Budget: \$10,000 Budget available after this donation: \$5,298.09

Animal Right & Rescue	\$6.36	
Challenge Foundation	\$112.53	
Five Loaves	\$158.45	
Friends of the Koala	\$19.09	
LifeLine	\$210.00	
Saint Vincent De Paul	\$7.64	
Salvation Army	\$34.36	
Westpac Life Saver Rescue Helicopter	\$40.91	
Total		\$589.34

Lismore Soup Kitchen

Requesting Council to provide assistance with supply of two (2) 240ltr bins from the Wyrallah Road Waste Facility.

*In accordance with policy.* \$160.00**c) Miscellaneous Donations**Our Kids

Donation in lieu of printing and postage of Corporate Christmas Cards \$250.00

## Recommendation

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

**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, NOVEMBER 11, 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, Manager Finance, Manager Planning Services, Manager Environmental Health & Building Services, Manager Community Services, Corporate Compliance Coordinator, Communications Coordinator and Acting Personal Assistant to the General Manager.

- 216/08 **Apologies/ Leave of Absence** Nil
- 217/08 **Minutes** The minutes of the Ordinary Meeting held on October 14, were confirmed.  
(Councillors Clough/Graham)
- 218/08 The minutes of the Extra Ordinary Meeting held on October 21, 2008, were confirmed.  
(Councillors Houston/Clough)

**Disclosure of Interest**

Councillor Dowell declared a non significant conflict of interest in the follow items:

**Notice of Motion - Camerons Road Rezoning**  
**Notice of Motion - Roseview Road Proposed Rezoning**

Nature Of Interest – McLeans Ridges residents assisted unsolicited in my campaign. My consideration of these issues has remained consistent well before the election.

Councillor Clough declared a non significant conflict of interest in the follow item:

**Notice of Motion - Camerons Road Rezoning**  
**Notice of Motion - Roseview Road Proposed Rezoning**  
Nature Of Interest – Staffing of polling booths.

Councillor Ekins declared a non significant conflict of interest in the follow items:

**Notice of Motion – Camerons Road Rezoning**  
**Notice of Motion - Roseview Road Proposed Rezoning**

Nature Of Interest - Member of community donated to Greens election campaign. My views on this matter were well aired prior to the election.

**Review of Policy No. 3.1.5 – Cemeteries and Burials on Private Rural Lands**

Nature Of Interest – Former Owner of Billen Cliffs, but not relevant to the policy decision.

Councillor Houston declared a non significant conflict of interest in the follow item:

**Notice of Motion - Camerons Road Rezoning**

Nature Of Interest – Conducted a joint campaign for election with Mayor and some residents made in-kind unsolicited contributions to the team with the express objective of electing Mayor Dowell - those contributions assisted my election as a member of Jenny Dowell's team.

Councillor Meineke declared a non significant conflict of interest in the follow item:

**Notice of Motion - Roseview Road Proposed Rezoning**

Nature Of Interest – Previously declared a “Perceived Conflict of Interest”.

Councillor Yarnall declared a non significant conflict of interest in the follow items:

**Notice of Motion - Camerons Road Rezoning**  
**Notice of Motion - Roseview Road Proposed Rezoning**

Nature Of Interest –Members of McLeans Ridges community gave unsolicited donations of less than \$1000 and assisted with election campaign due to stated election policies.

## 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:

John Van Arendonk – Notice of Motion – Cameron Road

Mr Van Arendonk spoke on behalf of the land owners whose land was proposed to be re-zoned.

He advised that a process was in place and that it should be left to run its course. He considered that this decision would send a negative message to the community. He referred to costs already incurred by landowners.

Gail Wergs – Notice of Motion – Cameron Road

Ms Wergs referred to the previous decision and questioned several aspects surrounding planning issues. She claimed Council should advise the Minister of the attitude of the current Council.

Janet Allen – Notice of Motion – Roseview Road

Ms Allen supported the concept of the workshop to inform Councillors and reduce confusion in the community. She rejected the notion that the community should not be involved in the workshop.

Patricia Hughes – Review of Policy No. 3.1.5 – Cemeteries & Burials on Private Rural Lands

Ms Hughes raised a number of issues in respect to the Billen Cliffs Cemetery around hydrology, size of cemetery, buffer zones and access.

Alfredo Bonanno and Julie Brusaschi– Review of Policy No. 3.1.5 – Cemeteries & Burials on Private Rural Lands

Ms Brusaschi focussed on the history of Billen Cliffs and the role of the Body Corporate and its decision making process surrounding such issues as its cemetery. Mr Bonanno answered Councillors' questions.

## Mayoral Minutes

General Manager's Performance Review Committee

219/08 **RESOLVED** that the minute be received and that:

1. The membership of the General Manager's Performance Review Committee for 2008/09 be confirmed as the Mayor plus Councillors Ekins, Marks and Houston.
2. The engagement of a suitable external facilitator who has substantial Local Government knowledge and experience be determined by the Mayor in consultation with the Committee and the General Manager.  
(Councillors Dowell/Graham) (EOSU100)

## Notice of Motions

Camerons Road Rezoning

220/08 Formal notice having been given by Councillor Ekins it was **MOVED** that the Council and the Mayor write to the Director General and Minister of Planning stating this Council does not support the rezoning application for Cameron Road, LEP amendment 20, in its current form.  
(Councillors Ekins/Clough) (08-10650:S884)

AN AMENDMENT WAS MOVED that:

1. The Council write to the Director General and Minister of Planning stating this Council does not support the rezoning application for Cameron Road, LEP amendment 20, in its current form.
2. The Minister be informed of the Councillors who supported the Motion, and the Councillors who did not support the Motion.  
(Councillors Meineke/Marks) (08-10650:S884)

On submission to the meeting the AMENDMENT was APPROVED and became the MOTION  
**Voting against:** Councillors Ekins, Dowell, Houston and Yarnall

221/08 **RESOLVED** that:

1. The Council write to the Director General and Minister of Planning stating this Council does not support the rezoning application for Cameron Road, LEP amendment 20, in its current form.
2. The Minister be informed of the Councillors who supported the Motion, and the Councillors who did not support the Motion.  
(Councillors Meineke/Marks) (08-10650:S884)

#### **Roseview Road Proposed Rezoning**

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222/08 Formal notice was given by Councillor Yarnall it was **RESOLVED** that Council conduct a workshop to brief Council on the proposed Roseview Road rezoning and to review its status.  
(Councillors Yarnall/Clough) (08-10625:S939)

#### **Planning Documents**

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223/08 Formal notice having been given by Councillor Yarnall it was **RESOLVED** That Council staff prepare a report which examines enforceable processes under which Council can undertake or commission key documents such as SIA and EIS with the costs of these to be passed on to the applicant for the development.  
(Councillors Yarnall/Ekins) (08-10631:S371)  
**Voting against:** Councillors Battista, Marks and Meineke

## Reports

#### **Review of Policy No. 3.1.5 – Cemeteries and Burials on Private Rural Lands**

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A MOTION WAS MOVED that:

That the draft Policy 3.1.5 “CEMETERIES AND BURIALS ON PRIVATE RURAL LAND” be adopted by Council as outlined in full in Annexure 1 including the amendments underscored as a result of considering submissions for the reasons outlined in the report subject to alterations to the wording of PART C – VARIATION FROM THE POLICY to the effect that;

#### **PART C – VARIATION FROM THE POLICY**

- 1 That the General Manager be authorised to vary this policy where deemed appropriate in light of the circumstances of the case to do so. Where a variation is sought the applicant must provide a comprehensive submission to accompany the application.

Council will notify any affected neighbour/s of an application for a variation.

If the variation is to reduce the 100 metre setback distance detailed in Part A4, the applicant must detail what measures are to be undertaken to mitigate any impacts on affected neighbours. These measures are to be determined following proper consultation of the proposal with all affected neighbour/s. A written agreement to the variation by the affected neighbour/s i.e. those neighbours within the 100 meter setback is required to accompany the application. For Community Title, Strata Title and Multiple Occupancy developments, written concurrence from the affected neighbours within the 100 meters setback; is required to accompany the application.

(Councillors Clough/Graham) (S9:S467)

AN AMENDMENT WAS MOVED that the draft Policy 3.1.5 "CEMETERIES AND BURIALS ON PRIVATE RURAL LAND" be adopted by Council as outlined in full in Annexure 1 including the amendments underscored as a result of considering submissions for the reasons outlined in the report.

(Councillors Ekins/Smith) (S9:S467)

On submission to the meeting the AMENDMENT was APPROVED and became the MOTION  
**Voting against:** Councillor Meineke

224/08 **RESOLVED** that the draft Policy 3.1.5 "CEMETERIES AND BURIALS ON PRIVATE RURAL LAND" be adopted by Council as outlined in full in Annexure 1 including the amendments underscored as a result of considering submissions for the reasons outlined in the report.

(Councillors Ekins/Smith) (S9:S467)

**Voting against:** Councillor Meineke

#### **State of the Environment Report 2008**

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225/08 **RESOLVED** that the Supplementary State of the Environment Report 2008, be noted by Council.

(Councillors Graham/Houston) (S900)

#### **Sustainability Seed Funding Grant**

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226/08 **RESOLVED** that Council endorse the final report for the Environmental Trust grant titled 'Integrating Sustainability in Lismore Council's strategies and operations' which includes Lismore City Council's '*Towards Sustainability Initiative*'.

(Councillors Meineke/Marks) (S47)

#### **Promoting Better Practice Review**

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227/08 **RESOLVED** that:

- 1 That the Promoting Better Practice Review Report be received and noted.
- 2 That the actions proposed in response to the Department of Local Government's recommendations be communicated to the Director – General.

- 3 That the Promoting Better Practice Review Report be made available to the general public.  
(Councillors Meineke/Graham) (S43)

### **Goonellabah Sports & Aquatic Centre – Additional Loan Borrowings**

---

A MOTION WAS MOVED that Council borrow an additional \$580,000 for the Goonellabah Sports & Aquatic Centre to meet the shortfall in funding created by the absence of grant funding from the Federal Government.  
(Councillors Graham/Chant) (S960)

AN AMENDMENT WAS MOVED that Council defer consideration of this issue and include it in the Financial Workshop for the November 24, 2008.  
(Councillors Yarnall/Clough) (S960)

On submission to the meeting the AMENDMENT was DEFEATED  
**Voting against:** Councillors Clough, Houston, Ekins and Yarnall

- 228/08 **RESOLVED** that Council borrow an additional \$580,000 for the Goonellabah Sports & Aquatic Centre to meet the shortfall in funding created by the absence of grant funding from the Federal Government.  
(Councillors Graham/Chant) (S960)  
**Voting against:** Councillors Ekins, Houston and Yarnall

### **Lismore Sports Field Lighting Projects**

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- 229/08 **RESOLVED** that the 2008-2009 Urban Sports Facilities Fund budget be reduced by \$66,900 and reserves held for a specific purpose as detailed in the report be reimbursed as a result of the overspending in the Lismore sports fields lighting projects.  
(Councillors Chant/Meineke) (S960)  
**(Voting Against:** Councillor Ekins)

### **Replacement of Wheel Loader – Plant No. 210**

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- 230/08 **RESOLVED** that:
1. Council resolve to purchase from Conplant Ammann Australia a CASE 921E wheeled loader as quoted, the price of which will be \$384,862.00 including Goods and Services Tax.
  2. Council resolve to dispose of Plant No. 210 (Caterpillar 966F wheel loader) by public auction.  
(Councillors Graham/Chant) (T2009 -18)



**Lismore City Council Road Safety Strategic Plan 2009-2013**

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- 231/08 **RESOLVED** that the draft Lismore City Council Road Safety Strategic Plan 2009-2013 be adopted.  
(Councillors Graham/Meineke) (S596)

**Council Meetings and Public Forums for 2009**

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- 232/08 **RESOLVED** that:

1. That the first meeting for 2009 be held on February 10, 2009.

2. That Rural Contact Forums be held at:

Whian Whian Public Hall	March 16, 2009
Tregeagle Public Hall	June 15, 2009
Numulgi Public Hall	August 17, 2009

With the Nimbin Community Meeting at:

Nimbin School of Arts	November 16, 2009
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3. That City Contact Forums be held at:
- |   |                |
|---|----------------|
| Italo Australian Sports-Recreation Club | April 20, 2009 |
| Lismore Heights Bowling Club            | July 20, 2009  |
- (Councillors Houston/Marks) (S43)

**Councillors Expenses & Facilities Policy**

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That Council adopt its existing Expenses and Facilities Policy with the following amendments:

1. New Clause:

Council will reimburse up to \$30 of the monthly rental associated with wireless hand held devices (mobile phones, smartphones, PDA's).

2. Amending Clause 4.2 (e) by replacing "mobile phone" with "wireless hand held device".

3. Amending Clause 4.2(m) as follows:

Ability to have all or part of their Council fees paid direct to third parties.

4. That the internet allowance be increased to \$30 per month.  
(Councillors Meineke/Battista) (S45)

AN AMENDMENT WAS MOVED that Council adopt its existing Expenses and Facilities Policy with the following amendments:

New Clause:

Council will reimburse up to \$30 of the monthly rental associated with wireless hand held devices (mobile phones, smartphones, PDA's).

1. Amending Clause 4.2 (e) by replacing "mobile phone" with "wireless hand held device".

2. Amending Clause 4.2(m) as follows:

Ability to have all or part of their Council fees paid direct to third parties.

4. That the internet allowance be increased to \$30 per month.

5. That the kilometre rate be 64c.

(Councillors Smith/Houston)

On submission to the meeting the AMENDMENT was DEFEATED

**Voting against:** Councillors Ekins, Graham, Marks, Meineke, Battista and Yarnall

233/08 **RESOLVED** that Council adopt its existing Expenses and Facilities Policy with the following amendments:

1. New Clause:

Council will reimburse up to \$30 of the monthly rental associated with wireless hand held devices (mobile phones, smartphones, PDA's).

2. Amending Clause 4.2 (e) by replacing "mobile phone" with "wireless hand held device".

3. Amending Clause 4.2(m) as follows:

Ability to have all or part of their Council fees paid direct to third parties.

4. That the internet allowance be increased to \$30.

(Councillors Meineke/Battista) (S45)

At this juncture Councillor Clough left the meeting.

#### **Disclosure of Pecuniary Interest Returns 2007/08**

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234/08 **RESOLVED** that the report be received and the tabled Pecuniary Interest Return be acknowledged.

(Councillors Graham/Chant) (S18)

At this juncture Councillor Clough rejoined the meeting.

#### **September 2008 Quarter – Management Plan Review**

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235/08 **RESOLVED** that the report be received and noted.

(Councillors Meineke/Graham) (S952)

**2007/08 Financial Reports**

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- 236/08 **RESOLVED** that Council acknowledge the presentation of the audited 2007/08 Financial Reports to the public.  
(Councillors Meineke/Battista) (S952)

**September 2008 Quarterly Budget Review Statement**

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- 237/08 **RESOLVED** that:
1. Council adopt the September 2008 Quarterly Budget Review Statement for General, Water and Sewerage Funds.
  2. The reported surplus is transferred to reserve to be part of Council's targeted 2008/09 Budget Surplus of at least \$500,000.
  3. This report is forwarded to Council's Auditor for information.  
(Councillors Graham/Marks) (S960)

**Investments held by Council – October 2008**

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- 238/08 **RESOLVED** that the report be received and noted.  
(Councillors Clough/Smith) (S178)

**Financial Assistance - Section 356**

- 239/08 **RESOLVED** that in accordance with Section 356(1) of the Local Government Act 1993, the assistance to persons as listed is hereby approved.  
(Councillors Graham/Meineke) (S164)

**c) Representative Selection – Policy 1.4.10 (GL390.735.15)**

Budget Approved: \$1,100 Budget Available: \$744.00

L, T and J Perkins (08-10316:S164)

E-Mail applying for funding to help send son Jeremy to New Zealand to represent Australia in the Australian U12 Vikings Futsal Representative touring in March / April 2009

*In accordance with policy.* \$356.00

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

Budget Approved: \$11,700 Budget Available: \$726.69

The Neighbourhood Club Inc.

# Council Minutes

## November 11, 2008

Requesting Council continue the concession in hire charges (\$213) for the City Hall for meetings each Friday during 2008/09. No entrance fee is to be charged (S164&P6816:08-10560).

**Recommendation:** In accordance with Clause 1 of the policy, a donation of 25% of the hire fee applies \$53.25

### Lismore Soup Kitchen Inc.

Requesting Council waive all fees (\$213) for the hire of the City Hall for Christmas lunch for regular patrons and other who would either be alone or have nowhere to celebrate the day. No entrance fee is to be charged (S164&P6816:08-10666).

**Comment:** In recent years, other than 2008 when the City Hall was closed, Council has donated 10% of the hire fees for this event.

**Recommendation:** In accordance with Clause 5 of the policy, a donation of 100% of the hire fee applies \$213.00

### e) Mayor's Discretionary Fund (GL390.485.15)

Budget Approved: \$2,700                      Budget Available: \$1950.00

### Sanctuary Northern Rivers Inc (08-10389:S164)

Sanctuary Northern Rivers SNR sponsors settlement of African refugees predominantly in Lismore & 60th Anniversary of signing of UN's Universal Declaration of Human Rights seeking financial support towards purchase of wall hangings donated to Schools by 10-12-08 \$50.00

### f) Council Contributions to Charitable Organisations

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

Budget Approved: \$10,000	Budget available after this donation:	\$2,922.65
Animal Right & Rescue		\$20.00
Challenge Foundation		\$75.00
Five Loaves		\$210.00
Friends of the Koala		\$12.73
Lismore Soup Kitchen Inc		\$27.27
LifeLine		\$210.00
Saint Vincent De Paul		\$2.73
Westpac Life Saver Rescue Helicopter		\$33.64

*In accordance with policy.*    TOTAL: \$591.37

### e) Miscellaneous Donations

#### Lismore & District Junior Cricket Association (08-9645:S164)

Requesting a donation to the sum of \$3,054.60 being for 90% of the normal fee (\$3,394) for hiring sporting fields over a four day period in early 2009 for the U12 Junior Cricket Carnival. This donation has been a traditional annual donation to the organisers of the event in recognition of the important regional significance and income from the families that come from all areas of NSW to participate.

#### **Comment:**

Council has supported this event for many years with the request being approved, the nominated fees being waived and the cost of the event absorbed within the Parks & Recreation budget. Given the relatively large reduction in revenue of \$3,054.60, it is suggested that the same approach as previous years be followed, however the

organisers be advised that in future years, they will be required to make a submission to the draft 2009/10 Management Plan for this donation and that support is not guaranteed. That way, the donation will be treated the same as most other S356 donations with the donation coming directly from General Fund, not the Parks & Recreation budget.

**Recommendation:**

1. Approve a donation to the sum of \$3,054.60 being for 90% of the normal fee (\$3,394) for hiring sporting fields over a four day period in early 2009 for the U12 Junior Cricket Carnival.
2. The organisers be advised that for future events, they will be required to make a submission to the 2009/10 Management Plan for this donation and that support is not guaranteed.

## Confidential Closed Council Meeting

240/08 RESOLVED that the Council exclude members of the press and public from the meeting and move into closed Council as a Committee of the Whole to consider the following matters:

<b>Item</b>	<b><i>Nimbin Caravan Park</i></b>
<b>Grounds for Closure</b>	<b>Section 10A(2) (d ii):</b>
<b>Public Interest</b>	Discussion of this matter in an open meeting would on balance be contrary to the public interest because it may confer a commercial advantage on a third party Council is considering conducting business with.

<b>Item</b>	<b><i>Goonellabah Sports and Aquatic Centre Management</i></b>
<b>Grounds for Closure</b>	<b>Section 10A(2) (d ii):</b>
<b>Public Interest</b>	Discussion of this matter in an open meeting would on balance be contrary to the public interest because if may confer a commercial advantage on a third party Council is proposing to do business with. (Councillor Meineke/Clough)

## Resumption of Open Council

That Council having met in as a Committee of the Whole in a closed session to consider 2 reports entitled:

- Nimbin Caravan Park
- Goonellabah Sport & Aquatic Centre Management

Recommends that Council adopt the recommendations contained in both reports.

**Nimbin Caravan Park**

Authorise the use of a selected tender process to appoint a manager to the Nimbin Caravan Park and Pool Complex.

**Goonellabah Sport & Aquatic Centre Management**

# Council Minutes

## November 11, 2008

Authorise the General Manager to negotiate a contract for management of the Goonellabah Sport & Aquatic Centre fitness centre and gymnasium without calling tenders.

- 241/08 **RESOLVED** that the General Manager's report of Council meeting in Committee of the Whole be received and adopted  
(Councillors Graham/Smith)

### Closure

This concluded the business and the meeting terminated at 10.05 pm.

CONFIRMED this 11, 2008 at which meeting the signature herein was subscribed.

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**MAYOR**